

**CONFLICT OF INTEREST POLICY
IN THE APPOINTMENT AND ASSIGNMENT OF RELATED EMPLOYEES**

Approved by the Board of Trustees on August 5, 1993

RESOLVED, that the Board of Trustees adopt the following policy and procedure:

I. General Statement of Policy

In accordance with general university policies, the criteria for employment, promotion and remuneration at Oakland University shall be based on legally appropriate qualifications, performance, contractual agreements, policies, and procedures. In order to insure the fair application of these criteria, it is important to avoid actual or potential conflicts of interest caused by the relationship of one employee to another. The relationship of one employee to another employee or to an applicant for employment must not constitute an advantage with respect to employment or working-conditions at the University.

Conflicts of interest may arise when a personal relationship places an employee in a position where employment responsibilities cannot be exercised without affecting private interests, thereby possibly denying the public of impartial performance of duties. In order to remove this potential barrier to equitable decision making, this policy is established regarding the employment and assignment of related employees.

II. Scope of Policy

This policy pertains to all employees (full-time, part-time, permanent, temporary and student) and to all applicants for employment.

III. Definitions

A. The term "personal relationship" means the relationship between two persons by blood, adoption, or marriage to the degree set forth below:

Blood or Adoption: parent, child, brother, sister, grandparent, grandchild, or half-brother or half-sister.

Marriage: spouse, father-in-law or mother-in-law, brother-in-law or sister-in-law, step-child, or son-in-law or daughter-in-law.

This definition is not to be construed as all-inclusive. In an individual case, other family or non-family close personal relationships, including those relationships comparable to marital status, could result in decisions not based on qualifications, performance, and merit. Such relationships are "personal relationships" and are covered by this policy.

- B. The term "relative" means a person with a personal relationship as defined above.

IV. General Provisions

- A. University personnel shall not initiate, participate in, or influence any employment decision involving an individual where there is a personal relationship. Employment decisions include decisions on initial employment, retention, promotion, salary, leave-of-absence, discipline, discharge, or any other matter relating to the employment relationship.
- B. No individual shall be hired or otherwise placed (1) under the administrative supervision of a relative, or (2) in a position where the supervisor of that position is part of a reporting line containing a relative of the individual. No individual shall be hired or otherwise be placed as the direct or indirect administrative supervisor of a relative. For the purpose of this policy, a faculty chairperson or faculty coordinator is considered the administrative supervisor of faculty members in the department or area.
- C. Student employment is covered by this policy, with the exception that a student is not peremptorily prohibited from working for a related supervisor in those cases where the student employment: (1) is part of a financial aid plan, and (2) is directly related to the student's specific academic pursuits. The following are examples of this exception: an undergraduate music major is employed to maintain the musical scores library; a graduate chemistry student is employed to assist in the supervision of an undergraduate chemistry laboratory.

In these instances, special arrangements or accommodations must be made by the hiring department and the divisional vice president to insure that all employment-related non-ministerial decisions are reviewed by a supervisor who is not a relative.

V. Changes in Employment or Relational Status Which Cause Conflict with this Policy

When a change occurs in an employee's status by promotion, transfer, change in job description or change in relational status (through marriage, for example) that results in a supervisory relationship in violation of this policy, the following action shall occur:

- A. The appropriate university officials, including either the appropriate Vice President or the Director of Employee Relations, shall review the circumstances to determine if an equitable adjustment in assignment or transfer can be arranged.
- B. Except when a decision to the contrary is made by the President under Section VI. below, if an appropriate accommodation cannot be made (for example, due to the unavailability of a position for which either party is qualified, or an inability to develop an appropriate supervisory reporting relationship with another party), one of the parties must cease active employment with the university.

VI. Special Exception to the Policy

When the President determines that it would be in the best interest of the university, the President may approve individual exceptions to this policy for persons who are relatives, but only when:

- A. The interests of other employees are not prejudiced by the exception; and
- B. All recommendations or decisions made by one relative about the other relative are subject to review and approval either by an unrelated supervisor or by another University employee designated to perform this function.

Any approval of an exception shall be documented in writing and shall specify the reasons for the exception.