



Operational Policy

Policy title:	Close Personal Relationships		
Policy number:	DHS 060-044		
Original date:	07/01/2019	Last update:	07/01/2019
Approved:	Don Erickson, Chief Administrative Officer		

Purpose

The Department of Human Services is committed to a professional work environment that is fair, respectful, and productive. The purpose of this policy is to promote a positive work environment free from relationships that may cause actual or perceived conflict of interest.

Description

This policy addresses close personal relationships between individuals in inherently unequal positions, where one party has actual or perceived authority over the other in their professional roles; describes the process individuals must follow should a close personal relationship develop; and the consequences for failure to follow that process.

Applicability

This policy applies to all DHS staff including employees, volunteers, trainees and interns.

As keepers of the public trust, all agency employees have a responsibility to comply with state and agency policies, administrative rule, and state and federal law. The agency takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Employees who fail to comply with state or agency policy, administrative rule, or state and federal law may face progressive discipline, up to and including dismissal from state service.

Policy

1. Close personal relationships, including but not limited to romantic or sexual relationships between individuals in inherently unequal positions, where one party has actual or perceived authority over the other in their professional roles, may be inappropriate in the workplace and are strongly discouraged. If such a relationship exists or develops, it must be immediately disclosed.
2. An inappropriate close personal relationship is a relationship between persons in inherently unequal positions where one party has:
 - A. Actual, perceived or potential authority, influence, or power over the professional relationship or the other's conditions of employment.
 - B. The ability to directly impact the other's career progression, including the ability to award funding or service referrals when DHS is an important source of the other's funding or employment. This includes but is not limited to:

- a) Formal and informal supervisory relationships such as managers, supervisors, lead-workers or mentors, and the employees they oversee.
 - b) Professional relationships such as those between DHS contract administrators and contractors, DHS program staff and community partners, providers, or advocates.
 - c) Any relationships that create an inherent conflict of interest due to potential DHS roles in making or influencing employment or funding decisions, service referrals, performance management and evaluation, promotion, discipline and dismissal, for the staff or community partners, providers or contractors they supervise.
3. Efforts by either party to initiate or engage in these relationships may be inappropriate. These relationships, even if consensual, may result in conflict or negative impacts on morale, workplace performance, or other related disruptions or distractions.
 4. Disclosure of such relationships creates a transparent environment that ensures the mission is met with mutual professional respect and accountability while also maintaining public trust and avoiding conflict of interest, or the appearance of conflict of interest.
 - A. If such a relationship does develop, both parties must immediately disclose it to a program or agency director or deputy director, and Human Resources manager. The Conflict of Interest Review and Determination form ME0104 will be completed to make the report.
 - B. Disclosure reduces the risk to both parties, as measures can be taken immediately to mitigate actual or perceived conflicts of interest and bias.
 - C. If individuals of unequal authority are in this type of relationship, the party of greater power is prohibited from engaging in all official matters affecting or appearing to affect the other.
 5. Upon such notification, or receipt of complaint, HR will work with the responsible manager to decrease or eliminate the risk resulting from the relationship. Appropriate action may include, but is not limited to:
 - A. Evaluating the workplace reporting structure. If possible, an alternative reporting structure, work assignment or work location may be considered for either party in the relationship based on agency operational need. Availability of these alternative options is not assured. If alternative options are not available, reassignment of one party may occur to sever the supervisory or oversight relationship;
 - B. Recusal of the supervisor or individual in the position of authority or perceived authority from all official matters affecting, or appearing to affect, the subordinate;
 - C. Administrative inquiry to determine if any inappropriate action has occurred prior to the agency being notified of the relationship.
 6. Nothing in this policy is meant to imply that a consensual relationship or a submission of a Conflict of Interest prohibits a later complaint under the Discrimination and Harassment Free Workplace Policy if the relationship later becomes non-consensual or is the result of a power imbalance.
 7. Management staff are expected to communicate this policy to their subordinates and to provide leadership in carrying out its intent.

References

[42 USC 200 Title VI of the Civil Rights Act of 1964](#)
[ORS 659A.030 Discrimination because of race, religion, color, sex, national origin, marital status, or age prohibited](#)
[ORS 240 State Personnel Relations](#)
[ORS 243.305; ORS 243.315](#)
[OAR 105.040.001 Equal Employment Opportunity and Affirmative Action](#)
[Collective Bargaining Agreements \(AFSME Local 191, SEI\)](#)

Forms referenced

ME 104 DHS|OHA Conflict of interest review and determination form

Related policies

[DAS 50-010-01 Harassment free workplace](#)

[DAS 50-010-03 Maintaining a professional workplace](#)

[DHS|OHA 060-002 Conflict of interest](#)

[DHS|OHA 060-020 Nepotism policy](#)

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