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| DEPARTMENT OF CORRECTION  | POLICY MANUAL | POLICY NUMBER: 220 v2.0 | PAGE NUMBER: 1 of 13 |
| | | SUBJECT: Workplace Relationships | Combined Nepotism with all Relationships Adopted: 08-16-05 Revised: 5-13-11 |

01.00.00. POLICY OF THE DEPARTMENT

It is the policy of the Board of Correction that the Department of Correction shall strive to develop a workplace free from personal relationships that have significant potential to compromise the security of facilities and work sites or to create a conflict of interest or preferential treatment. The Department of Correction shall encourage, establish, and maintain effective identification and reporting processes of unacceptable workplace relationships and shall provide education and training that promote positive, professional workplace relationships.

01.01.00. PURPOSE

To establish consistent procedures to effectively manage workplace relationships to assure that the work environment is safe, productive, efficient, and free from favoritism or influences that adversely impact safety, morale, or impedes mission objectives.

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03.00.00. REFERENCES

Department Policy 201, Respectful Workplace.

Department Policy 217, Ethics and Standards of Conduct.

Department Policy 227, Administrative Investigations.

Department's Statement of Mission, Vision and Values.

Governor's Executive Order 2004-05, Idaho Code of Fair Employment Practices.

Idaho Code, Section 18-1359, Using Public Position for Personal Gain.

Idaho Code, Sections 59-701 through 59-705, Ethics in Government Act Of 1990.

Idaho Division Of Human Resources, Rule 025, Nepotism.

Idaho Division Of Human Resources, Rule 190, Disciplinary Actions.

IDAPA Rule 15.04.01, Rules of the Division of Human Resources and Idaho Personnel Commission.

[Relationship Disclosure Form](#)

04.00.00. DEFINITIONS

Board. The state Board of Correction.

Chain Of Command. A series of assigned hierarchical positions in upward order of authority.

Conflict Of Interest. Situations where an employee has private or personal dealings or interest that are in conflict with their official duties and responsibilities.

Contractor. A person who has entered into a contract with the Board or Department, or a contract with the State of Idaho administered by the Board or Department to provide any service.

Date Or Dating. A relationship between two (2) individuals who have reciprocal or increasingly exclusive interest in one another and share expected continuance of that interest by socially meeting with each other, usually frequently. A platonic or casual association between two (2) individuals in a business or social context does not normally constitute dating for the purposes of this policy.

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Department. The state Department of Correction.

Employee. For the purposes of this policy, an employee, as used throughout this procedure, refers to all hired employees, interns and temporary employees including Idaho Department of Correction (IDOC) authorized volunteers, contract workers, vendors, and authorized agents.

Extended Family Member. For purposes of this policy, extended family member relationships include ex-spouses, ex-in-laws, fiancé, fiancée, and employees being dated by current staff within an employee's work unit or shift.

Family Member. For purposes of this policy, family member means family members related by blood or marriage: spouse, father, mother, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, uncle, aunt, niece, nephew - whether in a full, half or step relationships. Also included are fiancé, fiancée, significant others and their family members related by blood or marriage, including in-laws.

Favoritism. Any preferential treatment given to a subordinate by a superior over others of the same rank and/or job class, particularly within the same work unit.

Functional Chain-of-Command. Situations where a host-site supervisor conducts an employee's daily and routine supervision but the employee's position and service-product are assigned to an off-site manager responsible for the product and services rendered.

His: Throughout this policy, the masculine pronoun "his" will represent both male and female genders according to the Idaho Department of Correction Policy Writer's Manual.

Human Resource Services (HRS). Administers human resource management, training, and payroll services to the Department.

Manager. An employee appointed to manage, direct, and control a designated work unit within its assigned resources to achieve predetermined goals and objectives. The term manager includes administrators, deputy administrators, wardens, district managers, community work center managers, designated lieutenants, program managers, and any appointed unit manager.

