

Department Head Meeting Agenda

Meeting Date and Time: December 18, 2015 9:30 a.m.
Meeting Location: Commissioners' Hearing Rm, 5th Floor, Co. Office Bldg.
Convener: Andrew Kalmar, County Administrator

Announcement Items

Monthly Safety Subject: Dec. - Space Heaters
Jan. - First Aid CPR - AED

Policy Reminder: Sick Leave Misuse = theft in office

Insurance Update: Monthly Measurement Method for New Hires
New Member Meetings - 1/13/16

Wellness Update: 2016 Programming Available On-line by 12/31/15

Training Update: Ethic Training Follow Up: Nepotism & Post Employment
Committee Meeting - 1/27/16 @ 8:45 a.m. BCC
HR Group 1/28/16 @ 10 a.m. Hearing Room
Employee Orientation - 2/25

Employee Recognition: 1/14/16 @ 9:30 a.m. Atrium

Budget Update: Thank You Payments

DOL Delays Implementation of Proposed Changes to FLSA

Invitation on Countywide Committees

Emergency Notification Lists Phone Tree Updates
Essential Employees

Two Minute Drill

Next Meeting Date

January 15, 2016 9:30 a.m. Commissioners' Hearing Room

Board of County Commissioners

James F. Carter Doris I. Herringshaw, Ed.D. Joel M. Kuhlman



SUMMARY OF DISCUSSION

A meeting of the Department Heads was held on December 18, 2015, in the Commissioners' Hearing Room with the following persons present:

Elected Official/Office/Department Representatives

Jeff Orłowski	Dave Wigent	Brad Gilbert	Chris Diefenthaler	Katie Mahlman	Kelli Kling
Tom Chidester	Tim Hainen	Dana Schrott	Brenda Ransom	Ben Hendricks	Andrew Snyder
Dave Steiner	Jen Robeson	Mike Rudey	Ben Batey	Tom Clemons	Frank McLaughlin
Janese Diem	Pamela Boyer	Andrew Kalmar			

Announcements

Staffing Changes: Andrew announced that several staffing changes are taking place in the Commissioners' Office. Joe Fawcett recently resigned to take the Assistant Municipal Administrator position with the City of Bowling Green. Fiscal Manager Darcy Wilhelm was scheduled to retire effective January 29, 2016; Dee Stewart will replace her as the new Fiscal Manager. Rachel Richmond, currently the Benefits Clerk will assume Ms. Stewart's vacant Fiscal Coordinator position.

JFS Director: Andrew congratulated JFS Director Dave Wigent on being named Director of the Year by the Ohio Department of Job and Family Services Director's Association.

EMA Staffing Changes: Andrew welcomed Chris Diefenthaler to the meeting. She is the new Deputy Director at the Emergency Management Agency. She has prior experience working with the American Red Cross in disaster services.

Monthly Safety Topics: The December Safety Subject focuses on Space Heaters. If employees use space heaters, be sure they are used in a safe manner. January's Safety Subject is First Aid, CPR, and AED. Department Heads were asked to share the information with staff when it is distributed.

Policy Reminder: Sick leave misuse equals theft in office. Employees requesting sick leave should do so in a manner consistent with the approved uses of sick leave as noted in the employee handbook.

Insurance Update: Pam noted changes to the insurance eligibility rules as a result of the Affordable Care Act. In addition to utilizing a lookback method for variable hour employees, new full time hires will be measured on a monthly basis to ensure 30 hours per week each month. A new member meeting for the Employee Health Benefits Committee is scheduled for January 13 at 9 a.m. in the Commissioners' Office.

Wellness Update: The deadline to enter completed programs for the quarterly prize drawing is December 28. The Fitness Program and Nutrition for Life Reimbursement forms are due by January 5. The 2016 program information will be posted on-line prior to the first of the year.

