MEMORANDUM – POLICY UPDATE

TO: President’s Council
    Senior Management Council
    Council of Deans
    Chairs
    Senior Fiscal Officers
    HR Business Partners (SHRPs) and all HR staff

FROM: Eunice Hornsby, Human Resources Policy Coordinator
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DATE: June 26, 2012

SUBJECT: Policy revisions effective July 1, 2012:
         Nepotism, Policy 1.25 (applies to faculty, staff, GAs, student employees, & applicants)
         Conflict of Interest and Work Outside the University, Policy 1.30 (applies to staff & applicants)

Two HR university-wide policies are being revised effective July 1, 2012:
   Nepotism, Policy 1.25 (applies to faculty, staff, GAs, student employees, and applicants)
   Conflict of Interest and Work Outside the University, Policy 1.30 (applies to staff and applicants)

The revisions represent substantive changes, and we ask that you familiarize yourself with them. Below is an outline of the major changes to each policy.

In regards to both policies, current employees will be required to disclose if they are currently in conflict with the updated policies by Dec 7, 2012. Faculty, staff, GAs, and student employees must disclose if they are in a situation of nepotism (e.g., if they report to, supervise, or influence the employment decisions for a family member and do not have an alternative agreement approved by the Office of Human Resources on file). Staff must disclose if they are engaged in external work that has not been approved in writing and on file.

If you have questions or concerns, please contact your assigned Employee and Labor Relations consultant, who can be found at: http://www.hr.osu.edu/elr/consultants.aspx.

Nepotism, Policy 1.25 (applies to faculty, staff, GAs, student employees, & applicants)
Key updates include:
- Creates a new definition of family (expanded from “immediate family”) who could constitute nepotism:
  Adds first cousin, aunt, uncle, niece, nephew, and corresponding step-relatives to form a more expansive definition of “family,” which already includes: Spouse; domestic partner; mother; father; sister; brother; biological, adopted, or foster child; stepchild; legal ward; grandparent; grandchild; 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. Note that the less expansive “immediate family” definition will stay in effect in other policies.
- Requires that individuals notify their supervisor if any family member applies for a position for which they will be responsible or influence the decision to hire, promote, reclassify, supervise, direct, evaluate, make a salary recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment.

- Requires that internal and external applicants self-disclose, at the time of application, if the position for which they are applying reports to or supervises a family member.

- Requires that internal and external final candidates for positions that report to or supervise a family member must have an approved Alternative Arrangement Agreement in place prior to the appointment.

- Prohibits hires, transfers, and promotions when the conflict of interest cannot be eliminated through alternative arrangements.

- Specifies that individuals have a duty to cooperate in making alternative arrangements.

- Requires that an Alternative Arrangement Agreement be submitted to the Office of Human Resources for approval, and that an approved agreement be maintained in the personnel file of all affected employees.

- Requires HR staff (HRPs); supervisors, including faculty supervisors; and chair/directors who become aware of nepotism to notify the college/VP unit HR business partner (SHRP), who will work with the Office of Human Resources to determine how to eliminate the conflict.

- Outlines responsibilities of the employing unit; Office of Human Resources; supervisors, including faculty supervisors, HR staff, and HR business partners; and internal and external applicants.

- Provides an Alternative Arrangement Agreement form.

**Conflict of Interest and Work Outside the University, Policy 1.30 (applies to staff & applicants)**

**Key updates include:**

- Requires that staff who wish to engage in external work which may be a conflict of interest obtain authorization prior to starting the activity.

- Defines external work as “Any work performed for any person or entity other than the university whether or not it is compensated that poses a potential conflict of interest. External work must be of such a nature and conducted in such a manner as will not bring discredit to the university and must not compromise any intellectual property owned by the university.”

- Defines financial interest as “Anything of monetary value, including but not limited to salary or other payments for services, including fees; honoraria; gifts; or other in kind compensation whether for consulting, membership on a board of directors or advisory board, or any other purpose such as partial, interim, or milestone payments.”

- Requires that staff must disclose in advance all external work and financial interests that create or have the appearance of creating a conflict of interest. If the conflict of interest cannot be managed, the employee cannot pursue the external work.

- Outlines responsibilities of the employing unit, Office of Human Resources, and employees.

- Provides an updated Staff External Work Approval Request form.

**Copies:**

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