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| <p>Name of Policy: Nepotism</p> <p>Policy Number: 3364-25-18</p> <p>Approving Officer: President</p> <p>Responsible Agent: Vice President of Human Resources and Campus Safety</p> <p>Scope: All University of Toledo Campuses</p> |  <p>Original Effective date: May 28, 2009</p> |
| <p><input type="checkbox"/> New policy proposal <input type="checkbox"/> Minor/technical revision of existing policy</p> <p><input checked="" type="checkbox"/> Major revision of existing policy <input type="checkbox"/> Reaffirmation of existing policy</p> | |

(A) Policy statement

The policy of The University of Toledo is to ensure that hiring and supervision by and within the university is conducted in a manner, which enhances public confidence in the university, prevents situations which give the appearance of partiality, preferential treatment, improper influence, conflict of interest, and is in accordance with state law.

(B) For purposes of this policy, the following definitions apply:

- (1) “University employee” means any person who is appointed to or is an employee of The University of Toledo, regardless of the source of funding for the employee’s position. University employee includes part-time interns, paid student help, temporary, intermittent and seasonal employees.
- (2) “Closely related by blood or marriage” is defined to include, but is not limited to, spouse, children (whether dependent or independent), parents, grandparents, siblings, aunts, uncles, in-laws, step-children, step-parents, step-grandparents, step-siblings, step-aunts, step-uncles, and other persons related by blood or marriage who reside in the same household.
- (3) “Significant relationship” means people living together as a spousal or family unit when not legally married or related where the nature of the relationship may impair the objectivity or independence of judgment of one individual working with the other.
- (4) “Business associates” are defined as parties who are joined together in a relationship for business purposes or acting together to pursue a common business purpose or enterprise.
- (5) “Supervision” means the direct ability or power to effectively recommend the hire, transfer, suspension, layoff, recall, promotion, discharge,

assignment, reward, discipline or settlement of disciplinary grievances *or* appeals of other public employee, including the authority of a board or committee to order personnel actions affecting the job.

- (C) All university employees are prohibited from authorizing or using the authority or influence of his or her position to secure the authorization of employment or benefit (including a promotion or preferential treatment) for a person closely related by blood, marriage or other significant relationship including business association.

This includes, but is not limited to, hiring in the following circumstances:

- (1) No employee, regardless of title, rank, or position, shall authorize or use the authority or influence of their positions to secure authorization of the employment of a person closely related by blood, marriage or other significant relationship, including business association, to serve in any position within state government.
- (2) Except as provided in section (D) no employee, regardless of title, rank, or position, shall have in the employ of that person's department any person closely related by blood, marriage or other significant relationship including business association.
- (3) No employee in the human resources department shall process any personnel actions or use the authority or influence of that employee's position to secure the employment of a person closely related by blood, marriage or other significant relationship, including business association.

Further, this includes, but is not limited to, supervision in the following circumstances

- (1) Except as provided in section (D), no university employee shall supervise any person closely related by blood, marriage or other significant relationship including business association.
- (2) Should a supervisory conflict arise, the department shall work expeditiously to relocate or transfer one of the individuals to eliminate the conflict to the extent permitted by law and/or any collective bargaining agreement. This relocation or transfer should be to a comparable position with minimal inconvenience for the transferring employee.
- (3) No employee in the human resources department shall review or be involved in the disciplinary actions of a person closely related by blood, marriage or other significant relationship, including business association.

- (D) Section (C) shall not apply to those circumstances in which:

- (1) A marital or other significant relationship develops subsequent to the employee's employment with the department. (In this instance, the department should make reasonable attempts to avoid a supervisory conflict.);
- (2) The university employee is employed by the department prior to the appointment of a person closely related by blood, marriage or significant relationship to the supervisory position. (e.g., a husband is employed at the agency and his wife is offered the appointment of deputy director. Neither the husband nor the wife must leave the agency. Although the department should make reasonable attempts to assure that the wife does not directly supervise her husband).
- (3) A person closely related by blood, marriage or significant relationship obtains employment with the same department as the result of bumping, displacement, recall or some other non-discretionary personnel action.
- (4) The university employee served in a capacity other than a direct supervisory position at the time the person closely related by blood, marriage or significant relationship was hired by the department (e.g., a sister and brother are both employed by a department and the sister achieves a promotion to the personnel area of the department. A conflict does not exist provided the sister does not process any personnel actions for her brother).
- (5) A person closely related by blood or marriage or has other significant relationship including business association with the supervisory employee, other than the human resource administrator, is not prohibited from working in the same department as long as the supervisory employee, regardless of title, rank, or position, does not participate in the hiring of the employee and has no direct line of supervision.

(E) Procedures

- (1) Each department should designate a person to be personally responsible for requesting nepotism information and accurately documenting any information received by the applicant/transferring employee. A model checklist includes nepotism information, as well as other information, which must be verified with every new hire or transfer. Departments should adopt this model checklist and add any other pertinent information they deem necessary.
- (2) Every personnel action form for a new hire, promotion or transfer posted must include a representation that all items contained in the pre-hire review form were verified. This representation can be made by either checking the box immediately above the appointing authority's signature

on the forms or inclusion of a typed statement signed by the supervisor or hiring person. Human resources department will not process any personnel action for a new hire, promotion or transfer which does not include this representation.

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| <p>Approved by:</p> <p><u>/s/ laj</u> Lloyd A. Jacobs, M.D. President</p> <p><u>June 11, 2009</u> Date</p> <p><i>Review/Revision Completed by: Vice President for Human Resources and Campus Safety; Human Resources</i></p> | <p>Policies Superseded by This Policy: <i>V-7-17 Nepotism (former Main Campus policy, adopted 02/01/1999);</i> <i>05-064 Nepotism (former Health Science Campus policy, review date 07/01/2003)</i></p> <p>Initial effective date: May 28, 2009 Review/Revision Date: Next review date: May 28, 2009</p> |
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