

**JEFFERSON
METROPOLITAN
HOUSING AUTHORITY**

**PERSONNEL POLICY
MANUAL**

Prepared by

**Clemans, Nelson & Associates, Inc.
6500 Emerald Parkway, Suite 100
Dublin, Ohio 43016-6235
614-923-7700 / 800-282-0787
www.clemansnelson.com**



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MISSION STATEMENT

The mission of the Jefferson Metropolitan Housing Authority is to assist low-income families, including those who are elderly or disabled, with safe, decent, and affordable housing opportunities as those families strive to achieve self-sufficiency and improve the quality of their lives. The Housing Authority is committed to providing professional services in a caring, efficient, and ethical manner, and in developing and maintaining working partnerships with its clients and other community agencies in order to accomplish its mission.

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INTRODUCTION/DISCLAIMER

**SECTION 1.01
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Employment with the Jefferson Metropolitan Housing Authority is “employment-at-will,” and can be terminated by either party at any time for any reason, or no reason at all.

The policies contained in this manual are subject to change from time to time, without notice, at the discretion of management. This manual is not intended to be, nor should it be construed to constitute, either an expressed or implied contract of employment. Rather, this manual is presented for informational purposes, and to assist management in maintaining a workplace in compliance with federal nondiscrimination requirements.

No representative of the Housing Authority has the authority to offer any verbal contract of employment, nor can they offer promises of employment.

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OBJECTIVES

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- A. The Housing Authority recognizes that a personnel system that recruits and retains competent, dependable personnel is indispensable to the effective operation of a metropolitan housing authority. The policies and procedures set forth in this manual are designed to:
1. promote high morale and foster good working relationships among employees by providing uniform personnel policies, equal opportunities in employment, and consideration of employee needs;
 2. maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with the Housing Authority and encourage employees to give their best efforts to the organization and the public;
 3. encourage courteous and dependable service to the public;
 4. provide equal opportunity for qualified persons to enter and progress in their employment based on merit and fitness;
 5. ensure that all operations are conducted in an ethical and legal manner to promote the Housing Authority's reputation as an efficient, progressive body in the community and the state; and
 6. establish acceptable minimum standards of performance for employees.

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OBJECTIVES

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- B. The primary objective of the Housing Authority is to provide superior services at the most reasonable cost.

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SCOPE OF THIS MANUAL

**SECTION 1.03
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- A. This manual applies to all employees of the Metropolitan Housing Authority.

- B. In the event that an employee has a written contract of employment approved by the Board, this manual shall be construed in a manner that does not conflict with the terms of that contract.

- C. These policies supercede and replace any prior policies, whether written or unwritten, and superficially supercede any past practices.

- D. This manual does not apply to independent contractors who are paid pursuant to an invoice or purchase order.

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MANAGEMENT AUTHORITY

**SECTION 1.04
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A. The Housing Authority retains the full right and responsibility to direct the operations; promulgate policies, rules, and regulations; and otherwise exercise the prerogatives of management, which more particularly include but are not limited to the following:

1. determine matters of inherent managerial policy which include, but are not limited to areas of discretion or policy such as the functions and programs of the Jefferson Metropolitan Housing Authority, standards of services, its overall budget, utilization of technology, and organizational structure;
2. manage and direct employees, including the right to select, hire, retain, promote, transfer, demote, assign, schedule, evaluate, lay off, supervise, discipline, suspend, or discharge employees;
3. manage and determine the location, type, and number of physical facilities, equipment, programs, and the work to be performed;
4. determine the mission, goals, objectives, programs, and services, and utilize personnel in a manner designed to effectively meet these purposes;
5. determine the size and composition of the work force and the organizational structure;
6. determine the hours of work and work schedules required to most efficiently operate;

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MANAGEMENT AUTHORITY

**SECTION 1.04
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7. determine when a job vacancy exists, the duties to be included in all classifications, and the standards of quality and performance to be maintained;
 8. determine the necessity to schedule overtime and the amount required thereof;
 9. maintain the security of personnel and financial records and other important data or information;
 10. maintain and improve the efficiency and effectiveness of the operations and take actions necessary to carry out the mission of the Housing Authority;
 11. determine and implement necessary actions in emergency situations; and
 12. determine the Housing Authority's budget and allocation of all funds.
- B. The exercise of any such right, power, authority, duty, or responsibility by the Housing Authority and the adoption of such rules, regulations, or policies as may be deemed necessary, shall be limited only by the specific express terms of applicable law.