Nepotism. The preferential treatment or favoritism granted by a manager or supervisor for family relatives or family members in employment matters such as hiring, supervising, job assignments, granting salary increases, promotions, or other benefits not given to other employees.

Notification. For the purpose of this policy, a notification is an oral or written report by an employee to his superior, or from a supervisor to a superior.

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Offender. A person under the legal care, custody, supervision, and authority of the Board including a person within or without the state pursuant to agreement with another state or a contractor.

Platonic Relationship. Social or personal relationships between two (2) persons which are absent of sexual elements in the relationship.

Professional Relationship. Employee conduct or behavior that exemplifies respectfulness, truthfulness, sincerity, helpfulness, professionalism, empathy, and trustfulness while performing duties. These work behaviors contribute positively toward the effective operation of the Department and exemplify a positive and helpful relationship with or toward others.

Relationship. The term relationship, as used within this policy, is an association between two (2) or more persons, regardless of sexual orientation.

Romantic Relationship. When any two (2) or more employees within the Department consider themselves romantically involved, or are dating one another, or are living together in a sexual relationship, or are having a sexual relationship.

Significant Other. When an employee is cohabiting with another person in a domestic unit partnership and/or romantic relationship, or when an employee considers himself to be another's significant other. Excluded are employees who are independent roommates with one another for housing purposes, which is without romantic involvement, such a platonic relationship.

Superior And Subordinate Relationship. A superior and subordinate relationship exists when an employee in a position of supervisory or managerial authority, has direct working association, interaction or supervision with a non-supervisory employee. The relationship does not have to be in the same chain of command or even in the same unit.

Supervisory Disparity. When a manager or supervisor has direct supervisory control over another employee with lesser or no authority. A typical example is the supervisor and subordinate relationship or supervision over a mentor or trainee.

Unprofessional Relationship. Unprofessional relationships occur when two (2) or more employees' personal interaction (conduct or behaviors) compromises their expected professional, ethical and assigned responsibilities in the work place.

Work Unit. For purposes of this policy, a work unit is an assigned workplace that is designated by the division administrator. A shift may qualify as a work unit when declared by the manager and approved by the division administrator.

Workplace Harassment. Unacceptable harassing behavior or conduct directed towards

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another employee in violation of Policy 201, Respectful Workplace, or Policy 217, Ethics and Standards of Conduct. Harassing behavior can occur during both work hours and/or after work hours between Department employees. Also, for purposes of this policy, inappropriate and unacceptable behavior towards another employee based on sexual orientation is a violation of this policy.

05.00.00. SCOPE

This procedure gives guidance for continuing healthful professional relationships as well as defining unwanted relationships in the workplace. Outlined are the responsibilities of each employee, who conducts training and education in workplace relationships, what types of situations or relationships constitute a violation, how to report violations, and what process is established to resolve issues.

06.00.00. RESPONSIBILITY

Contractor. Any contractor and his employees providing services to the Department are subject to the procedures of this Workplace Relationship policy.

Director. Authorizes and approves the workplace relationship procedures. Delegates authority to administrators, managers, supervisors, and employees to adhere to and follow these policy procedures. Approves sanctions.

Employee. Participates in training, complies with procedures, and reports violations.

Human Resource Services (HRS). Composes, interprets, and revises workplace relationships procedures for the Department.

Legal Staff. Idaho Attorney General Office staff assigned to represent the Idaho Department of Correction to render legal advice, interpretation, and counsel services to management concerning policy or procedures.

Manager. Has delegated authority for employee training, instructing, and compliance. The manager is authorized to take corrective or disciplinary actions for violations.

Office Of Professional Standards (OPS). The Department's designated office to conduct authorized investigations into employee misconduct.

Senior Leadership. The director, administrators, and deputy administrators provide primary guidance and approval for these procedures, and ensure that managers are trained and knowledgeable concerning all Department policies and procedures.

