



## Employment Conflicts of Interest

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### PURPOSE

This purpose of this policy is to define situations when the employment of relatives or those involved in intimate relationships is not permissible, when it is permissible, and to establish a process for documenting and mitigating an actual, potential, or an appearance of a conflict of interest. This policy also addresses hiring situations where the hiring manager or others involved in the hiring process have a current or previous relationship with the applicant.

### POLICY APPLICABILITY

The county's *Employment Conflicts of Interest Policy* applies to all employees in the executive branch departments, offices, and divisions, including the Assessor's Office and King County Elections. This includes all career service, provisional, temporary, probationary, and appointed employees. Departments may have additional rules or requirements due to the nature of their work.

### DEFINITIONS

"*Conflict of Interest*" means when a person's private relationships compromise their responsibilities as a county employee. When used in this policy, conflict of interest means an actual conflict, a potential conflict, or an appearance of a conflict. Please also refer to [King County Code 3.04](#) (Employee Code of Ethics) and [King County Code 3.12.020](#).

"*Employment-Related Decision*" means the full spectrum of employment-related decisions, including but not limited to, recruitment, appointment, hiring, transfer, promotion, supervision, scheduling, evaluation, compensation, audit, classification or reclassification, demotion, discipline, termination, and reduction in force.

"*Intimate Relationship*" means any relationship that may reasonably be described as sexual, romantic, amorous, and/or dating. Physical contact is not a requirement of such relationships. An intimate relationship may exist on the basis of a single interaction.

"*Relative*" means a parent, child, sibling, spouse or domestic partner, aunt or uncle, niece or nephew, grandparent, grandchild, in-laws, or anyone in an intimate relationship with those listed previously. Relatives of a domestic partner are included in this definition.

### POLICY

No King County employee may make, participate in, or attempt to influence employment-related decisions involving a relative or individuals they have an intimate relationship with. However, it is permissible for relatives or those involved in intimate relationships to work in the same department, office, or division if there is not a conflict of interest. It is never permissible for relatives or those involved in intimate relationships to supervise or make employment-related decisions about each other.

Employees who work in the same department, office, or division with a relative or an individual with whom they have an intimate relationship, must complete the [Employment Conflicts of Interest – Notification Form](#). If it is determined that a conflict of interest, or the appearance of one is present, the supervisor and department HR Manager shall develop a proposed Mitigation Plan. The Mitigation Plan is subject to approval by the Director of the Department of Human Resources, or designee.

The County will not hire a job applicant when the hiring would create a conflict of interest with a current employee, as defined by this policy.

Violations of this policy may result in discipline, up to and including termination.

## **PROCEDURES**

### **Mitigation Plans**

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When an actual or potential conflict of interest exists due to a change of circumstances between relatives or those involved in intimate relationships, a mitigation plan shall be developed to assist in managing the situation. The goal of a mitigation plan is to resolve the conflict of interest or the appearance of a conflict of interest and/or address potential harm to the work environment. A mitigation plan should address issues like reporting relationships, supervision, and evaluation.

Examples of situations when a mitigation plan should be developed, include, but are not limited to:

- Situations where an employee is in the chain of command of a relative or someone they are involved in an intimate relationship with, who may have direct or indirect employment-related decision-making responsibilities, either on an ongoing or temporary basis;
- Situations where employees become related during their employment; or
- Situations where two employees marry or become involved in an intimate relationship during their employment.

When an actual or potential conflict of interest exists, the employee, will submit in a timely manner the [Employment Conflicts of Interest – Notification Form](#) to their supervisor and HR Manager. The supervisor and HR Manager will develop a proposed mitigation plan using the [Department Mitigation Form](#) based on the specific circumstances and needs of the situation. Once completed, the HR Manager will submit the proposed mitigation plan to the Director of the Department of Human Resources, or designee, for approval.

If approved, the mitigation plan will be implemented, and the form will be retained in both employees' personnel file. If denied, an alternative plan may be submitted for approval, however, in some instances, the County may require one of the two employees to seek a job in another county work unit or separate from county employment.

The Department of Human Resources Director or designee will be consulted when the HR Manager cannot reach agreement on a mitigation plan.

### **Conflicts of Interest in the Hiring Process**

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The County's goal is to make hiring decisions that are fair, equitable, and transparent. Any employee participating in a hiring process (including a promotional process), in any capacity, including but not limited to acting as a subject matter expert, reviewing applications, sitting on an interview panel/testing process, or participating in the probationary evaluation, must disclose to the hiring manager and HR recruiter any relationships with candidates that may impact the employee's ability to be fair and unbiased in the hiring process, or be perceived to be unfair or biased in the hiring process. Such relationships include but are not limited to relatives and individuals with whom the

employee has an intimate relationship. Depending on the nature of the relationship, the hiring manager and HR recruiter may require the employee to recuse themselves from the hiring process.

Similarly, if the hiring manager or the HR recruiter has a current or previous relationship with an applicant, the individual must disclose this relationship to their supervisor and HR Manager, and a mitigation plan may need to be developed for the hiring process. Additionally, an employee may not share any information related to the interview or testing process with an applicant unless approved to do so by HR.

## **QUESTIONS**

Refer questions or comments to your department's [Human Resources Manager](#) or the Department of Human Resources.