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IMPLEMENTATION AND DISSEMINATION

**SECTION 1.05
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- A. The Employer has the exclusive right and authority to create, issue, and interpret policies and procedures.

- B. All employees shall receive a copy of this manual and be provided with an orientation of the manual which shall include an abbreviated explanation of the policies herein that apply directly to such employees. Employees shall familiarize themselves with the policies herein and keep their copy of the manual readily available.

- C. All supervisory employees shall maintain their copy of this manual at their department office. Supervisory personnel are responsible for administering the policies herein and shall ensure that subordinate personnel comply with all policies and procedures adopted by the Housing Authority.

- D. This manual shall remain the exclusive property of the Employer and shall be surrendered upon request. Unauthorized reproduction is prohibited.

- E. Employees will be required to sign an acknowledgment form attesting to the fact that an orientation was provided and that they were provided a copy of this manual.

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AMENDMENT

**SECTION 1.06
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- A. These policies have been adopted by the Board and may be amended at any time with or without notice.

- B. The Executive Director is authorized to interpret, amend, and delete any policy herein or to add new policies, as necessary, to ensure the efficient operation of the Housing Authority.

- C. Any new policy or major change in an existing policy which may have an economic impact on the Housing Authority shall be subject to approval of the Board.

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SEVERABILITY

**SECTION 1.07
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If any section of this policy manual is invalidated, or its execution enjoined, by a court of competent jurisdiction, the remainder, and any unaffected amendments hereto, shall remain in full force and effect.

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**SECTION 2
EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION**

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NONDISCRIMINATION

**SECTION 2.01
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- A. The Housing Authority is an equal opportunity employer. No personnel decisions concerning any term or condition of employment shall be unlawfully based upon an individual's race, color, religion, sex, national origin, age, or disability.

- B. The Executive Director is the Housing Authority's EEO/ADA Coordinator. The EEO/ADA Coordinator is responsible for providing information regarding antidiscrimination employment laws to employees and applicants, and for reviewing and resolving complaints involving alleged discrimination.

- C. The EEO/ADA Coordinator shall be responsible for formulating, implementing, coordinating, and monitoring all efforts to prevent unlawful discrimination in the workplace. The EEO/ADA Coordinator shall maintain responsibility in regard to offering equal opportunity to each employee or job applicant and for attempting to resolve discrimination complaints not personally involving the Coordinator.

- D. No inquiry shall be made prior to employment regarding the applicant's race, color, age, religion, sex, national origin, or disability, except as necessary to gather equal employment opportunity or other statistics that, when compiled, will not identify any specific individual. Disclosure of this information is a voluntary action on the applicant's part.

- E. It is the policy of the Housing Authority to comply fully with all federal, state, and local nondiscrimination laws and with rules and regulations governing Fair Housing and Equal Opportunity in housing.

- F. Housing Authority employees shall not discriminate because of race, color, sex, religion, familial status, disability, national origin, or marital status in the leasing,

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NONDISCRIMINATION

**SECTION 2.01
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rental, or other disposition of housing or related facilities, including land, that is part of any project or projects under the Housing Authority's jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

- G. Posters and housing information shall be displayed in locations throughout the Housing Authority's office in such a manner as to be easily readable from a wheelchair.
- H. Housing Authority employees shall not, on account of race, color, sex, religion, familial status, disability, national origin, or marital status:
1. deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;
 2. provide housing that is different from that provided to others;
 3. subject a person to segregation or disparate treatment;
 4. restrict a person's access to any benefit enjoyed by others in connection with the housing program;
 5. treat a person differently in determining eligibility or other requirements for admission; or
 6. deny a person access to the same level of services.