Supervisor. Delegated to train and evaluate assigned staff to meet performance standards and to ensure compliance to this policy. Supervisors report all violations.

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07.00.00. PROCEDURE

07.01.00. Workplace Relationships

The Department's mission, vision and values are published guidelines establishing expected employee behaviors while interacting with employees, superiors, subordinates, offenders, and the general public. Non-adherence to these provisions becomes a violation of these procedures.

The Department encourages employees to develop and maintain socially acceptable personal and professional relationships with their co-workers within the Department. When personal relationships interfere with the effective performance of duties, employee or offender safety, staff morale, or conduct adversely impacts the Department's mission, then the appropriate corrective or disciplinary action will be implemented.

An employee will not use personal workplace relationships to compromise the professional and ethical duties of any employee.

Each employee will avoid compromising responsibilities, favoritism, bias, unethical behavior, harassment, illegal discrimination, or conflict-of-interest matters that are in violation of Department policies.

Each employee can seek advice and counsel from the employee's supervisor, manager, Human Resource Services Deputy Administrator or Human Resource Officer, or other trusted authority when questions arise regarding improper workplace relationships.

Three areas addressed in this procedure are: unprofessional relationships; nepotism and conflict of interest; and, romantic workplace relationships.

07.02.00. Unprofessional Relationships

The Department prohibits unprofessional relationships and will take administrative or employment related actions to remedy the situation immediately.

An employee who is in a position of authority with assigned leadership, management or supervisory responsibilities having influence or power to grant employment related decisions over a subordinate, has the greater obligation to not engage in unprofessional behaviors and to report such a situation immediately to his superior.

While unprofessional relationships occur primarily at the work site or during work hours, some situations can develop after work hours or away from the work site as well. The following are behaviors and/or conduct that may be unacceptable:

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- any activity resulting in an employee being monetarily indebted to another employee or supervisor/manager that results in a workplace conflict or through coercion causes a supervisor or manager to compromise their ability to perform assigned duties properly;
- dating when superiors date subordinates within the same chain of command or work unit;
- having romantic and/or sexual relationships within an employee's chain of command;
- promising to grant, or granting salary increases, promotions or assignments not based on merit or established employment procedures;
- cohabiting - a supervisor cohabiting with a subordinate;
- having joint business ventures with or through an employee's unit supervisor or manager;
- working a second job in an enterprise or business that is owned or supervised by another IDOC employee who is working in the employee's same work unit, unless approved in writing by division administrator;
- conducting monetary transactions of goods or services with co-workers, supervisors, superiors, offenders or the general public during work hours derived from a second job or from an on-going non-IDOC business;
- soliciting - periodic solicitation of money, gifts, favors, or sales of products to employees during work hours, unless a manager approves requests, such as Girl Scout cookies, annual charitable giving campaign, school fund raisers, 4-H activities, home parties, etc.;
- socializing unprofessionally - off-duty social functions where the manager or supervisor fails to maintain expected behavior decorum as a leader while socializing with subordinates;
- displaying adverse conduct or behavior towards the public, visitors, or customers, whether on or off duty;
- participating in unprofessional relationships that impact the Department's safety, effectiveness, efficient operations, morale, or productivity; or
- requiring staffing changes to regain credibility or functionality.

Dating within one's peer group is usually not associated with violating unprofessional relationships unless related conflicts are displayed in the work place.

An employee involved in after-work associations or social gatherings with co-workers will maintain professionalism during work hours and not allow any off-site issues or situations to affect the workplace causing workplace disruption.

Every employee is expected to exercise maturity and good judgement to avoid unprofessional relationships.

07.03.00. Nepotism And Conflict Of Interest

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Employment of a family member or extended family member is not prohibited except where one (1) family member or an extended family member would be in a position of direct authority or supervision over another family member or extended family member.

