

ALLEN COUNTY CODE TITLE 18 ETHICS AND CONFLICTS OF INTEREST

ARTICLE 2 NEPOTISM

18-2-1 Chapter 1: Definitions

18-2-1-1

As used in this chapter, and unless the context clearly denotes otherwise:

“Direct Line of Supervision” means an elected officer or employee who is in a position to affect the terms and conditions of another individual’s employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive and legislative body, or fiscal body of the county, to make decisions regarding salary ordinances, budgets, or personal policies.

"Elected Officer" means any elected officer of the county, including members of the county executive and legislative branch, and members of the county fiscal body.

"Employed" means an individual who is employed by Allen County on a full-time, a part-time, a temporary, an intermittent, or an hourly basis. The term includes an individual who is party to an employment contract with the unit.

"Relative" means any person related as father, mother, step-father, step-mother, grandmother, grandfather, brother, sister, half-brother, half-sister, step-brother, step-sister, uncle, aunt, husband, wife, son, daughter, step-son, step-daughter, son-in-law, daughter-in-law, grandchild, step-grandchild, niece or nephew. An adopted child of an individual is treated as a natural child of the individual.

18-2-2 Chapter 2: Nepotism

18-2-2-1

Individuals who are relatives may not be employed by the county in a position that results in one (1) relative being in the direct line of supervision of the other relative.

18-2-2-2

An individual employed by the county on July 1, 2012, is not subject to ACC 18-2-2-1 unless the individual has a break in employment with the unit. The following are not considered a break in employment with the unit:

- (a) The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, or family medical leave, or worker's compensation.
- (b) The individual's employment with the unit is terminated followed by immediate reemployment by the unit, without loss of payroll time.

18-2-2-3

An individual employed by the county may remain employed by the county and maintain the individual's current position or rank on the date the individual's relative begins serving a term as a county elected officer even if the individual's employment would violate ACC 18-2-2-1. The individual may NOT be promoted to another position if that new position results in one relative being in the direct line of supervision of the other relative.

18-2-2-4

ACC 18-2-2-1 does not abrogate or affect an employment contract with the county that an individual is a party and is in effect on the date the individual's relative begins serving a term as a county elected officer.

18-2-3 Chapter 3: Reporting

18-2-3-1

Each Allen County Elected Officer shall annually certify in writing on a form supplied by the Board - subject to the penalties for perjury - that the officer is in compliance chapters 2 and 3. An officer shall submit the certification to the Board of the Commissioners of the County of Allen not later than December 31 of each year.

Ordinance passed 6-15-12 by Ordinance #06-15-12-03