Conflicts of Interest is a common issue in any workplace. Most of us have heard someone say, “It’s who you know, not what you know.” Consider these situations:

- Your wife’s brother has experience working in a school district. Can you interview him for an opening in your department?
- Your supervisor hired one of his old friends last month. People are starting to notice that this person works shorter hours than others, but is paid the same. What can you do?
- You want to recommend your spouse’s catering business for a district event. Can you do so?

Even though these situations are very different, they all fall under the parameters of “conflict of interest” and/or “nepotism”.

A conflict of interest occurs when an individual’s personal interests – family, friendships, financial or social factors – could compromise his or her professional judgement, decisions or actions in the workplace. Nepotism is the word we use to explain any favoritism that’s shown because of a personal relationship.

Conflicts of interest are not automatically illegal – but hiding them (failing to disclose) and allowing them to influence your professional actions is. Hiring or working with a spouse, relative, or close friend, for instance, does not automatically imply nepotism. It’s natural for people to want to recommend qualified friends or relatives to work for or provide products to the district. However, before you do so, consider your role in the district. It’s against district policy to directly, or indirectly, supervise a spouse/significant other, relative, or close friend. Even if you believe you’ll maintain total objectivity in overseeing the work done by a personal or business associate, the appearance becomes suspicious and others may consider it unfair or unethical. When it comes to conflicts of interest, appearance is just as important as reality.

But there are some things to keep in mind to avoid conflicts of interest and to support fair workplace practice.

YOUR ROLE IN THE DISTRICT
It may be perfectly acceptable to encourage your relative or close friend to interview for an opening in your department or school; or to recommend a friend’s company as a supplier. However, you should recuse yourself from participating in the selection or hiring process of these individuals.

FULL DISCLOSURE
When recommending a friend or relative for hire or contract, always disclose your relationship. When decisions are made “in the sunshine,” ill feelings and complaints can be avoided. Your disclosure allows the district to keep all decision processes transparent and fair.

HIRING PROCEDURES
In any hiring process, it’s important to strictly adhere to the district’s procedures for hiring suppliers or employees. When a friend or relative is a candidate, always involve your administration and HR in the process and the hiring decision. Even if you must make the decision or be part of the process, be sure to base the decision on a consensus. Always use an open process that allows for a fair and objective assessment of all candidates. This not only ensures that the best candidate will be selected, it documents – and makes it clear to others – that the candidates who were selected are well qualified for the job. All these principles also apply to the selection of suppliers. To hire the best, we must always use a fair and open bidding and evaluation process.

FAIR TREATMENT AND ASSESSMENT
Once they are hired or selected, qualified candidates who are related to or friends with other employees must be treated fairly and held equally accountable to performance standards. Ideally, an employee should not directly supervise a friend or relative. It might require reassignment of those responsibilities, or transfer of personnel to other areas within the district.

Our district expects employees to separate personal and business issues and put the best interests of our district first. If you think that a supervisor’s friend is getting preferential treatment, don’t hesitate to contact a Human Resources representative to discuss the situation.

APPEARANCES COUNT
As with any conflicts of interest, it’s important to realize that even the appearance of favoritism or preferential treatment may negatively affect morale and trust. Other employees will become concerned, even if the conflict has never been acted on. In some cases, serious ethical misconduct and even criminal activity starting from a conflict of interest often ends in fraud.

OTHER POTENTIAL CONFLICTS
You should also consider your ties to outside interests when making business decisions. For example, working a second job outside of your regular hours may be just fine; as long as you are still effective and efficient in your position with the district. Ask yourself these questions to evaluate potential conflicts:

- Is the outside interest causing you to perform your regular district job with less than the expected commitment?
- Is the outside interest competing against our district’s activities?
- Are you being influenced to make a decision that is not in our district’s best interests?
- Are you misusing district resources?

When the perception of a conflict exists, it hurts your personal reputation and the district’s reputation. Be sure that every decision that is made is in the best interests of our district.

“DON’T COMPROMISE YOURSELF, IT’S ALL YOU’VE GOT.”
Janis Joplin
Q&A

There’s need to quickly hire some temporary staff to ease the overwhelming workload in my area. I’d like to recommend an old friend of mine; can I do that?

District policy is not intended to disrupt personal relationships. If the person is qualified for the job, you should feel free to recommend them. Be sure that you disclose your relationship with this person and avoid supervising them. If a fair and objective hiring process is followed, everyone will feel comfortable that the best candidate was selected.

I am normally involved in the process of selecting suppliers for my department. A relative of mine recently took a senior position with one of the bidding suppliers for a district contract. Can I participate in the selection process?

No. Even if you feel you can be fair and impartial in making this decision, you should recuse yourself from participation. That way, everyone involved will have no doubt that the contract was awarded based on merit, not on “connections.”

I’m considering a second job that requires me to work afternoons and weekends. I get off work at 3:00 p.m., but my second job requires me to start at 2:30 p.m. What should I do?

This second job is likely to interfere with your ability to perform in a way that meets performance standards. The overlap in work hours means that you will be forced to depart from your regular district job before your official hours end; which may result in your falsification of payroll reporting and other unethical conduct. You should consider other job options that do not create a conflict.

“The reputation of a thousand years may be determined by the conduct of one hour.”

Japanese proverb

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CONFLICTS OF INTEREST

and

NEPOTISM