Training Update: Handouts from the recent Ethics webinar are included with the minutes. The focus of the ethics commission is moving to nepotism and post-employment. The Training Committee will hold its annual meeting on January 27 in the Commissioners' Office at 8:45 a.m. Anyone is welcome. If you have suggestions for 2016 training, contact Pam Boyer. The HR Group is scheduled to meet on January 28 at 10 a.m. in the Commissioners' Hearing Room. The topic will likely be additional updates on health care reform. The next Employee Orientation will be held on February 25. Contact Janese Diem to register new employees.

Employee Recognition: The program to recognize employee service is scheduled for January 14 at 9:30 a.m. in the Courthouse Complex Atrium. Department Heads are encouraged to attend with their employees. Those departments with employees being recognized for 30 or more years of service are welcome to make a few remarks during the program.

Budget Update: Andrew stated that the Commissioners have approved the budget for 2016 including a 3% salary increase. An additional one-time Thank You Payment is also included for departments that have not already rewarded employees this year.

FLSA Changes: The Department of Labor has delayed implementation of the proposed changes to the FLSA. This delay will provide additional time for departments to determine employees who may be affected by the salary requirement changes that qualify an individual for an exemption from overtime.

Invitation to Countywide Committees: A memo has been sent regarding countywide committees. If any employees are interested in joining a committee, please notify the appropriate contact as stated in the memo.

Emergency Notification Lists: Departments were reminded to update their emergency notification lists and review their list of essential employees. Changes to the Commissioners' Department Head phone tree will be forwarded once a new Assistant Administrator is named. In the meantime, the final person noted should contact Andrew to close the phone tree.

Two Minute Drill

Brad Gilbert (Emergency Management) stated the agency has been assisting schools with updating their emergency action plans. He also reminded attendees if they see something suspicious to say something. Softer targets are becoming the focus of terrorists so he encouraged vigilance.

Andrew Snyder (Dog Shelter) announced that 2016 dog licenses are available for purchase through January 31.

Tim Hainen (Buildings & Grounds) updated attendees on the status of projects. The jail expansion is in the punch list phase and should be wrapped up in a next few weeks. Wood Haven's boiler installation is complete and work in underway on the freezer/fridge replacement project. The Museum's accessibility project is moving forward. Requests for bids are going out soon for the HVAC renovation for the Courthouse attic. Staff has also been working on updates at the Dog Shelter in regards to lighting and painting.

Ben Hendricks (IT) stated that the email migration project should be completed soon. He also encouraged employees to change their passwords on an annual basis.

Ben Batey (Health District) noted that the flu season has not been bad yet this year. He also noted that the District is applying for funding for dental services and preparing for an accreditation team visit.

Tom Clemons (ADAMHS) reviewed progress in regards to an increased number of psychiatric beds in the area. He also noted that the Board is working on establishing a recovery house within the County to assist those transitioning from residential facilities to a home setting. A mental health hotline is also being developed to provide assistance with mental health issues in a tri-county area (Hancock, Lucas, and Wood Counties).

Dave Wigent (Job & Family Services) stated that the Agency has been extremely busy with constant program rule changes and the expansion of eligible clients. Recruitment and retention of staff will be a main focus for the upcoming year.

Mike Rudey (Building Inspection) noted that the Department is on track to have a record year. New jurisdictions have been added for commercial inspections: Metamora, Delta, and Fayette.

Tom Chidester (Court Security) announced that two new part time constables have been hired to fill vacant positions.

Dave Steiner (Planning) echoed Mike Rudey's comments regarding construction. He noted that plans for subdivision plats are increasing as well. He also noted that the Land Use Plan will be reviewed during 2016.

Jeff Orłowski (Wood Haven) noted that the current resident census is at 76. He also announced that the facility has been named the recipient of the Northwest Ohio Best Employer Award.

Katie Mahlman (Clerk of Courts) stated that an e-filing project will begin in 2016.

Kelli Kling (Historical Museum) noted that the Museum has finished up the monthly tea series. She also stated that the Museum will have expanded hours in 2016 as they will be open to the public seven days per week.

Jen Robeson (Probate Court) thanked Job and Family Services staff for their assistance with a live webcast for mandated guardian training.

