



CITY OF DETROIT  
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## EXECUTIVE ORDER NO. 2012-1

**TO: ALL DEPARTMENT DIRECTORS, AGENCY HEADS, BOARDS, COMMISSIONS, CITY COUNCIL MEMBERS, AND THE CITY CLERK**

**SUBJECT: POLICY CONCERNING EMPLOYEE FRATERNIZATION**

**DATE: NOVEMBER 1, 2012**

### Preamble

The City of Detroit recognizes and respects the rights of City elected officials, appointees and employees to engage in social interaction and to form personal relationships with others in the workplace. The City is not seeking to interfere with, or unduly intrude upon, the private lives of its employees. However, there may be certain instances in which intimate personal relationships between employees have the potential to negatively impact working conditions, or between employees and contractors have the potential to negatively impact City business.

Personal relationships, especially between supervisors and subordinates, may undermine the sound operation of City functions due to: a) creating the appearance of favoritism in employment decisions; b) loss of employee morale; c) interference with the functioning of supervisory-subordinate relationship; and d) allegations of sexual harassment in the workplace.

Employees should understand that courts and the public are holding the City of Detroit and its employees to a higher standard to ensure a fair, conflict free workplace. Further, all employees should be aware that the City of Detroit maintains a strict policy against unlawful harassment of any kind, including sexual harassment, as outlined in Executive Order No. 2010-2, which is vigorously enforced consistent with all applicable federal, state and local law.

### Purpose

The purpose of this policy is to inform and to guide City employees in appropriate workplace behavior, and to establish clear boundaries between employees' job-related duties and personal interactions.



### **Scope**

This policy applies to all City of Detroit employees, including, but not limited to, full-time, part-time, special service, temporary, and seasonal employees. In addition, this policy applies to elected officials, appointees, student interns, and volunteers. The provisions of the policy apply regardless of the sexual orientation of employees.

### **Policy**

#### **A. Definitions.**

For purposes of this Executive Order, the following terms have the meanings ascribed to them:

*Contractor* means a party who, or which, seeks to enter, or enters, into a contract with the City of Detroit for the delivery of goods or services.

*Domestic partnership* means employees engaged in a personal relationship who live together and share a common domestic life and intimacy, but are neither legally married nor joined by a civil union, or are related by blood.

*Employee* means a City of Detroit elected official, appointee, or employee, including, but not limited to, a full-time, part-time, special service, temporary, or seasonal employee, as well as student interns and volunteers.

*Family relationship* means employees who are related to one another as a spouse, or any of the following whether by blood or marriage: brother, sister, aunt, uncle, niece, nephew, parent, grandparent, child, grandchild, stepfather, stepmother, stepson, stepdaughter, stepbrother, half-brother, half-sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

*Inappropriate communication* means a statement, a photograph, an image, or other material, of a defamatory, derogatory, harassing, profane, or sexual nature.

*Personal relationship* means employees who mutually consent to a relationship which may include dating, sexual relations, romantic involvement, and personal, physical or emotional intimacy.



## **B. Standards of Conduct During City Employment**

1) Any employee, as defined in this Executive Order, who has a family relationship, domestic partnership, or personal relationship with another employee, or employees, is expected to adhere to the following:

- Behave professionally while in the workplace or while performing work on behalf of the City, including but not limited to, refraining from personal exchanges, such as, personal or sexual comments, joking, affection, and the like, so others are not distracted or offended by such exchanges and productivity is maintained;
- Refrain from engaging in favoritism, adverse employment actions or making business decisions influenced by such a relationship, or relationships;
- Make all business decisions based on the best interests of the City of Detroit; and
- Ensure that personal relationships do not negatively impact job performance, the work environment, or the ability to supervise others.

2) Any employee, as defined in this Executive Order, who has a family relationship, domestic partnership, or personal relationship with another employee, or employees, is prohibited from:

- Engaging in physical contact, which would be deemed inappropriate by a reasonable person standard, while in the workplace; and
- Using City desktop computers, printers or faxing machines, or City portable electronic communication devices, including, but not limited to, City cell phones, smart phones, or tablets, to engage in inappropriate communication, or to access social media to engage in inappropriate communication.

3) Any employee, as defined in this Executive Order, who exercises significant authority over a contract is prohibited from having a personal relationship with the contractor or any person who provides goods or services to the City of Detroit under the contact.

## **C. Disclosure Requirements for Supervisory Employees and Their Subordinates**

Supervisors are held to a more stringent standard due to having access to sensitive information and their ability to influence employment decisions. Any City executive, appointee,



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manager, supervisor or employee who directly or indirectly supervises, or reports to another employee, with whom he or she has a family relationship, domestic partnership, or personal relationship is required to disclose the relationship to the Human Resources Department, in writing, on a form that is created by the Law Department and that is made available at the Human Resources Department.

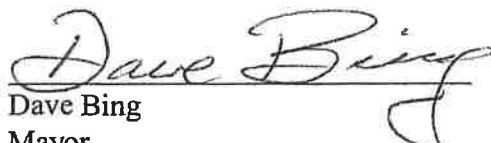
The policy requires that both employees involved in family relationship, domestic partnership, or personal relationship are required to disclose the relationship. This type of disclosure is in addition to the disclosure of relationships that are required under Sections 2-6-31, 2-6-32, and 2-6-34 of the 1984 Detroit City Code.

Upon disclosure of the relationship, the Human Resources Department shall:

- Determine whether the relationship has the potential for, or the appearance of, conflicts of interest, sexual harassment, favoritism, nepotism, misunderstandings, or will negatively impact the workplace;
- Work with both parties to determine possible resolution regarding the supervisory relationship, which may include reorganization of duties/responsibilities, position transfer or reassignment;
- Treat the disclosure of any relationship in a confidential manner and may only disclose to others during the resolution phase on a need-to-know basis; and
- Provide findings in writing to both parties within thirty (30) days of disclosure.

Failure to adhere to the provisions of this policy shall result in discipline including, but not limited to, discharge.

Pursuant to the powers vested in me by the 1963 Michigan Constitution and the 2012 Detroit City Charter, I, Dave Bing, Mayor of the City of Detroit, issue this Executive Order. This Executive Order is effective this date.

  
Dave Bing  
Mayor