An employee will provide a written notification to his supervisor of any family member or extended family member that is already employed, or becomes employed by the Department, when:

- the employee is first hired;
- upon reinstatement;
- upon rehire;
- transferring from another state agency; or,
- any time during the employee's tenure with the Department that a family member or an extended family member becomes employed with the Department.

[Relationship Disclosure Form](#) is provided for this notification, or an employee can submit a written memo or informational report (IR) with the following information:

- the name of the employee making the report;
- the other employee's name;
- when became aware of the situation;
- the job titles;
- the name of each employee's supervisor;
- the work site location;
- the date or approximate date of employment;
- the nature of the relationship; and
- the signature of reporting employee.

The supervisor receiving a written notification will forward the disclosure form to his manager.

An employee will not participate in conflict of interest matters. For the purpose of this policy, a conflict of interest arises from:

- dual state employment or working dual jobs unless approved in advance;
- personal relationships or situations where the employee's conduct allows dishonesty, unethical behavior, partiality, or unprofessional behavior that unnecessarily has a negative impact on others or the Department; or
- any official action, decision, or recommendation by an employee to monetarily benefit from public funds for personal gain or use.

In resolving a conflict, the manager will develop a plan of action as to how the issue should

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be resolved. The manager may consult with the involved employee, the Deputy Administrator and the Human Resource Services to seek suggestions as to the preference in resolving the issue.

Administrators, managers, and all supervisory employees are accountable to set the proper example in maintaining proper relationships, and to take immediate action when unprofessional relationships occur.

When situations of unprofessional relationships are substantiated, appropriate action by the manager will be taken towards the individuals involved to resolve the situation.

07.04.00. Romantic Workplace Relationships

The Department recognizes that work relationships can turn into dating and/or romantic relationships. The intent of the Department is not to eliminate or discourage these relationships, per se. However, the Department has an obligation to ensure that romantic relationships in the workplace do not adversely impact the efficiency of operation.

When employee romantic relationships impact the workplace in an adverse manner, the Department has a right and duty to eliminate or minimize these unprofessional situations to ensure fairness, uniformity, stability and productivity.

An employee is prohibited from engaging in romantic or sexual relationships when one (1) employee in the relationship is a supervisor or manager and the other employee is within the first employee's chain of command.

Each employee is responsible and will be held accountable for his workplace relationships.

Managers are responsible for ensuring that romantic relationships are not adversely affecting the workplace or employee morale.

Co-workers engaging in consensual sexual relationships outside of the workplace and that allow or manifest personal disagreements between themselves and/or other employees in the workplace are subject to Departmental intervention and corresponding sanctions, if warranted.

Non-work related personal issues that manifest conflict, contention, ill will, or disruptions in the workplace are prohibited.

Romantic relationships become unprofessional when:

- dating or requests for dating become unwanted by an employee;

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- a sexual relationship develops between a superior and subordinate;
- any form of employment favoritism is granted to one (1) employee but not to another, whether individually or as a group; or
- When one or both employees are married to someone else.

Managers will ensure married employees, or employees who become married, will not work under the other spouse's chain of command.

Managers or supervisors who are in situations of supervisory disparity are not to date or request dates from subordinates within their functional chain of command.

Administrators, deputy administrators, managers, or supervisors who find they are in a romantic unprofessional relationship, as defined, with another employee, whether or not in the same unit or chain of command, are required to provide a written disclosure to their superior. The disclosure may also suggest recommendations for resolving the matter.

In romantic relationships, the supervisor or employee who has the greater influence or control over the other employee's condition of employment has the greater obligation or duty to disclose the romantic relationship to the Department through his superior.

The employee not having the greater obligation in the romantic relationship is expected to disclose the relationship to the Department through an appropriate superior since the employee is also in violation of these procedures.

When a workplace romantic relationship develops between employees within the same work unit, their respective supervisor is to be notified by one (1) or both employees.

Coercion into a romantic relationship by another employee is unacceptable. During the review of an allegation, managers are to assess whether or not an employee may have been coerced into a romantic relationship due to another employee's power and/or fear of retaliation.