Dana Schratt (Engineer) announced that the Engineer's Office was awarded a diesel emissions reduction grant that will assist with the purchase of new equipment. She noted that the Office will also be working with ODOT to seek out other grant opportunities.

Frank McLaughlin (Child Support) announced that the Agency received an award for leading the State in the collections for comparable size counties. The rate is 78-79 percent of current collections.

Brenda Ransom (Records Center) noted that boxes are available for departments needing to move files. She also noted that requests for records destruction will also be forthcoming for any records that have met their retention periods.

Pam Boyer (Commissioners) encouraged departments to have engaged conversations with employees who are reemployed retirees. The changes at OPERS may impact their eligibility for certain benefits.

Janese Diem (Commissioners) reminded attendees to start preparing their information for the 2015 Annual Report.

The next Department Head meeting will be held in the Commissioners' Hearing Room on **January 15, 2016 at 9:30 a.m.**



OHIO ETHICS COMMISSION

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POST-EMPLOYMENT RESTRICTIONS: Ethics Commission Information Sheet # 5

I. Introduction

The Ohio Ethics Law and related statutes are found in Ohio Revised Code (R.C.) Chapter 102. and Sections 2921.42 and 2921.43. These laws generally prohibit public officials and employees from misusing their official positions for their own personal benefit or the benefit of their family members or business associates.

The Ethics Law applies to all people who serve as officials and employees for public agencies in Ohio. "Public agencies" include state departments, boards, and commissions, counties, cities, villages, townships, school districts, public colleges and universities, public libraries, port authorities, and all other public entities.

The Ohio Ethics Commission was created to administer, interpret, and assist in the enforcement of the Ethics Law for all officials in the state, except members and employees of the General Assembly and judicial officers and employees.¹ In this information sheet, the word "official" includes any person who serves a public agency, whether elected, appointed, or employed.

II. Purpose of this Information Sheet

The Commission prepared this information sheet to explain how the Law applies when an official is leaving the public job he holds for a new job. An official who is seeking a new job should also obtain

Information Sheet # 4 on job seeking before beginning his search.

If an elected or appointed public board member would like to seek employment with the board he serves, other Ethics Laws are implicated. For more guidance on that issue, see Information Sheet # 6.

Except where otherwise noted, these restrictions apply to an official both during, and for one year after he leaves, his public position. They also apply whether the official is taking a new position with a private corporation, a non-profit organization, or another public agency.

III. Summary of the Law

The Ohio Ethics Law and related statutes prohibit an official from:

- Profiting from a contract of his public agency, if he authorized the contract or was part of a committee, board, or other authority that authorized the contract;
- Representing any person, before any public agency, on matters in which he personally participated during his public service; and
- Disclosing or using confidential information acquired while he was an official.

IV. Profiting from Public Contracts

R.C. 2921.42(A)(3) prohibits an official from profiting from a public contract authorized by him, or by a board or committee of which he was a member at the time the contract was authorized, unless the contract is let by competitive bidding to the lowest and best bidder. The restriction applies even if the official did not participate in the board action.

A public contract exists whenever a public agency buys or acquires goods or services, regardless of whether there is a written contract.² Examples are:

- Purchases of goods like computers, fire trucks, and paper products³;
- Purchases of services like insurance and accountants⁴; and
- Grants (because the agency acquires services by virtue of the grant).⁵

When an official has approved an unbid contract to a company, the official cannot accept employment from the company if he will profit from the contract. An official who becomes an employee of a company will profit from his employer's contract if: (1) the establishment or operation of the company is dependent upon the contract; (2) the creation or continuation of the official's position with the company is dependent upon the contract; (3) the contract funds would be used by the company to compensate the official or as a basis for his salary; or (4) he will otherwise profit from the contract.⁶

V. Representation

R.C. 102.03(A) prohibits an official from representing any person on any matter in which the official has personally participated.

