September 23, 2015

To:
 Lisa Shen, Chair, Faculty Senate

From:
 Faculty Affairs Committee

 David McTier, Debbi Hatton, Dana Nabors, James Landa, John Domino, Nancy Baker, and
Irfan Ahmed, Chair

Re:
 Human Resources Policy E
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The full Faculty Affairs Committee met on Thursday, September 10
 to discuss the
correspondence between Mr. Hammonds and Tony Watkins, and arrived at the following
conclusions/recommendations:

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 As the committee
 understands
 it, the intent of the policy appears to be to eliminate a
conflict of interest due to a relationship between supervisors and subordinates;
instructors and students; and advisors and students, wherein one person may be unable
to act impartially
 towards another due to the existence of a consensual
 relationship

between the two
. It is not about potential sexual harassment, which is covered by other
HR policies
 and prevailing law
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 Insofar as there is no conflict of interest due to the relationship, there is no
justifiable need for the University to be apprised of the private lives of its
employees.

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 In case of an evaluative
 situation where there is a possible conflict of interest
due to the relationship, an expectation of recusal from the individual
 performing
the evaluation
 is reasonable. However, the committee believes that the
individual
 should not be required to disclose whether the reason for recusal is a
romantic relationship or something else.

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 There may be other types of relationships (familial, social, etc.) that would also
require recusal of the evaluating employee so as to avoid conflict of interest.

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 There are non
-supervisory evaluations (e.g., peer review) in which a possible
conflict of interest could arise due to a relationship between an evaluator and
candidate. Such relationships have not been addressed in the policy.

In conclusion, the Faculty Affairs Committee believes that while there is a real need for
preventing conflicts of interest due to a relationship between employees, an expectation of
recusal from such a situation is reasonable and warranted;
 the reporting of the nature of the
relationship is not.

Thank you.