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SECTION 2.01

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- I. It is the policy of the Housing Authority to provide courteous and efficient service to all applicants for housing assistance. In that regard, Housing Authority employees shall make every reasonable effort to accommodate persons with disabilities, as well as those persons with language and literacy barriers.

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AMERICANS WITH DISABILITIES ACT

**SECTION 2.02
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- A. Employment: The Housing Authority supports the intent and purposes of the Americans with Disabilities Act (ADA) and will not discriminate against qualified individuals with disabilities because of the disability of such individual in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.

- B. Accessible Features: The Housing Authority shall maintain in operable working order all features of facilities and equipment which are for the use, benefit, aid, or service of the public, in a manner in which is readily accessible to and usable by persons with disabilities.

- C. Accessible Facilities: Each service, program, and activity shall be operated in a manner that, when viewed in its entirety, shall be readily accessible to and usable by individuals with disabilities.

- D. Accessible Communications: The Housing Authority shall ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.

- E. Information: The Housing Authority shall ensure that all interested persons (including those with impaired vision or hearing) can obtain information on the existence and location of accessible services, activities, and facilities.

- F. Fundamental Alteration/Undue Burden: Notwithstanding the above commitments to accessibility, taking action to achieve accessibility is not required when it would result in a fundamental alteration in the nature of a service, program, or activity, or cause undue financial or administrative hardships.

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AMERICANS WITH DISABILITIES ACT

SECTION 2.02

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G. EEO/ADA Coordinator: The EEO/ADA Coordinator (see Section 2.01) shall be responsible for:

1. providing information about the ADA to employees and others; and
2. receiving and resolving complaints involving non-accessibility of services, programs, or facilities and alleged discrimination against disabled individuals.

H. Complaint/Comment Procedure: Complaints, comments, or questions regarding the Housing Authority's compliance with the ADA should be filed in accordance with the Discrimination Complaint Procedure contained in Section 2.04 of this manual.

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DISCRIMINATORY HARASSMENT

**SECTION 2.03
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POLICY

It is the policy of the Jefferson Metropolitan Housing Authority that all employees should be able to enjoy a work environment and a job site free from all forms of discrimination, including gender-based discrimination due to sexual harassment.

PROCEDURE

- A. Discriminatory harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee shall be subjected to any type of harassing conduct based upon the employee's race, color, sex, religion, national origin, age, disability, or protected activity.

- B.
 - 1. Sexual harassment is a specific type of discriminatory harassment. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with work effectiveness.

 - 2. Sexual harassment, whether committed by supervisory or non-supervisory personnel, is a form of sex discrimination. Sexual harassment may include, but is not limited to:
 - a. Repeated offensive sexual flirtations, advances, or propositions.

 - b. Continued or repeated verbal abuse of a sexual nature.

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DISCRIMINATORY HARASSMENT

SECTION 2.03

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- c. Graphic or degrading verbal comments about an individual or the individual's appearance.
 - d. The display of sexually suggestive objects or pictures.
 - e. Any offensive or abusive physical contact.
 - 3. No employee of the Jefferson Metropolitan Housing Authority shall imply or threaten that an applicant or an employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition of employment.
- C. It is the policy of the Jefferson Metropolitan Housing Authority to discipline, up to and including discharge, any employee found to have engaged in any type of discriminatory treatment, including sexual harassment.
- D. Responsibility
 - 1. It is the responsibility of all employees to aid the Employer in maintaining a work environment free from discrimination, including sexual harassment. Therefore, it is the responsibility of each employee, including supervisors and managers, to immediately report any instances of discriminatory harassment to the proper authority. Any employee who observes any conduct that may constitute discriminatory harassment of a co-worker, but fails to report same, may be subject to disciplinary action.

