



Medina County Policy Manual



Policy: Nepotism	Section: Work Rules	Number: 7.045
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I. Scope & Objective

- A. It is the policy of the Medina County Board of Commissioners not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or familial status.
- B. Notwithstanding this policy, the Medina County Board of Commissioners retains the right to refuse to appoint a person to a position in the same department or facility wherein his/her relationship to another employee has the potential for creating adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest.
- C. The department head shall have the authority and responsibility for determining if such a potential for adverse impact exists or does not exist.
- D. The Commissioners shall hire no relative(s) in any position for which they are the appointing authority.
 - 1. No relatives may work in a direct supervisor – subordinate relationship for the Commissioners.
 - 2. If this situation should arise because of a promotion, the employee in the subordinate position shall be transferred into another position as soon as possible.
- E. This policy shall apply to all appointments and to all positions under the authority of the Medina County Board of Commissioners. It shall also apply to appointments of "intermittent", "interim", and "seasonal" employees and contract employees when the expected duration of the appointment is in excess of 80 hours in a fiscal year.

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F. For purposes of this policy, "supervisory employee" or "supervisor" means any employee, regardless of job description or title, having authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend this action, if, in the connection with the foregoing, the exercise of this authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

II. Determination

- A. Where the department head has made a determination that such adverse impact does not exist, such determination shall be reviewed by the Human Resources Director prior to any appointment being made.
- B. If the Human Resources Director determines that an adverse impact would in fact occur, the department head and County Administrator shall be notified.

III. Relationships Defined

- A. Individuals who are related by blood, marriage or adoption including the following relationships: spouse, child, step-children, parent, step-parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, parent-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law.
- B. A spouse is a partner in marriage meeting the requirements of Chapter 3101 of the Ohio Revised Code.
- C. In implementing this policy, it is lawful to ask an applicant to state whether he or she has a spouse or relative as defined in this policy who is presently employed by the County, but such information may not be used as a basis for an employment decision except as stated herein.

IV. Marriage

- A. When two existing employees marry, and a determination has been made that a potential for adverse impact exists the department head - in conjunction with the Human Resources Director - shall make reasonable efforts to minimize problems of supervision, or safety, security or morale through reassignment of duties, relocation or transfer.

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IV. Marriage (*cont'd*)

1. If the department head is unable to make an acceptable accommodation, the department head shall notify the employee(s) in writing that one of the employees must separate from the County within sixty (60) days: the choice of who shall separate from County service shall be the employees'.
2. In the event the employees do not agree with respect to which one shall resign, the employee with the least seniority shall be separated from County service.

V. Nepotism Review Request

- A. A Nepotism review request must be instituted given the following situations:
 1. Prior to hiring an applicant who is related to a County employee;
 2. Prior to any personnel action when a County employee who is related to another County employee moves from one position to another position;
 3. When two (2) County employees marry.
- B. Departments shall request a nepotism review by the Human Resources Department at least five (5) business days prior to the hiring effective date. Only department heads and/or assistant department heads may request this review.
- C. The Human Resources Department will review the request and may concur with restrictions, without restrictions, or not concur with the decision of the department head.
 1. If the Human Resources Department does not concur, a copy of the request form will be sent to the County Administrator.
 2. The department head shall have the authority and responsibility for determining if a potential for adverse impact exists or does not exist, and deciding whether to appoint the applicant or employee.