

THE VOICE OF ETHICS

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Newcom Tavern
Dayton, Ohio
Built 1796

Tune of the Month: We are Family!

Regular readers of this newsletter likely already know that the Ohio Ethics Law prohibits public officials and employees from hiring their family members. Prohibited activities include directly hiring a family member, indirectly influencing the hiring process, supervising a family member after hiring, or even participating in annual evaluations or participation in discussions of promotions or raises.

What might be new information, however, is the Ethics Commission's revised definition of "family." At its February 2025 meeting [Formal Advisory Opinion 2025-01](#) was approved and includes domestic partnerships where someone is living with a public official or employee as "family" for purposes of the Ohio Ethics Law.

To make this determination, the Commission reviewed how other Ohio agencies and courts have considered the issue and concluded this opinion is consistent with many state and local agencies that have included domestic partnerships in their family-related internal policies.

As a result of this advisory opinion, for purposes of the Ohio Ethics Law, a "family member" now includes the following:

- Spouse
- Domestic Partner
- Children/Stepchildren (whether dependent or not and regardless of where they live)
- Siblings (regardless of where they live)
- Parents/Stepparents (regardless of where they live)
- Grandparents (regardless of where they live)
- Grandchildren (regardless of where they live)

"Family member" also includes any other person related by blood or by marriage (e.g. cousins, aunts, uncles, in-laws, nieces, nephews) if that person resides in the same household as the public official or public employee.

So, keep yourself safe and stay far away from any public contract activity that impacts a member of your family. But singing about your family is not illegal so feel free turn up the famous Sledge Sister song and boogie down!



And Speaking of Hiring Family...

Although the Ethics Commission just added domestic partners to the definition of family members, it has long been prohibited to hire or influence the public hiring of our other relatives, as defined in the previous article.

This is an especially timely issue right now as seasonal hiring is upon us! Summer programs and seasonal jobs provide amazing opportunities for our family members to work in the public sector. However, public officials and employees are wise to review restrictions in the Ethics Law against hiring their family members.

Public officials and employees are prohibited from directly hiring a family member into a public job as well as recommending or otherwise using public connections to obtain a job for a family member. The official or employee is required by law to completely remove themselves from participating in any way in the hiring process if one of their family members is competing for a public job.

Just a few examples of restricted activities include:

- A state employee contacts the agency HR department to recommend a sibling for a summer job at a state park
- A city council member asks the city to hire her child as a city pool lifeguard
- A school board member votes on stipends awarded to his/her spouse and other district employees for summer camps and summer school
- A township employee writes a letter of recommendation for a parent who is seeking seasonal landscaping work for the township.

All public employees and officials are required to recuse in these and similar situations. Public officials voting on lists of names for seasonal hiring are responsible for knowing whether a relative's name is included in that list and abstaining accordingly. Authorizing or influencing even seasonal hires for family members is a potential violation of the public contract laws and potentially a fourth-degree felony.



It's also important to note that hiring restrictions involving minor children are even more restrictive. While it is understandable that many high school and college students seek summer jobs, the Ohio Ethics Law generally prohibits public officials and employees' minor children from obtaining a job with the same agency, municipality or office.

The only way in which a public employee or official's minor child can work for the same agency is if the public servant can demonstrate four things:

- The hiring process was fair and open;
- Broad opportunity to apply was provided for qualified and interested applicants;
- All qualified and interested applicants who are not related to agency officials or employees have already been hired; AND
- Vacancies still exist.

If these stipulations cannot be met, a minor child cannot accept a job for the public entity his/her parent serves.



Need more information?

Check out the [Public Jobs and Family Members chapter of our Public Contracts fact sheet.](#)

Now, pass the sunscreen and throw some veggie kebobs on the grill – let summer begin!



Calling All CPAs!

To all our accounting friends: just when you thought it was an “accrual” world, the Ohio Ethics Commission offers a gesture of goodwill!

Our [2025 on-demand e-course](#) and our [live webinars](#) are both approved for 1.0 contact hour of Continuing Professional Education (CPE) for CPAs through the Ohio Accountancy Board. The e-course provides an attendance certificate, and our webinars are followed by an email confirming the learner’s completion of the course. Those who qualify for the Accountancy CPE hour should simply self-submit as normal.

For those who need other types of Continuing Education Units, feel free to submit your proof of completing our e-course or webinar to your appropriate licensing board.

Questions? Feel free to contact susan.willeke@ethics.ohio.gov.

Attorneys, We Haven’t Forgotten You!

Our first Continuing Legal Education class of 2025 is quickly approaching and if you are interested in a course customized for public practice attorneys, we’d love to virtually see you there! The online CLE is co-sponsored by the Ohio Ethics Commission and the Ohio Board of Professional Conduct and is approved for 2.5 attorney conduct hours.

If you can’t make this class, we have a live “in-person” class, and one more virtual class scheduled later in 2025. Check out our [2025 CLE page](#) for dates and registration information.

Questions? E-mail susan.willeke@ethics.ohio.gov.



Ohio Ethics Commission
William Green Building
30 West Spring Street, L3
Columbus, Ohio 43215-2256
(614) 466-7090

www.ethics.ohio.gov