

WESTFIELD STATE UNIVERSITY
CONFIDENTIALITY AND CONFLICT OF INTEREST AGREEMENT FOR SEARCH COMMITTEES (01/18/2024)

As a member of the search committee for _____, I understand that the ultimate success of this search and the integrity of the university depend on a search that is conducted in an impartial, ethical and professional manner. As a member of this search committee, I hereby agree to the following:

- I understand that the search committee’s role is always advisory and that the responsibility for hiring rests with the area vice president, who has the ultimate authority to select/approve the finalist.
- I agree that as a state employee, I must not participate on a search committee in which a member of my immediate family is being considered for hire (this includes parent, child, sibling, spouse, spouse's parents, spouse's children and siblings) and I will remove myself from the committee.
- At the outset of the search process, I must notify the committee chair by email if I personally know a candidate who has applied for the position and whether I am able to judge that person and the entire pool without bias.
- I acknowledge that all forms of information concerning the applicant pool are confidential and agree to permanently protect the identity of all applicants.
- I agree to maintain confidentiality about all search discussions, both during the search process and after its completion.
- I agree to privately notify the search committee chair if I have knowledge that indicates that a candidate is unsuitable for hire even if there is no record to support this. The search chair must then contact the Office of Human Resources for guidance.
- I acknowledge that the search chair is only authorized person to speak on behalf of the search committee. However, I may disclose information that has been disclosed publicly by the search chair regarding the process and status of the search.
- At the conclusion of the search, I agree that I will submit my notes and rating forms to the search chair who will forward them to the Office of Human Resources.
- I understand that my signed confidentiality agreement is part of the search and will be forwarded to the Human resources department at the conclusion of the search.
- I understand that if I breach any of these obligations or fail to act in a professional manner, I may be removed from the search committee and that if removed from the committee, all the terms of this agreement are still applicable and binding.
- I acknowledge receiving the following documents: 1) A summary of those sections of the Conflict of Interest Law that apply to the search process with contact information for the State Ethics Commission and 2) the Disclosure of Appearance of Conflict of Interest form.

I have read, understand and agree to abide by all of the terms of this agreement, as a condition of my service as a member of the search committee.

Signed _____

Date _____

Name (Print): _____

Westfield State University is an Affirmative Action/Equal Opportunity Employer committed to providing equal employment opportunity without regard to an individual's race, color, religion, creed, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, and veteran and marital status.

Conflict of Interest Law

“The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what state employees may do...”

“A state employee may not participate in any particular matter in which they or a member of their immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. They also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee who holds a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else.”

“An appointed state employee may also comply with the law by filing a **written disclosure** about the financial interest with their appointing authority, and seeking permission to participate notwithstanding the conflict. If a state employee's duties would require the employee to participate in a matter in which the employee has a financial interest, this is the procedure that should be used. The appointing authority may grant written permission to participate if they determine that the financial interest in question is not so substantial that it is likely to affect the integrity of the employee's services to the state. Otherwise, the appointing authority will assign the matter to someone else, or do it themselves. Participating without disclosing the financial interest is a violation.”

“A state employee may not act in a manner that would cause a reasonable person to think that they would show favor toward someone, or that they can be improperly influenced. Section 23(b)(3) requires a state employee to consider whether their relationships and affiliations could prevent them from acting fairly and objectively when they perform their duties for the state. If they cannot be fair and objective because of a relationship or affiliation, they should not perform the duties. However, a state employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.”

Massachusetts State Ethics Commission

Phone: Main (617) 371-9500

Open M-F 9am-5pm

<https://www.mass.gov/service-details/summary-of-the-conflict-of-interest-law-for-municipal-employees>