The restriction applies regardless of whether the official is paid to represent the person. A "person" includes an individual,

corporation, partnership, association, public entity, or similar entity.⁷

A former official is "representing" a person when the official makes any kind of formal or informal appearance before, or has any kind of written or oral communication with, any public agency, on behalf of that person.⁸ Examples of representation are:

- An informal appearance before a public agency (a former official has a meeting with an employee of a city, in which he discusses his client);
- Oral communication with a public agency (a former official discusses his new employer's concerns with a county employee in a telephone call or a conversation in a hallway).⁹
- Written communication with a public agency, even if the official does not sign the communication (A former official sends an e-mail to a village explaining his client's position, or prepares a letter to the village and the letter is signed by the client).¹⁰

The law prohibits a former official from representing any person before any public agency on matters in which he personally participated.¹¹ The former official is prohibited from representing anyone before his former public agency, and before any other public agency. The term "public agency" is defined on page one of this information sheet.

An official has "personally participated" in a matter if he has engaged in the substantial exercise of administrative discretion regarding the matter such as:

- Decision;
- Approval;
- Disapproval;

- Recommendation;
- The rendering of advice; or
- Investigation.¹²

For example, if an official reviews a report, and makes a recommendation about the report to his supervisor, the official has personally participated in the matter that is the subject of the report, even if his participation was not the final action on the report. An official has also personally participated in a matter if he has supervised other public officials and employees on the matter.¹³

A “matter” includes any case, proceeding, application, determination, issue, or question.¹⁴ A matter can include concrete items, like an application or a problem. It can also include more abstract items, like a dispute or a policy decision. A matter is the underlying issue or question, regardless of whether it involves the same parties. Matter does not mean the same thing as subject matter.¹⁵

Examples of restricted activity are:

- A former city building inspector, who is now employed by a developer, is prohibited from calling a city employee to ask when an inspection he started while he was a city employee will be completed;
- An employee of the EPA is prohibited from sending an e-mail, on behalf of an environmental group for which he volunteers, to the environmental court inquiring about the status of a case involving an inspection he completed;
- A former village council member, who is now employed by a law firm, is prohibited from speaking at a state board meeting, on behalf of his client,

when the board is reviewing a policy decision made by the village council while he was a council member.

VI. Exceptions to the Prohibition

There are three exceptions to the Revolving Door Law:

- A former official is not prohibited from representing a client on a matter in which he did not participate.¹⁶
- A former official is not prohibited from assisting or aiding his former public agency.¹⁷
- A former official is not prohibited from doing ministerial activities, such as preparing tax returns and filing applications for permits or licenses.¹⁸

VII. Special Revolving Door Restrictions

There are four special revolving door restrictions. The first is a specific restriction for legislators and legislative employees.¹⁹ For more information about that restriction, contact the Legislative Inspector General.

The second applies to the former commissioners and attorney examiners of the Public Utilities Commission, and is in effect for two years.²⁰ It prohibits former commissioners and attorney examiners from representing utilities before state agencies.

The third is a two-year restriction that applies to any official who exercised discretion regarding solid or hazardous waste matters under R.C. Chapters 343. and 3734.²¹

The final prohibits any present or former Ohio Casino Control Commission member or employee, for two years, from representing a client, being employed or compensated by a person regulated by the

commission, or acting in a representative capacity for any person.

For more information about these three revolving door provisions, please contact the Ohio Ethics Commission.

VIII. Confidentiality

R.C. 102.03(B) prohibits a current or former official from using or disclosing confidential information acquired by the official in the course of his duties. There is no time limit for this restriction.²²

The official is prohibited from disclosing confidential information unless he is appropriately authorized to do so. If an official needs guidance about whether information is confidential, or whether he has been appropriately authorized to disclose information, he should speak to the legal advisor for the agency he serves.

IX. Other Considerations

If the official is just beginning his search for a new job, the official should also read the Information Sheet # 4 on Job Seeking, which explains the Ethics Law as it applies to an official seeking employment.

