



CHAPTER: Employee Conduct & Relations Standards

SUBJECT: Conflict of Interest & Consensual Relationships

POLICY NUMBER: 4.504

PAGES:4

RELATED POLICIES:

ENABLING RESOLUTION:

REVISION DATE(S):

11/97 10/15

DEPARTMENT OF PRIMARY RESPONSIBILITY: HUMAN RESOURCES

SPECIAL NOTES: This Policy/Procedures Manual does not in any way constitute an employment contract. Sedgwick County reserves the right to amend this Manual at any time subject only to approval by the Board of County Commissioners and the Governing Body of Sedgwick County Fire District Number One.

I. Purpose

To caution supervisors and employees from entering into, or becoming involved in, consensual “romantic” or sexual relationships with one another in the workplace, as such relationships can create a conflict of interest and give rise to sexual harassment claims. Mechanisms to resolve conflicts of interests are addressed.

II. Scope

This Policy applies to all Officers and employees of Sedgwick County and all Officers and employees of Fire District No. 1, including, but not limited to, full- and part-time employees, Elected Officials, temporary employees and employees working under contract for the County.

III. Definitions

1. Consensual Relationship

Amorous, romantic, and/or sexual relationships between Sedgwick County employees, including contacts deemed to be in the nature of dating or other pre-arranged social activities (which are personal in nature and not professional).

2. Fraternalization

Friendships should not be allowed to become the basis for preferential treatment. Dating and over familiarity between supervisors and subordinates is prohibited. This type of conduct often results in creating morale problems in the Organization and a break down in effective communication.

- a. Employees working in the same department and dating may continue to

work in the same department only as long as one employee does not supervise, or receive supervision from, have assignments with, or work in close proximity to, the other.

- b. In cases where the above accommodations cannot be made for employees who are dating and working in the same department, the employee affected will have one hundred twenty (120) days to seek employment in another County department. If in the one hundred twenty (120) days a transfer cannot be effected, one of the employees must resign or be terminated.
- c. The Division Director, Department Head or Elected Official must determine, based on seniority, job performance and the importance of the job to the department, which of the employees will be required to resign or be terminated.

3. Conflict of Interest.

Any activity or association (relationship) that creates or appears to create a conflict between the employee's personal interests and the business interests of Sedgwick County. A conflict of interest is inherent in a consensual relationship when one of the participants is in a position to recommend or decide any matter which may affect benefits, evaluations, compensation, any term or condition of employment of the other participant. Such situations or perceptions may interfere with Sedgwick County's obligation to provide equal employment opportunity and in some instances, may constitute sexual harassment and unlawful sex discrimination.

3. Business Hours

Those paid hours required of employees to carry out their job duties and the business mission of Sedgwick County.

4. Transfer

Movement of an employee from one position in a County department to another position. The movement may be within the same department or another department in the County structure.

5. Sex Discrimination.

Employment opportunities or benefits which are denied or granted because of an individual's submission to a consensual "romantic" or sexual relationship.

Example: If a management employee is dating a subordinate and the manager grants the subordinate a benefit (e.g., a raise, promotion, change in duties) as a result of the

relationship, other employees may allege sexual harassment and sex discrimination.

IV. Responsibilities

A. The Department of Diversity & Employee Relations is responsible for:

1. Administration and broad oversight of the County's Conflict of Interest and Consensual Relationship Policy.
2. Coordinating and conducting training on the impact of consensual relationships in the workplace.
3. Maintaining appropriate and information files and records.

B. Elected Officials, County Manager, Assistant County Managers, Division Directors and Department Heads are responsible for:

1. Knowing and complying with the provisions of this Policy.
2. Maintain a workplace free of sexual harassment and sex discrimination.
3. Ensuring that their immediate subordinates, as well as all employees in their areas of responsibility, receive training on the impact of consensual relationships.
4. Implementing appropriate action for failure to comply with the provisions of this Policy.
5. Reporting employees', or their own, involvement in a consensual relationship to the appropriate authority in their chain of command.

C. Supervisors at all levels are responsible for:

1. Knowing and complying with the provisions of this Policy.
2. Maintaining a workplace that is free of sexual harassment and sex discrimination.
3. Receiving training on the impact of a consensual relationship.
4. Recommending appropriate action for failure to comply with the provisions of this Policy.
5. Reporting employees', or their own, involvement in a consensual relationship to the appropriate authority in their chain of command.

D. All employees are responsible for:

1. Knowing and complying with the provisions of this Policy.
2. Maintaining a workplace free of sexual harassment and sex discrimination.
3. Receiving training on the impact of a consensual relationship.
4. Reporting employees', or their own, involvement in a consensual relationship to the appropriate authority in their chain of command.

V. Procedures

A. Reporting Consensual Relationships

1. Employees in a consensual relationship must report it to their immediate supervisor or to the appropriate authority in their chain of command within thirty (30) days to ensure that all potential conflicts of interest have been adequately addressed. The affected department(s) then consults with the Department of Diversity & Employees Relations on the types of alternative arrangements to be made.
2. The Department of Diversity & Employee Relations writes and retains a report that specifies the appropriate, alternate arrangements which have been made to

eliminate the conflict of interest. A copy is given to Human Resources for filing, the affected department(s) and the participants.
3. Failure to report or resolve such conflict of interest may result in disciplinary action.

B. Transfer or Reassignment of Affected Employee

1. At a minimum, the employee/supervisor must cease to work together on the same matters (including matters pending at the time the disclosure is made). The supervisor must withdraw from participation in activities or decisions relating to hiring, evaluations, promotions, compensation, work assignments and discipline.
2. If it is determined that the best resolution is transfer or reassignment, the affected employee has one hundred twenty (120) days to seek a transfer or reassignment. If within one hundred twenty (120) days a transfer or reassignment cannot be affected, the employee is asked to resign or be terminated.

C. Confidentiality of Reports

1. All reports remain confidential, but may be disclosed as evidence in the process of possible related conflict of interest, sexual harassment or sex discrimination complaints.