

**3356-7-26 Nepotism and potential conflicts in employment situations.**

- (A) Policy statement. The university fosters an environment in which all individuals are treated with mutual respect and trust. Employment practices are designed to ensure fair and equitable treatment for all employees, as well as creating confidence in the integrity of the hiring process. Employment practices that may provide unfair advantage, real or perceived, because of personal relationships or positions of influence are prohibited. Employees may not authorize, or use the authority or influence of their position to authorize, any of the employment practices as defined herein for the benefit of a family member or business associate.
- (B) Definitions.
- (1) Nepotism is the practice of applying favoritism, without regard to merit, through authority or influence by someone in a position of power or authority toward family members or other for whom the employee has a relationship or is legally responsible. Favoritism is shown by giving preferential treatment in any employment practice to family members as defined in this policy.
  - (2) Employment practices include: the ability or power to effectively hire, transfer, suspend, lay off, recall, promote, discharge; assign or reassign duties; reward, discipline, or influence grievances/appeals.
  - (3) Family members are defined as: parents, grandparents, children of any age, grandchildren, spouse, or siblings (regardless of where these family members reside) and anyone to whom he or she is related by blood or marriage (aunts, uncles, nieces, nephews, cousins, and in-laws) and who is also residing in the same household with the employee. ~~Family members include domestic partners and family members, as defined herein, of a domestic partner.~~
  - (4) University officials include: members of the board of trustees, executive officers, administrative officers, and other employees in a position to in any way affect employment practices.
  - (5) Business associate includes: any individuals, companies, or organizations with which the official is acting together to pursue a common business purpose. Examples would be partners in a

partnership, co-owners of a business, an outside employer, and co-members of an LLC.

(C) Parameters.

- (1) Employment practices are fundamentally based on the fulfillment of appropriate qualifications and performance standards. Thus, while there is no prohibition of family members and business associates being employed simultaneously at the university, there are restrictions as to whether an employee may authorize employment practices that directly affect another family member or business associate.
- (2) Division (A)(1) of section 2921.42 of the Revised Code provides that no public (university) official shall knowingly authorize or employ the authority or influence of his/her office to secure authorization of any public contract in which he/she, a family member, or any business associates has an interest. Violation of this section may constitute a felony.
- (3) University officials have the responsibility to exercise their control, influence, or authority in a manner that maintains confidence in the integrity of the university's administrative and personnel decision-making. This responsibility includes avoiding the appearance of a conflict of interest between personal and university interests (see rule 3356-7-01 of the Administrative Code).
- (4) University officials shall not attempt to influence an employment practice that directly affects a family member or business associate.
- (5) Normally the university will not hire, transfer, promote, or employ family members in such capacity in which they would directly supervise or be in a position to initiate or participate in institutional decisions involving direct benefit to a family member. However, should that occur, the conflict must be disclosed and the university should determine the action steps to be taken to manage the conflict. The employee should apprise the supervisor and in consultation with the appropriate dean/vice president and chief of

human resources officer, resolve the situation and avoid the conflict.

- (6) If a relationship develops during the course of employment that would create a conflict, the appropriate supervisor, in consultation with the appropriate dean/vice president and the chief human resources officer, will confer with the individuals involved to resolve the situation and avoid the conflict.
- (7) In rare and unusual situations when it is determined to be in the best interest of the university, exceptions may be made. Such exceptions are to be made through the provost or appropriate vice president and with the approval of the president.

(D) Procedures.

- (1) The university requires full disclosure of any relationship as defined above at the time of application or at any time that such a relationship might occur during the course of employment.
- (2) Employees maintain an obligation to ensure that all employment practices are based on appropriate professional qualifications and performance standards.
- (3) If there is any indication, real or perceived, that employment practices may be contrary to these parameters or procedures, it is the responsibility of the employee to bring the situation to the attention of the immediate supervisor.
- (4) Upon receiving notification of such possible influence, the immediate supervisor and appropriate dean/vice president will consult with the chief human resources officer.
- (5) An employee who violates this policy may be subject to disciplinary action and the employment practice may be reversed.

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Certification

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