

## Employment Conflicts of Interest

### Purpose

King County welcomes the opportunity to hire and retain qualified employees who are related to one another. However, when relatives work together it may create the appearance of or actual conflicts of interest or favoritism. Certain employment situations involving relatives are prohibited by the County's conflicts of interest rules. This policy sets out guidelines for the hiring process as well as how to manage situations in which relatives may work together. This policy also addresses hiring situations where the hiring manager or others involved in the hiring process have a current or previous relationship with the applicant, whether or not these employees are related to the applicant.

### Policy

The County's goal is to make employment decisions that are fair, equitable and transparent. When relatives work together, conflicts of interest and perceived or real unfairness may result. Likewise, a County employee participating in a hiring process is responsible for ensuring a fair hiring process. If an employee's relationship with a candidate impacts his or her ability to be fair in a hiring process or may result in a perception of an unfair hiring process, that employee must either recuse him or herself from the process or discuss the issue with the employee's HR Manager or supervisor.

To that end, no King County employee may make, participate in, or attempt to influence employment-related decisions involving a relative. Additionally, anyone involved in the hiring process must disclose to human resources when they have a current or prior relationship with an applicant that is a conflict of interest or reasonably be perceived to create a conflict of interest. Human resources will determine how to handle such instances on a case-by-case basis.

### Definitions

- *Relative* – As set forth in the King County Code, and for this policy, relative is defined as parent, child, sibling, spouse or domestic partner, aunt or uncle, niece or nephew, grandparent, grandchild, in-laws, children or relatives of a domestic partner to the same extent such relatives would be included in this definition if the employee and domestic partner were married.
- *King County Employee* – All employees, volunteers, interns, veteran fellows, and contract workers in the Executive Branch.
- *Employment-Related Decision* – The full spectrum of employment-related decisions, including but not limited to recruitment, appointment, hiring, transfer, promotion, supervision, evaluation, compensation, audit, classification or reclassification, demotion, discipline, termination, and reduction in force.
- *Conflict of Interest* – Conflict of interest means a conflict between a person's private interest and their responsibilities as a County employee. When used in this policy, conflict of interest means an actual conflict, a potential conflict or an appearance of a conflict.

## **Guidelines**

1. **General rule.** It is permissible for two relatives to work in the same department, agency or division, as long as there are no business or job-related conflicts of interest. It is not permissible for one relative to supervise or make employment-related decisions about the other relative.
2. **Additional situations.** If a situation arises in which one employee is temporarily in the chain of command of a relative, the situation should be immediately disclosed by both employees to their respective supervisor or HR Manager and a mitigation plan developed in conjunction with the agency's HR manager. Similarly, if two employees become related and one is in a position to make employment-related decisions about the other, both employees should immediately disclose the situation to their agency's HR manager and a mitigation plan developed in conjunction with the agency HR Manager.

Employees who marry one another or become related during their employment will be allowed to remain with the County unless they are in a supervisor-subordinate relationship and there is no open position to which one of them may be moved. Other exceptions will be handled on a case-by-case basis by the department and agency human resources management. If a mitigation plan cannot be developed to address actual or perceived conflicts, one of the two relatives will need to seek employment elsewhere. The County will not hire a job applicant who is a relative of a current employee if the applicant would be in a supervisory or subordinate position to the existing employee.

3. **Mitigation Plans for Ongoing Employment of Relatives.** The goal of a mitigation plan is to resolve the conflict of interest or the appearance of a conflict of interest and/or harm to the work environment created by relatives working together. A mitigation plan should address issues like reporting relationships, supervision, and evaluation. If a satisfactory mitigation strategy cannot be developed or maintained, one of the two employees will need to seek employment elsewhere. The Human Resources Director will be consulted when agency staff cannot reach agreement on a mitigation plan and will work with the Department on how to resolve the conflict.
4. **Conflict of Interest in the Hiring Process.** An employee participating in a hiring process, (including a promotional process), either as a subject matter expert reviewing applications or on an interview panel, is expected to disclose to the hiring manager and human resources professional responsible for the recruitment any relationships with candidates that may impact the employee's ability to be fair and unbiased in the hiring process, or be perceived to be fair and unbiased in the hiring process. Depending on the nature of the relationship, the hiring manager and human resources professional may require the employee to recuse him or herself from the hiring process. If the hiring manager or the human resources recruiter has a current or previous relationship with an applicant, the individual must disclose this relationship to his or her supervisor and human resources representative and a mitigation plan may need to be developed for the hiring process.

An Employee may not share information with an applicant for a position that would give that applicant an advantage over other applicants.

5. Violations. Violations of this policy may result in discipline up to and including termination of employment.

Refer questions or comments to your department Human Resources Service Delivery Manager, the Human Resources Division, the King County Ethics Program or the King County Ombudsman's Office.

<b>Related Policies</b>	KCC 3.12.020 C; King County Ethics Code
<b>Procedures &amp; Forms</b>	Mitigation Plan Example
<b>Last Reviewed</b>	December 2016
<b>Next Review</b>	