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2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against discriminatory harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in discriminatory harassment.
3. It is the responsibility of management to maintain an environment free from discriminatory harassment. Management shall ensure that its supervisors are sufficiently trained in recognizing discriminatory harassment, the complaint and reporting procedures, the proper methods of investigating complaints of discriminatory harassment, and the disciplinary procedure regarding discriminatory harassment.
4. Management shall also ensure that all employees are aware of this policy and will ensure that all employees receive sufficient training to maintain an environment free from discriminatory harassment. Additionally, each newly-hired employee will receive training on this policy as a part of his employee orientation.

E. Complaint Procedure

1. Employees who believe they have been the subject of discriminatory harassment should report the alleged act immediately. All information disclosed shall be held in strictest confidence to the extent allowed by law, and otherwise will only be revealed on a need-to-know basis in order to investigate and resolve the matter.

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DISCRIMINATORY HARASSMENT

SECTION 2.03
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Step 1: Employees who believe they have been the subject of discriminatory harassment should report the alleged act immediately to their immediate supervisor. If the immediate supervisor is the subject of the complaint, or if the employee is uncomfortable reporting the act to her supervisor, the employee may report the act to the Executive Director or any other member of management.

Step 2: The individual alleging the harassment will be asked to complete a written statement outlining the nature of the complaint. The complaint will be investigated even if the individual alleging harassment refuses to fill out a written statement.

Step 3: Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall, to the extent possible, be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or assisting in an investigation.

Step 4: If the investigation reveals that the complaint is valid, prompt remedial action designed to stop the harassment immediately and to prevent its recurrence will be taken. Any employee who is found, after appropriate investigation, to have engaged in harassment shall be subject to disciplinary action, up to and including termination.

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DISCRIMINATORY HARASSMENT

SECTION 2.03
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2. Determining whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect, requires an investigation of all facts in the matter. Given the nature of this type of discrimination, it is also recognized that false accusations of discriminatory harassment can have serious effects upon innocent individuals. All employees of the Jefferson Metropolitan Housing Authority shall act responsibly to establish and maintain a pleasant working environment, free of discrimination, for all.

3. The same conditions and rules apply as they may relate to discriminatory harassment of a resident or citizen by an employee at the work place. Any acts of discriminatory harassment towards a resident must be reported to the shift supervisor, and documented by any witnessing employee, prior to the end of the applicable shift.

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**EQUAL EMPLOYMENT OPPORTUNITY/
ANTI-DISCRIMINATION COMPLAINT PROCEDURE**

**SECTION 2.04
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POLICY

- A. Any person may file a complaint if the individual believes:
1. An employee has illegally discriminated against the individual under any state or federal anti-discrimination law, including a violation of the ADA or conduct involving sexual harassment.
 2. A Housing Authority program, service, or facility is not accessible to disabled individuals.

PROCEDURE

- A. All complaints alleging illegal discrimination shall be filed on the EEO/Anti-Discrimination Complaint Form contained in this manual. Complaints shall be filed within a reasonable period of time following the incident which gave rise to the complaint.
- B. Complaints shall be filed with the EEO/ADA Coordinator. The EEO/ADA Coordinator shall investigate all complaints and respond to the complainant as soon as the investigation is completed. If the EEO/ADA Coordinator is the subject of the discrimination complaint, the complaint may be filed with the Executive Director or the Chairperson of the Board.
- C. When reviewing employment discrimination complaints alleging a violation of the ADA, EEO/ADA Coordinator will determine whether the complainant is a "qualified person with a disability," whether the Employer may have discriminated against the

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**EQUAL EMPLOYMENT OPPORTUNITY/
ANTI-DISCRIMINATION COMPLAINT PROCEDURE**

**SECTION 2.04
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complainant, and if so, whether the Employer can "reasonably accommodate" the complainant or otherwise resolve their complaint.