If the official is an attorney, the official should contact the Board of Commissioners on Grievances and Discipline for the Ohio Supreme Court for guidance about Prof.Cond.R. 1.11 and 1.12 and other post-employment provisions in the Rules of Professional Conduct.

A state official should contact the Governor's Office to determine whether any executive order imposes limits on his post-employment activities.

If the official was required to file a financial disclosure statement during his public service, he will be required to file a statement in the year after his service concluded, reflecting financial information for his final year.

Any public official who is moving from one public position to another public position or to the private sector should ask his supervisor or legal counsel for the public agency he serves whether the agency has any additional policies or rules regarding post-employment. (A public agency cannot create a policy or rule that is less restrictive than the prohibitions described above. However, an agency may have a policy or rule that is more restrictive than the Ethics Law.)

X. Penalties

The Ethics Law and related statutes are criminal laws. If a person is convicted of violating an ethics law, that person may receive a jail sentence and/or have a fine levied against him.

The ethics laws discussed in this information sheet are first-degree misdemeanors with a maximum penalty of six months in prison and/or a \$1000 fine.

XI. Conclusion

Please contact the Commission if you have questions about this information sheet or the Ohio Ethics Laws. This information sheet is not an advisory opinion, and is not intended to provide advice on specific facts. Copies of the Commission's formal advisory opinions can be obtained from: Ohio Ethics Commission, William Green Building, 30 West Spring Street, L3, Columbus Ohio, 432315-2256; telephone (614) 466-7090, and on the Website: www.ethics.ohio.gov.

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Endnotes:

¹ The ethics agency with jurisdiction over ethics issues related to members and employees of the General Assembly is the Joint Legislative Ethics Committee. The ethics agency with jurisdiction over ethics issues related to judicial officers and employees is the Board of Commissioners on Grievances and Discipline of the Ohio Supreme Court.

² RC. 2921.42(G)(1).

³ [Ohio Ethics Commission Advisory Opinions No. 84-013](#), [87-002](#), and [84-014](#).

⁴ [Adv. Ops. No. 82-007](#), [92-017](#), and [97-004](#).

⁵ [Adv. Op. No. 87-003](#).

⁶ [Adv. Op. No. 88-008](#).

⁷ R.C. 1.59; [Adv. Ops. No. 82-002](#), [89-003](#), and [99-001](#).

⁸ R.C. 102.03(A)(5).

⁹ [Adv. Op. No. 86-001](#).

¹⁰ [Adv. Op. No. 86-001](#).

¹¹ R.C. 102.03(A)(5).

¹² R.C. 102.03(A)(1).

¹³ [Adv. Op. No. 91-009](#).

¹⁴ R.C. 102.03(A)(5).

¹⁵ [Adv. Op. No. 99-001](#).

¹⁶ [Adv. Op. No. 82-002](#).

¹⁷ R.C. 102.03(A)(6).

¹⁸ R.C. 102.03(A)(7).

¹⁹ R.C. 102.03(A)(4).

²⁰ R.C. 102.03(A)(2).

²¹ R.C. 102.03(A)(3); [Adv. Op. No. 91-003](#).

²² [Adv. Op. No. 92-005](#).



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**RESTRICTIONS ON NEPOTISM OR HIRING FAMILY MEMBERS:
Ethics Commission Information Sheet # 1**

I. Introduction

The Ohio Ethics Law and related statutes are found in Ohio Revised Code (R.C.) Chapter 102. and Sections 2921.42 and 2921.43. These laws generally prohibit public officials and employees from misusing their official positions for their own personal benefit or the benefit of their family members or business associates.

The Ethics Law applies to all people who serve as officials and employees for public agencies in Ohio. “Public agencies” include state departments, boards, and commissions, counties, cities, villages, townships, school districts, public colleges and universities, public libraries, port authorities, and all other public entities.

The Ohio Ethics Commission was created to administer, interpret, and assist in the enforcement of the Ethics Law for all officials in the state, except members and employees of the General Assembly and judicial officers and employees.¹ In this information sheet, the word “official” indicates any person who serves a public agency, whether elected, appointed, or employed.

