

**FISH AND WILDLIFE SERVICE
PERSONNEL**

Personnel

Part 227 Personnel Relations and Services

Chapter 8 Personal Relationships between Supervisors and Subordinates

227 FW 8

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OVERVIEW

8.1 What is the purpose of this chapter? This chapter establishes the U.S. Fish and Wildlife Service (Service) policy regarding personal relationships between supervisors and subordinates that are either prohibited or discouraged in order to promote a professional and positive work environment.

8.2 What are the goals and objectives of the chapter? The Service's:

A. Goal is to maintain a work environment that is collegial, respectful, and productive and where supervisors engage appropriately and professionally with subordinates.

B. Objectives are to:

(1) Create requirements and guidelines surrounding personal relationships between supervisors and subordinates;

(2) Remind all employees who engage in personal relationships of their professional responsibilities, including ensuring that their relationships do not raise concerns about favoritism, bias, and conflict of interest; and

(3) Provide reporting procedures to ensure that officials are notified and have the opportunity to promptly take action if necessary.

8.3 What is the scope of this chapter?

A. This chapter applies to all Service employees.

B. Employees must follow [Personnel Bulletin 18-01, Prevention and Elimination of Harassing Conduct](#), for allegations of offensive sexual or non-sexual harassing behavior, and the Federal anti-nepotism

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law ([5 U.S.C. 3110](#)) for allegations of favoritism because of familial relationships, which include marriage.

8.4 What terms do you need to know to understand this chapter?

A. Conflict of interest exists when an employee's personal interests or relationships conflict with the faithful and objective performance of their official duty. When supervisors and subordinates are involved in certain types of personal relationships, there is a potential for a conflict of interest, loss of impartiality, and unfairness that negatively impacts the morale, the workplace environment, and the efficiency of the Service.

B. Employee means all Service employees (including temporary or emergency hires), student interns (paid or unpaid), volunteers, contract workers, and independent contractors.

C. Higher level supervisor means a supervisor or manager in the chain of command who is higher in authority than the employees who are engaged in a personal relationship.

D. Supervisor means any individual having authority to hire, transfer, suspend, lay off, recall, promote discharge, assign, reward, discipline, suspend, or remove an employee. It also includes those employees who have the authority to rate or measure performance, or provide employment or academic references.

8.5 What are the authorities for this chapter?

A. Discipline and Adverse Actions, [370 Departmental Manual \(DM\) 752](#).

B. Labor Management and Employee Relations, Adverse Actions, Cause and Procedure ([5 U.S.C. 7513\(a\)](#)), and Civil Service Regulations, Employee Responsibilities and Conduct ([5 CFR 735.203](#)).

C. Merit System Principles, Prohibited Personnel Practices ([5 U.S.C. 2302](#)).

D. Office of the Secretary of the Interior, Employee Responsibilities and Conduct ([43 CFR Part 20](#), Subpart E).

E. Standards for Employees of the Executive Branch, Conflicting Financial Interests and Impartiality in Performing Official Duties ([5 CFR 2635](#), Subparts D and E).

F. [Personnel Bulletin 18-01](#), Prevention and Elimination of Harassing Conduct.

OVERALL POLICY

8.6 What is the Service's policy regarding personal relationships between supervisors and subordinates?

A. Conflict avoidance: Supervisors have a responsibility to avoid conflicts of interest, including the

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appearance of a conflict, between their professional responsibilities and their personal relationships with subordinates to maintain their professionalism, impartiality, and fairness.

B. Expectations: Service employees must conduct themselves in a manner that contributes to a work environment that is collegial, respectful, and productive.

C. Prohibited relationships: In accordance with [section 8.5E \(5 CFR 2635\)](#), Subparts D and E), the Service prohibits supervisors from entering into the following personal relationships with subordinates because of the likelihood that they will create real or perceived conflicts of interest, disrupt the workplace, and negatively impact the efficiency of the Service:

(1) Business/Financial: The Service prohibits on-going business or financial relationships between supervisors and subordinates, such as entering into a landlord-tenant relationship, lending money, and sales where money is paid back over time. One-time transactions, such as the sale of an automobile or a piece of furniture, may be allowed, but only after the supervisor involved in the pending transaction receives written approval from his/her servicing Ethics Counselor (email is sufficient).

(2) Temporary Duty Travel (TDY)/Lodging: During TDY trips, the Service prohibits shared living arrangements between supervisors and subordinates, such as overnight stays at personal residences and shared hotel accommodations, unless required by operational need and approved by the higher level supervisor. Co-ed accommodations, sometimes necessary due to remote locations or other mission needs, may be allowed, but only after receiving approval from the supervising Directorate member (see [section 8.8D\(2\)](#)).

(3) Improper use of position/grade: The Service prohibits any relationships that are coercive or are perceived to be exploitative or coercive.

D. Discouraged relationships between Supervisors and Subordinates:

(1) While not strictly prohibited, the Service discourages (see sections 8.6E below and [8.8](#) for reporting requirements):

(a) Dating relationships between supervisors and subordinates that are romantic, intimate, or sexual in nature. Non-consensual relationships constitute sexual harassment and are not tolerated (see [227 FW 6](#)). For marital or other familial relationships, refer to the Federal anti-nepotism law ([5 U.S.C. 3110](#)).