Amorous displays of affection such as kissing, intimate embracing, and holding hands in the public workplace are not acceptable. Exceptions may apply to married couples who may be arriving, departing, or visiting.

Sharing or openly discussing an employee's personal sexual and intimate matters with an employee or employees during work hours is unprofessional conduct and may violate Policy 201, Respectful Workplace. Therefore, this type of behavior is prohibited.

Flirting, while not a romantic relationship, is not professional behavior. Flirting is highly discouraged. Flirting, when unwanted, may violate Policy 201, Respectful Workplace.

The "exclusive" giving or exchanging of personal favors or gift items at work between

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employees who have a romantic association is not acceptable.

Managers are authorized to approve non-exclusive personal favors or group gift exchanges such as holiday exchanges, birthday recognition, retirements or farewells, and establish boundaries for organizational fund raising or person-to-person selling in the workplace.

Any employee who believes that he has been or is being adversely affected by an unprofessional relationship is required to report this to his manager, supervisor or someone in authority for review or resolution measures.

An employee involved in a prohibited romantic or sexual relationship is expected to take responsibility to do whatever is necessary to remedy the situation. Compliance actions may require a voluntary transfer or a reassignment. Should voluntary actions not remedy the situation, involuntary employment actions will be used as contained in Policy 205, Corrective and Disciplinary Action.

If an employee is unsure of available options or has questions regarding workplace relationship procedures, the employee can consult with any supervisor, manager, Human Resources Services officer, or legal staff member to obtain understanding of employee responsibilities under this policy.

07.05.00. Plan Of Action

Examples of a plan of action may include, but are not limited to:

- an agreement of one (1) party to transfer to another unit or facility;
- a change in shift assignment;
- a change in reporting structure;
- a voluntary demotion;
- a performance improvement plan;
- a corrective-disciplinary action; or
- when warranted, a dismissal.

An employee will be issued a written decision, notification, or personnel action regarding the resolution imposed, if any. A copy of the notification will be placed in the employee's official personnel file in Human Resource Services.

07.06.00. Notification

The following items will be disclosed when they become known by any employee:

- relatives or relatives of friends that have been committed to the Department's

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- jurisdiction;
- family members newly hired;
 - another IDOC employee marrying into one's family (or becomes a significant other);
 - nepotism (supervising or being supervised by one's family member);
 - unprofessional relationships as outlined in these procedures;
 - conflict of interest as an employee or as a supervisor/manager; or
 - romantic relationships as outlined in these procedures.

Supervisors or managers will notify their superior when they intend to attend employee group socialization gatherings that are non-work related or are after work hours with their direct subordinates. If it has the potential to adversely impact the workplace as outlined in provisions of Policy 217, Ethics and Standards of Conduct, attendance should not be requested or performed.

Excluded from notification are off-work one-on-one friendships or affiliations with employees that gather for sporting events, adult team sports, kids organized sports, hunting, fishing, community association groups, church associations, military obligations, hobby gatherings, and similar-like gatherings, unless the associations adversely impact the work place.

Supervisory/subordinate behavior is the responsibility of the supervisor or manager to determine, decide, and direct while participating in after work associations with employees.

07.07.00. Sanctions

An employee currently involved in an unprofessional relationship and who fails to disclose or fails to remove the unwanted relationship is in violation of this policy. Therefore, the employee is subject to corrective and/or disciplinary actions, up to and including dismissal, when warranted.

07.08.00. Manager's Responsibilities And Confidentiality

The manager is responsible for ensuring that education and training of this policy is provided annually to each employee under his jurisdiction.

The manager is the designated person who reviews and resolves workplace relationship matters to suit the needs of the organization.

Confidentiality in resolution of issues will be maintained. Information is restricted to those with a need to know.

08.00.00 FLOWCHART

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Not applicable to this policy.

09.00.00. SIGNATURE

Director, Department of Correction

Date

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