- D. Any employee who has been found by the Employer, after appropriate investigation, to have committed an act of illegal discrimination against another employee, job applicant, or other person in their capacity as an employee at the Housing Authority, will be subject to appropriate disciplinary action.

- E. Non-employees found to have committed an act of illegal discrimination against an employee in the workplace will be dealt with appropriately as allowed by law.

- F. If any program, service, or facility is found to be non-accessible to disabled individuals, the Employer shall take appropriate steps to achieve accessibility according to the law.

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DISABILITY ACCOMMODATION

SECTION 2.05
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Any employee who is a qualified individual with a disability, and who is in need of a reasonable accommodation in order to perform the essential functions of his/her job, must identify that need to the Executive Director at the earliest possible time.

Upon receipt of such request, the Executive Director will meet with the employee to discuss the expressed need, and will then determine whether the employee, with a reasonable accommodation, if necessary, would be able to perform the essential functions of the job, including regular and punctual attendance.

If the accommodation is reasonable, and does not pose an undue hardship on the Housing Authority, and will enable the employee to perform all of his/her essential functions, including regular and punctual attendance, the Employer will make that accommodation.

If no reasonable accommodation can be made, the employee will be offered any lesser available vacant position provided the employee can perform the essential functions of said position with a reasonable accommodation, if necessary.

If no accommodation can be made, the Executive Director will discuss with the employee those options that may be available, including, but not limited to:

1. use of available paid leave
2. PERS disability retirement
3. disability separation

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REQUIREMENTS FOR EMPLOYMENT

**SECTION 3.01
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- A. Employment with the Housing Authority is employment in a public agency, subject to the requirement that employees recognize and agree to abide by all applicable laws and all policies, rules, or regulations applicable to their position.

- B. All applicants selected for employment must be able to perform the essential functions of the position for which they apply, including regular and punctual attendance, with a reasonable accommodation if necessary, and must possess or be able to obtain within a reasonable time frame any required licensure, certification, bonding, or other employment requirements as specified in the job description for their position.

- C. All applicants selected for employment must possess the minimum qualifications (knowledge, skills, and abilities) as outlined in the job description for their position.

- D. It is the policy of the Housing Authority to employ only those individuals authorized to work in the United States.

In compliance with the Immigration Reform and Control Act, it is against Housing Authority policy to discriminate against any individual authorized to work in the United States, because of such individual's national origin or citizenship.

All offers of employment will be conditioned on the individual providing proof of eligibility for employment in the United States in accordance with the Immigration Reform and Control Act using Form I-9.

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I-9 forms and photocopies of supporting documentation shall be retained for three (3) years after the date of hire or for one (1) year after the individual's employment is terminated, whichever is later.

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NEPOTISM

**SECTION 3.02
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- A. Pursuant to R.C. 2921.42 and Section 19 of the ACC with HUD, it is important to have a policy to prevent the possibility of nepotism in the workplace. Courts have generally upheld anti-nepotism policies as constitutional because the Employer has a rational basis for wanting to prevent:
1. favoritism in job assignment, job promotion, additional employment, and pay;
 2. creation of morale problems;
 3. reduction in productivity;
 4. increased absenteeism;
 5. conflicts of interest; and
 6. problems in administering discipline.
- B. "Related" employees as identified in paragraph (B) include those persons related to employees, public officials, or members of the Board through family of origin, extended family, or marital affiliation. For the purposes of this policy, the terms "related" employees and "relatives" include: spouse, child/step-child, son-in-law, daughter-in-law, parent, sibling/step-sibling, uncle, aunt, nephew, niece, grandparent, grandchild, or any other person related by blood or marriage and residing in the employee's household.
- C. This policy prohibits "related" employees from occupying positions within the same hierarchy of supervision. Furthermore, a public official/board member is prohibited from soliciting or using his authority or influence, formally or informally, to secure the employment of a "related" employee, or to otherwise act with respect to that related individual's employment. These matters include, but are not limited to, any of the following: