

Name of Policy: Conflict of interest and nepotism			
Policy Number: 3364-25-18		Effective date: October 20, 2023	
Approving Officer: President		Original effective date: June 22, 2011	
Responsible Agent: Chief Human Resources Officer; Provost and Executive Vice President for Academic Affairs			
Scope: All University of Toledo campuses			
Keywords:			
	New policy	X	Minor/technical revision of existing policy
	Major revision of existing policy		Reaffirmation of existing policy

(A) Policy statement

Employees must always conduct themselves in a manner that fosters public confidence in the integrity of the university, its processes and its accomplishments. Employees must abide by protections to the public embodied in the Ohio ethics law and related statutes found in Chapters 102. and 2921. of the Revised Code, and as interpreted by the Ohio ethics commission and Ohio courts. These laws generally prohibit public officials and employees from misusing their position for their own personal benefit or the benefit of their family members or business associates. The conduct and activities of all employees is also subject to the bylaws of the board of trustees of the university (rule 3364-1-06 of the Administrative Code) and this rule.

(B) Purpose of policy

To provide standards of conduct for employees in accordance with the Ohio ethics law and related statutes.

- (7) "Supervise" or "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 another public employee, including the authority to order personnel actions affecting the job.
- (8) "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.

(E) Acknowledgement and resources

- (1) Within fifteen days after any employee begins the performance of official duties, human resources will furnish the employee with a copy of Chapter 102. and section 2921.42 of the Revised Code, and may furnish such other materials as the Ohio ethics commission prepares for distribution. The employee must acknowledge receipt in writing, as required by Ohio law. Additional resources are available at <http://ethics.ohio.gov/education/index.html>.

- (2) This policy is neither all-inclusive, nor does it detail all exceptions to the ethics law. The Ohio ethics commission, www.ethics.ohio.gov, provides educational materials and resources. The commission is available to provide advice and opinions regarding the application of the ethics law and

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- (d) The university employee served in a capacity other than a direct supervisory position at the time the person closely related by law, blood, marriage or significant relationship was hired by the department and human resources approves alternative arrangements (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. In this case, the sister can have no role in any personnel decisions or actions in relation to her brother.)
- (e) A person closely related by law, blood or marriage or other significant relationship including business association with the supervisory employee, 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 and human resources approves alternative arrangements. This exception is not available to a human resource administrator.

- (7) Because of the special expertise involved in research, it is occasionally scientifically desirable for two related parties to work on the same project.

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the pre-hire review form were verified by either the hiring agent or appointing authority through 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. The hiring agent may not process any personnel action for a new hire, promotion or transfer which does not include this representation.

- (d) Each department head, supervisor, faculty supervisor, human resource professional, chair, dean, director, including associate positions, should immediately notify the unit's senior human resource professional of relationships involving nepotism unless alternative arrangements approved by human resources are in place.
- (G) Conflict of interest. A conflict of interest exists if financial interests or other opportunities for personal benefit may exert a substantial and improper influence upon an employee's professional judgment in exercising any universnd iconalunaly 1 (n)1 T(alt)-

- (6) Use or disclose confidential information of the university or protected by law, unless appropriately authorized, for so long as the information remains confidential (including after a person leaves public service);
- (7) Solicit or accept honoraria, with the limited exception expressly related to non-supervisory faculty as discussed in Chapter 102. of the Revised Code and opinions of the Ohio ethics commission (advisory opinion 2011-04)

Employees should consult the Ohio ethics commission website for additional explanation of conflict of interest restrictions. Mere disclosure of a conflict of interest is not sufficient to resolve the issue. Employees are individually required to take the action necessary to resolve the conflict in compliance with the Ohio ethics law and related statutes.

(H) Penalties

Failure of any employee to abide by this rule, or to comply with the Ohio ethics law and related statutes, may result in sanctioning or discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law. Any disciplinary action will be in accordance with applicable university policies or collective bargaining agreements.

(I) References

Chapter [102.](#) of the Revised Code (public officer – ethics)

Approved by:

/s/

Gregory Postel, MD
President

Date: