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FOR IMMEDIATE RELEASE:

**ETHICS COMMISSION CLARIFIES:
NEPOTISM BY PUBLIC OFFICIALS STILL PROHIBITED BY ETHICS LAW;
COMMISSION ALSO ANNOUNCES DATE OF FEBRUARY MEETING**

In response to a recent court decision overturning a comprehensive Delaware County policy prohibiting family members from working for the same county department, the Ohio Ethics Commission wishes to clarify that the Ethics Law includes criminal prohibitions against any public official or employee hiring a family member.

"The Ohio Ethics Law restrictions against public servants hiring their family members, or using their authority to get public jobs for their family, are alive and well," stated David E. Freel, Executive Director of the Commission. "A recent Fifth District Court of Appeals decision in Delaware County held that Delaware County could not institute a comprehensive "no-relatives" hiring policy. That decision did not address the criminal nepotism restrictions contained in the Ethics Law. The Ethics Law restrictions banning public officials from hiring family have always existed separate and apart from these policies, and they still stand to protect the public against such abuse of authority."

The law prohibits any person elected to, appointed to, or employed by a public entity from hiring a family member and from using his public position to secure the hire of a family member. The Ethics Commission has issued a number of advisory opinions, dating back to 1985, interpreting the statutory prohibition found in R.C. 2921.42 (A)(1). In a 1990 opinion, the Commission held, however, that the law is not a complete bar on two or more family members working for the same public agency.

"The nepotism prohibition is not a 'no-relatives' standard," Freel explained, "but it does prohibit a public servant from using or abusing his public position to get public jobs for family members. The purpose of the law is not to prevent families from working together,

but to prevent the possibility that a public servant may show favoritism towards his family in the exercise of his discretionary authority on behalf of the public to hire qualified public employees. Ohio has had some examples of serious problems for the public that have arisen where family members have been improperly hired." The Commission has stated that a public official's family members include his parents, grandparents, children, grandchildren, spouse, and siblings. Also considered family members are any other persons related to the public official by blood or by marriage and residing in the same household with the official. Hires that occurred prior to 1986 were exempted from the restriction.

The Ethics Commission also announces that it has rescheduled its January 17 meeting, which was canceled due to inclement weather, to Tuesday, February 11, 1997, at 10:00 A.M. The meeting will be held at the offices of the Ohio Ethics Commission, 8 East Long Street, 10th Floor, Columbus, Ohio 43215.

According to Executive Director David E. Freel, the commission will consider drafts of advisory opinions and review legislative matters and financial disclosure reports. In a session that is statutorily closed to the public, the Commission will hear a report on complaints and pending investigations concerning alleged violations of the Ethics Law and related statutes, and litigation and personnel matters. The Ethics Law prohibits any person from disclosing any information concerning pending investigative matters.

The Ohio Ethics Commission is an independent agency of state government charged with interpreting and administering the Ohio Ethics Law for many state and local public officials and employees. The Commission has been serving the public, and state and local governments, since its formation as part of the Ohio Ethics Law in 1973.