II. Purpose of this Information Sheet

The Commission prepared this information sheet to explain the Law as it applies to situations where a relative of an official seeks a job with the public agency she serves.

III. Summary of the Law

The Ohio Ethics Law and related statutes prohibit an official from:

- Authorizing the employment of a family member; and
- Using the authority or influence of her public position to secure authorization of the employment of a family member.

An official is prohibited from hiring a family member in any employment position, including a full-time, part-time, temporary or permanent position, a position in the classified or unclassified civil service, or a non-civil service position.

In most situations, the Ohio Ethics Law and related statutes do not prohibit family members from being employed by the same public agency, as long as no official has secured a job, or job-related benefits, for her family member.

IV. Prohibition Against Authorizing a Family Member’s Employment

R.C. 2921.42 (A)(1) prohibits a public official from authorizing the employment of a family member. A “public official” is any elected or appointed officer, or employee, of the state or any political subdivision of the state.

A “member of [an official’s] family” includes the following relatives, regardless of where they reside: (1) spouse; (2) children (whether dependent or not); (3) siblings; (4) parents; (5) grandparents; and (6) grandchildren.² It also includes any other person related by blood or by marriage and living in the same household.³

An official has “authorized” the employment of a family member when the employment could not have been awarded without the approval of the official. In other words, under this section, an official is prohibited from making the final decision about whether a family member should be hired. For example, an official is prohibited from voting to hire a family member.⁴

If the official makes the final hiring decisions for the public agency she serves, her family members cannot be employed by the public agency. For example, a county office holder cannot hire a family member and cannot delegate the authority to hire her family members to a subordinate employee, which means that her family members cannot be hired by her office.⁵ However, a person who worked in the office before her relative is elected is not prohibited from continuing to work for the office, as long as the terms and conditions of her employment are not changed through promotion or other actions described below.

V. Using Position to Secure Job

An official is also prohibited, by R.C. 2921.42(A)(1) from using the “authority or influence of” her public position to secure a job for a family member.⁶ Even if an official abstains from decisions, the law prohibits the official from discussing, recommending, or otherwise using the prestige of her office,

formally or informally, to get a family member a job.⁷

R.C. 102.03(D) also prohibits an official from using her position to secure a job for a family member.⁸ R.C. 102.03(D) and (E) prohibit an official from using her influence with other public officers or employees, especially subordinates, to persuade them to hire her family member.⁹

VI. Using Position After Employment

The prohibitions in R.C. 2921.42(A)(1) and 102.03(D) continue after an official’s family member has been employed.

R.C. 2921.42(A)(1) prohibits an official from participating in any decision, or using her position to secure any decision, that affects the continuation, implementation, or terms and conditions of a family member’s employment.¹⁰ For example, an official is prohibited from participating in matters related to the renewal, modification, or termination of a family member’s public employment.¹¹

R.C. 102.03(D) prohibits an official from participating, formally or informally, in any matter that directly affects a family member’s employment.¹² For example, R.C. 102.03(D) prohibits an official from securing any employment-related benefits for a family member.

For example, a public official is prohibited from participating in matters affecting her family member’s employment including: (1) changes in compensation or benefits; (2) assignment of duties; (3) evaluations; and (4) actions involving promotions, disciplinary actions, lay-offs, and removal.¹³ R.C. 102.03(D) also prohibits an official from influencing the decisions or

actions of other officials or employees, particularly subordinates, regarding a family member's job with the public agency or any job-related benefits.

VII. Actions That Are Not Prohibited

R.C. 2921.42(A)(1) and 102.03(D) do not prohibit an official from participating in certain matters in which a family member has an indirect interest or from which a family member may indirectly benefit.

