



Applies to: Faculty, staff, graduate associates, student employees and applicants

## **POLICY**

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The basic criteria for appointment and promotion of all university faculty, staff and student employees will be appropriate qualifications and performance. The intent of this policy is to emphasize that selection of personnel will be based on job-related qualifications. Relationship by family, marriage, or domestic partnership will not preclude hiring or promotion/transfer, as long as the individual meets and fulfills the appropriate appointment standards.

Family members, whose qualifications rank each of them first for the positions under consideration may be employed, so long as neither family member is immediately responsible for or influences any employment action. In such instances, all decisions will be referred to the Office of Human Resources, Employee and Labor Relations, for final approval; this includes dual career, spouse/partner and any other family hiring.

## **Definitions**

<b>Term</b>	<b>Definition</b>
Nepotism	Favoritism applied, without regard to merit, through authority or influence by someone in a position of power, toward family members or others for whom the employee is legally responsible. Favoritism is shown by giving preferential treatment in any employment action to family members and others as defined in the policy.
Employment action	Hire, promote, reclassify, supervise, direct, evaluate, make a salary recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment.
Family member	Spouse; domestic partner; mother; father; sister; brother; biological, adopted, or foster child; stepchild; legal ward; grandparent; grandchild; first cousin; aunt; uncle; niece; nephew; mother-in-law; father-in-law; sister-in-law; brother-in-law; daughter-in-law; son-in-law; grandparent-in-law; grandchild-in-law; or corresponding step-relatives; or corresponding relatives of the employee's partner; other persons for whom the employee is legally responsible; and anyone who stood in loco parentis (acting in place of a parent and assuming the parent's rights, duties and responsibilities) to the employee as a child.

## **PROCEDURE**

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### **I. Disclosure**

- A. Individuals must notify their supervisor (e.g. dean, chair, vice president, direct supervisor, etc.) if any family member applies for a position for which they will be responsible or may influence the employment actions referred to in this policy. In such instances, the individual has a duty to cooperate in making alternative arrangements.
- B. Internal and external applicants are required to self-disclose, at the time of application, if the position for which they are applying reports to or supervises a family member.
- C. Internal and external final candidates for positions must have an approved alternative arrangement in place prior to the appointment.
- D. The Office of Human Resources is available to facilitate or consult with parties about notification and making alternative arrangements.
- E. When the conflict of interest cannot be eliminated through alternative arrangements, the hire will not be approved.



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F. Individuals who do not notify their supervisors and do not make alternative arrangements are in violation of this policy and will be subject to corrective action in accordance with university policies and rules.

**II. Alternative Arrangements**

A. Alternative arrangements mean removing the responsibility or influence to hire, promote, reclassify, supervise, direct, evaluate, or make a salary recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment for the family member and recusing self from influencing any employment related decision. This includes relationships that are established post-hire. If alternative arrangements are not possible, employment is not feasible.

B. The employing unit must submit an Alternative Arrangement Agreement which must be approved by the Office of Human Resources prior to hire. Documentation of the Alternative Arrangement Agreement and its approval must be maintained in the personnel file of all impacted employees.

**III. Duty to Act**

Any human resource professional; supervisor, including faculty supervisors; chair/director; who becomes aware of information regarding nepotism must notify the college/VP unit senior human resource professional (SHRP) within five work days of becoming aware of the information. The SHRP will work with the Office of Human Resources to determine how to eliminate the conflict.

**IV. Accountability**

Individuals violating this policy will be held accountable through the selection and corrective action processes, with consequences ranging from non-selection to discipline up to and including termination. Faculty will be subject to University Rule 3335-5-04.

**Responsibilities**

Position or Office	Responsibilities
Office of Human Resources	<ol style="list-style-type: none"> <li>1. Consult with individuals and departments regarding nepotism and alternative arrangements.</li> <li>2. Review and approve Alternative Arrangement Agreements.</li> <li>3. Deny a hire, reclassification, or promotion if an alternative arrangement is not feasible.</li> <li>4. Determine employment action to be taken when alternative arrangements are not feasible for relationships established post-hire.</li> <li>5. Collaborate with college/VP unit SHRP when there is a duty to act.</li> </ol>
Employing unit	<ol style="list-style-type: none"> <li>1. Consult with HR Employee and Labor Relations regarding nepotism and alternative arrangements.</li> <li>2. Submit Alternative Arrangement Agreement to HR Employee and Labor Relations for approval.</li> <li>3. Hold employees and supervisors accountable for disclosing family relationships and generating alternative arrangements.</li> </ol>
Supervisors, including faculty supervisors; HRPs; SHRPs	<ol style="list-style-type: none"> <li>1. Notify the college/VP unit SHRP within five work days of becoming aware of a potential nepotism situation.</li> <li>2. SHRPs – contact HR Employee and Labor Relations to determine next steps.</li> </ol>
Faculty, staff, graduate associates and student employees	<ol style="list-style-type: none"> <li>1. Disclose family relationships upon knowledge of need to hire, promote, reclassify, supervise, direct, evaluate, make a salary recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment of that family member.</li> <li>2. Consult with OAA, unit SHRP, or HR Employee and Labor Relations regarding nepotism and alternative arrangements.</li> <li>3. Help generate options for alternative arrangements.</li> </ol>
Applicants – internal and external	Disclose on the application if the position applied for will report to or supervise a family member (see definition).



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**Resources**

- Alternative Arrangement Agreement, [hr.osu.edu/wp-content/uploads/form-nepotism-comply.pdf](http://hr.osu.edu/wp-content/uploads/form-nepotism-comply.pdf)
- University Faculty Rule 3335-5-04, [trustees.osu.edu/university/facultyrules](http://trustees.osu.edu/university/facultyrules)

**Contacts**

Subject	Office	Telephone	E-mail/URL
Policy questions	HR Connection	614-247-myHR (6947)	<a href="mailto:HRConnection@osu.edu">HRConnection@osu.edu</a>
Faculty issues	Office of Academic Affairs	614-292-5881	<a href="http://oaa.osu.edu">oaa.osu.edu</a>

**History**

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