(b) Personal services, such as babysitting, pet sitting, catering, or cleaning.

(c) Traveling together for personal or family vacations.

(d) Outside-of-work recreational activities, such as golf, hunting, fishing, or game night when invitations to participate are not extended to all subordinates.

(2) These types of personal relationships between supervisors and subordinates create real or perceived bias or unfairness, or they may negatively impact employee morale and disrupt the

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workplace.

E. Reporting requirements: See [section 8.8](#) for the requirements for employees to report relationships that may violate this policy or relationships that the Service discourages.

RESPONSIBILITIES

8.7 Who is responsible for implementing this policy? See Table 8-1.

Table 8-1: Responsibilities for Implementing this Policy

This employee...	Is responsible for...
A. The Director	<p>(1) Approving Servicewide policy, and</p> <p>(2) Ensuring that there are guidelines and procedures on personal relationships between supervisors and subordinates to mitigate the adverse impacts on the Service.</p>
B. Directorate members	<p>(1) Ensuring their employees are made aware of and follow the requirements in this policy;</p> <p>(2) Consulting with Human Resources (HR) staff, as needed, to resolve inappropriate personal relationships between supervisors and their employees and mitigate any adverse impacts on the Service; and</p> <p>(3) Approving requests for using co-ed accommodations (such as dormitories in remote locations) because they are necessary to meet mission requirements.</p>
C. HR Operations (Employee-Management Relations)	<p>(1) Providing technical assistance and support to managers, supervisors, and employees to ensure compliance with this policy;</p> <p>(2) Upon notification, managing, decreasing, or eliminating potential risks associated with personal relationships that the Service prohibits or discourages by working with the higher level supervisor and ethics officer, if needed, to ensure appropriate action is taken (see section 8.9); and</p> <p>(3) As appropriate, developing, conducting, and coordinating training on conflicts of interest related to personal relationships between supervisors and subordinates.</p>
D. Supervisors	<p>(1) Reviewing and complying with this policy,</p> <p>(2) Ensuring their subordinates are aware of and follow the</p>

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This employee...	Is responsible for...
	requirements in this policy, and (3) Working with their Ethics Counselor or their higher level supervisor, or both, to resolve any personal relationships that the Service prohibits or discourages (see section 8.9).
E. Employees	(1) Reviewing and complying with this policy, and (2) Working with their supervisory chain of command to resolve any personal relationships that the Service prohibits or discourages.

REPORTING AND RESOLVING ISSUES WITH PERSONAL RELATIONSHIPS

8.8 What are the procedures for reporting personal relationships?

A. Supervisors engaged in personal relationships that the Service prohibits or discourages (see [section 8.6C and D](#)) must immediately disclose the relationship verbally or in writing to their higher level supervisor.

B. The higher level supervisor, when notified, must:

(1) Report the relationship to their servicing Employee-Management Relations (EMR) Specialist within HR Operations;

(2) Immediately counsel the supervisor and give him/her a copy of Personnel Bulletin 18-01, if appropriate;

(3) Consult with the EMR Specialist to determine whether the relationship violates this policy and how to resolve it;

(4) Take immediate interim measures, as needed, to mitigate or eliminate any real or perceived conflicts of interest, bias, or unfairness; and

(5) Ensure that the Service conducts a prompt, objective, and thorough administrative inquiry, as needed, to determine if any inappropriate action(s) occurred as a result of the relationship.

C. The Service will take appropriate corrective action, disciplinary or otherwise, up to and including removal, against any supervisor or other management official who fails to fulfill his/her responsibility for reporting as we describe above.

D. There are two situations where the reporting requirements differ from those in subsections 8.8A through C above—one-time financial transactions and co-ed facilities.

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(1) *One-time financial transactions:* Before finalizing such a transaction, the supervisor involved in the transaction must discuss it with his/her servicing Ethics Counselor to determine if there is any potential conflict of interest, real or perceived, and get written approval (email is sufficient) to proceed. Visit the [Ethics website for contact information](#).

(2) *Co-ed facilities:* The use of co-ed facilities may be necessary to meet mission requirements, but they may only be used after receiving approval from the supervising Assistant or Regional Director. Directorate members may grant blanket approvals for ongoing projects, but they should review them at least annually to determine if they continue to be necessary. Reviews that need to occur more frequently than annually can be handled at the Deputy level for each request (each occurrence needs to be reviewed).

8.9 How will the Service resolve issues with personal relationships? The EMR Specialist and the higher level supervisor will work together to determine the appropriate actions to eliminate the potential risks associated with any reported personal relationships. Appropriate action may include, but is not limited to:

- A. Counseling;
- B. Reassignment to sever the supervisory relationship;
- C. Recusal of the supervisor, or individual in position of authority or perceived authority, from all official matters affecting, or appearing to affect, the employee; and
- D. If the employees cannot amicably come to a decision, offering the option of termination of the relationship or resignation from the Service.

10/6/2020

X Aurelia Skipwith

Aurelia Skipwith
Director

Signed by: AURELIA SKIPWITH