A. Approval of Union Contract: An official is not prohibited from approving a union contract when her relative is a member of the union, unless the relative serves as a union officer, board member, or on the union negotiating team or the official is covered by health insurance under the contract.¹⁴

B. Matters Affecting a Class: The law generally does not prohibit a public official from voting on an ordinance or resolution to fix the compensation of a class of employees, one of whom is a relative of the official. However, an official is prohibited from voting on an ordinance setting compensation for employees if the ordinance: (a) establishes compensation on a basis other than membership in the class of employees; (b) affects the family member's compensation in a differential manner than other members of the class; or (c) secures, renews, modifies, or renegotiates the terms of the family member's job.¹⁵

C. General Appropriations: The law also does not prohibit an official from participating in a general budgetary appropriation that includes money to fund a family member's compensation and benefits, or from participating in budgetary appropriations to a department that employs a family member. However, the appropriation

cannot provide the official or employee with the authority or discretion to alter the compensation and benefits for her family member, and must provide compensation and benefits that are identical for all members in the class.¹⁶

VIII. Other Considerations

Where an official's spouse is employed by the public agency she serves, and the official is covered under health insurance provided by the agency to her spouse, there is an additional restriction. In that case, the official is receiving a thing of value, for purposes of R.C. 102.03(D) and (E). While the official is not prohibited from receiving the health insurance coverage, she is prohibited from taking any action to approve the union contract if it includes health insurance benefits and she is covered under those benefits.¹⁷

Any official whose family member has applied for a job with her public agency should ask her supervisors, or legal counsel for the public agency, whether the public agency has a policy or rule regarding employment of family members. (A public agency cannot create a policy or rule that is less restrictive than the prohibitions described above. However, a governmental entity can have a policy or rule that is more restrictive than the Ethics Law.)

Finally, while the Ethics Law does not absolutely prohibit relatives from working for the same public agency, questions of fairness and impartiality may arise in such situations. Further, such hires may present the appearance of impropriety to the public, even where the public official fully and completely removes herself from participating in the hiring process, as described above. A public agency may be

able to minimize these concerns if the agency conducts all hiring activity in a fair, open, and impartial manner.

IX. Penalties

The Ethics Law and related statutes are criminal laws. If a person is convicted of violating an ethics law, that person may receive a jail sentence and/or have a fine levied against her.

R.C. 2921.42(A)(1) is a fourth-degree felony with a maximum penalty of eighteen months in prison and/or a \$5000 fine. R.C. 102.03(D) is a first-degree misdemeanor with a maximum penalty of six months in prison and/or a \$1000 fine.

X. Conclusion

Please contact the Ethics Commission if you have questions about this information sheet or the Ohio Ethics Laws. This information sheet is not an advisory opinion, and is not intended to provide advice on specific facts. Copies of the Commission's formal advisory opinions can be obtained from: Ohio Ethics Commission, William Green Building, 30 West Spring Street, L3, Columbus Ohio, 432315-2256; telephone (614) 466-7090, and on the Commission's Web site: www.ethics.ohio.gov.

Endnotes:

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² [Ohio Ethics Commission Advisory Opinion No. 80-001](#).

³ [Adv. Op. No. 80-001](#).

⁴ [Adv. Ops. No. 85-015](#) and [97-004](#).

⁵ [Adv. Op. No. 85-015](#).

⁶ [Adv. Ops. No. 92-012](#) and [98-003](#).

⁷ [Adv. Op. No. 92-012](#).

⁸ R.C. 102.01(B) and (C); A "public official or employee" includes any person who is elected or appointed to an office or is an employee of any public agency.

⁹ [Adv. Op. No. 97-004](#).

¹⁰ See [Adv. Ops. No. 82-003](#), [89-005](#), and [92-012](#).

¹¹ [Adv. Op. No. 92-012](#).

¹² [Adv. Ops. No. 90-004](#), [91-004](#), and [92-012](#).

¹³ [Adv. Op. No. 92-012](#).

¹⁴ [Adv. Ops. No. 89-005](#), [92-017](#), and [98-003](#).

¹⁵ [Adv. Op. No. 92-012](#).

¹⁶ [Adv. Op. No. 91-004](#).

¹⁷ [Adv. Op. No. 92-017](#).