



## THE VOICE OF ETHICS

April 2013

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### **Nepotism in Public Service – Just Say No**

Many families have a strong tradition of public service: sons who follow in Dad's footsteps into law enforcement, daughters inspired by Mom's election into public office, siblings who see their brother's or sister's pride in making a difference through their public jobs.

Our familial bonds instill in us a natural tendency to help a family member in need, particularly when our loved one is seeking employment. However, while serving the same public agency or municipality isn't illegal, nepotism – hiring or authorizing the hire of a family member – is. When someone in public service uses his or her position to secure the hire of a family member, it helps neither of them.

The Ohio Ethics Law makes nepotism a crime. This restriction applies to all public servants, which includes all elected officials, all appointed officials, and all public employees, regardless of whether they are compensated for their public service. The law prohibits a public official or employee from hiring, or using a public position to secure the hire of, a family member. In fact, in the state of Ohio, using your public position to hire a family member is a fourth degree felony.

Public agencies are required to conduct all hiring activity in a fair, open and impartial manner because it's the law, and also because it truly is the right thing to do. Giving precedence or advantages to family members in public hiring is unfair to other applicants who may be equally or even more qualified.

Current public officials or employees are required by law to completely remove themselves from participating in any way in the hiring process if any of these family members is competing for a public job: parents, grandparents, children of any age, grandchildren, spouse, or siblings. They cannot participate in these hires even if their family members live in other households.

Public officials or employees also cannot hire anyone to whom he or she is related by blood or marriage (aunts, uncles, nieces, nephews, cousins, and in-laws) if that family member is also residing in the same household with the official or employee.

The law also prohibits a public official or employee from using his or her position to influence another person to hire a family member. In other words, the public servant can't recommend or otherwise use his or her connection to the hiring authority to get a job for a family member. The official or employee is also prohibited from calling other public officials or employees and asking them to hire a relative.

If a public servant's family member is lawfully hired by a public entity, without the public servant's participation in the hire, the Ethics Law continues to limit the actions of the public official or employee. The public servant cannot get or attempt to get contract-related benefits for the family member. For example, if a person becomes a public library trustee, and her mother was already employed by the library, the trustee's mother is not required to leave her job. However, the new trustee is prohibited from making any decisions on other matters that affect her mother's employment, such as raises, promotions, and performance evaluations. When the board of trustees discusses her mother's employment, the trustee must refrain from participating in the discussions or decisions in any way.

For more information on nepotism and public contract prohibitions outlined in the Ohio Ethics Law, see this [fact sheet](#).

***And Speaking of Hiring...Summer is Coming!***



Believe it or not, summer will be here in the blink of an eye! Before we pull out our sunscreen and pack a picnic basket, though, review this [bulletin](#) reminding public officials and employees about the restrictions in the Ethics Law against hiring their family members.

Understandably, during summer vacation, many high school and college students seek summer jobs. Many of these are seasonal full-time or part-time jobs (such as lifeguards and camp counselors) with cities, villages, school districts, and other public agencies that offer summer programs. Current public officials and employees, however, should be aware of hiring restrictions, especially when it involves their minor children. Questions after reading the bulletin? Call the Ethics Commission and ask to speak with an advisory attorney.



## **Ethics Commission Webinars – Coming Soon to a Computer Near You!**

The Ohio Ethics Commission conducts approximately 200 Ethics Education sessions annually. We enjoy the interaction and lively discussion of these classroom sessions and encourage you to contact Susan Willeke if you would like to schedule a speaker for your office or agency.

Due to limited resources, however, the Commission has had to devote its travel resources to larger audiences. In fact, speeches with projected attendance of fewer than 75 people have often been declined. We appreciate the efforts of many of our session “hosts” to combine an Ethics class with other agencies or nearby municipalities, thereby increasing attendance numbers to allow our office to conduct a session in your community.

For some agencies or communities, though, that may not be possible. Therefore, the Ethics Commission is pleased to announce that webinars will be offered in the latter half of 2013. At least one session per month will be held beginning in July. These 45 – 60 minute sessions can be “attended” at your own desk, using your own telephone and computer.

These sessions will not replace all classroom learning conducted by the Ethics Commission, but we are excited to offer an option that may be of particular assistance to smaller Ohio communities. Webinar dates are listed below (additional dates may be announced at a later date). Stay tuned for next month’s newsletter where you will receive details on logging on for the session of your choice.

### **Ohio Ethics Commission 2013 Webinars**

- July 11, 2013 – 10 a.m.
- August 6, 2013 – 1 p.m.
- September 3, 2013 – 10 a.m.
- October 11, 2013 – 10 a.m.
- November 5, 2013 – 1 p.m.
- December 18, 2013 – 1 p.m.

### **Commission News**

Upcoming meeting of the Ohio Ethics Commission:

- May 2, 2013 – 10 a.m.

Commission meetings are held in the William Green Building, 30 W. Spring Street, Columbus, Ohio.

### **Need More Info or Have an Idea for Future Articles?**

Contact Susan Willeke at (614) 466-7090 or at [susan.willeke@ethics.ohio.gov](mailto:susan.willeke@ethics.ohio.gov)