

RHODE ISLAND ETHICS COMMISSION

Advisory Opinion No. 2026-18

Approved: June 2, 2026

Re: A Ralph Mollis

QUESTION PRESENTED:

The Petitioner, the town manager for the Town of North Kingstown, a municipal appointed position, requests an advisory opinion regarding whether the Code of Ethics prohibits his grandson's summer employment in the town's summer camp program.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Code of Ethics does not prohibit the Petitioner's grandson's summer employment in North Kingstown's summer camp program, notwithstanding that the Petitioner is the North Kingstown town manager.

The Petitioner is the town manager for the Town of North Kingstown. He was appointed to that position by the North Kingstown Town Council in 2017 and has served continuously in that capacity since. The Petitioner identifies among his duties as prescribed in the town charter responsibility for the proper administration of all town matters. He explains that the town charter authorizes the town manager to appoint and remove town employees, and that he may authorize a department head to do so instead. The Petitioner states that the town's recreation department operates a popular and cost-efficient summer camp for resident youth ages 6 – 11. He further states that the recreation department hires local youth, ages 15 and older, to work as camp counselors. The Petitioner explains that the camp counselors are primarily high school students and some college students, adding that camp counselors are all paid minimum wage.¹ The Petitioner represents that, unless an applicant for the position of camp counselor was previously dismissed or received multiple disciplinary actions in a prior year for gross misconduct, the recreation department will hire all applicants.²

¹ The Petitioner explains that each camp counselor who returns for a subsequent summer receives a 25-cent increase in their hourly rate.

² The Petitioner informs that the recreation director regularly selects certain camp counselors who have worked at the summer camp for three or more years to perform in

The Petitioner states that, due to a shortage of applicants for the camp counselor positions, there is a lengthy waiting list for camp participants. He further states that, as more counselors are hired, more camp participants are accepted; therefore, the more applicants for camp counselors that the recreation department receives, the more camp participants the recreation department can serve. The Petitioner represents that, prior to his appointment to the position of town manager nine years ago, and consistent with the provisions of the town charter, the director of the recreation department has been authorized to operate the summer camp and assume all responsibilities associated therewith, without the involvement of the town manager. He adds that this includes, but is not limited to, creating the advertisement for the position of camp counselor, conducting all interviews and making all decisions on the hiring of all camp counselors, and addressing and resolving any incidents involving camp counselors which may require discipline. The Petitioner states that the recreation director's autonomy regarding the summer camp program continues today.

The Petitioner represents that his sixteen-year-old grandson, who is a sophomore at North Kingstown High School, would like to work as a camp counselor within the town's summer program this summer. The Petitioner further represents that he, in his capacity as town manager, would not be supervising or participating in the supervision of his grandson, nor would his grandson be afforded preferential treatment in terms of pay, assignment, or period of employment not provided to every other applicant. Cognizant of the Code of Ethics, and desirous of acting in conformance therewith, the Petitioner seeks guidance from the Ethics Commission regarding whether the Code of Ethics prohibits the summer employment of his grandson in the town's summer camp program.

The Code of Ethics provides that a public official shall not have any interest, financial or otherwise, direct or indirect, or engage in any employment, transaction or professional activity which is in substantial conflict with the proper discharge of his duties in the public interest. R.I. Gen. Laws § 36-14-5(a). A substantial conflict of interest exists if the public official has reason to believe or expect that he or any person within his family, among others, will derive a direct monetary gain or suffer a direct monetary loss by reason of the public official's official activity. R.I. Gen. Laws § 36-14-7(a). Also, a public official may not use his public position to obtain financial gain, other than that provided by law, for himself or any person within his family, among others. § 36-14-5(d).

Commission Regulation 520-RICR-00-00-1.3.1 Prohibited Activities – Nepotism (36-14-5004) (Regulation 1.3.1) contains specific prohibitions aimed at curbing nepotism. Pursuant to Regulation 1.3.1's general "catch-all" provision, a public official may not

leadership positions for which they may be paid a higher hourly wage. The Petitioner further informs that his grandson is currently ineligible for such a position.

participate in any matter as part of his public duties if any person within his family is a party or participant in such matter, or if his family member will be financially impacted or will obtain an employment advantage by virtue of the public official's official participation. Regulation 1.3.1(B)(1). More specifically, Regulation 1.3.1(B)(2) prohibits a public official from participating in the supervision, evaluation, appointment, classification, promotion, transfer, or discipline of any person within his family, and from delegating such tasks to a subordinate. The phrase "any person within his family" expressly includes "grandson." Regulation 1.3.1(A)(2).

Through a long line of prior advisory opinions, the Ethics Commission has on numerous occasions reviewed and applied the Code of Ethics' provisions relating to the employment or potential employment of public officials' family members. The Ethics Commission has declined to adopt a blanket or absolute prohibition against one family member serving in a department, agency, or even municipality in which another family member has supervisory responsibilities. Rather, the Ethics Commission makes determinations on a case-by-case basis and has generally taken the position that a public official or employee serving in a supervisory capacity will satisfy the requirements of the Code of Ethics by recusing from participation in matters directly affecting their family member.

One such determination was made at the request of the instant Petitioner. In Advisory Opinion, 2000-42, the Petitioner, who was then the mayor of North Providence, sought advice from the Ethics Commission through the town's solicitor regarding whether the Petitioner's son could participate in a summer program in which youths were hired to assist various municipal departments under the direction of mayoral employees. There, the town had sponsored the summer program for the past 15 years and every applicant between the ages of 14 and 18 was hired to assist one of the town's departments but, primarily, the recreation department. The applications were reviewed by the town's planning director, but the youths hired worked under the direct control of a particular department head. Any youth over the age of 16 was eligible to work for the town's recreation director. The recreation director and department heads were appointed by the mayor and worked under his direction; however, with the exception of ceremonial activities, the mayor did not take an active role in the summer programs. The Ethics Commission opined that the Code of Ethics did not prohibit the Petitioner's son from being hired for the town's summer program, provided that (1) all applicants were accepted into the program; (2) the Petitioner did not supervise or in any way participate in the supervision of the youths in the program and (3) the Petitioner's son was not afforded any preferential treatment in terms of pay, assignment, or period of employment that was not provided to every other applicant in the program.

Similarly in Advisory Opinion 2001-40, the Ethics Commission opined that the Code of Ethics did not prohibit the son of a Richmond Recreation Commission member from accepting employment as a youth counselor in its summer recreation program, provided that the petitioner recused from participation in any and all aspects of the hiring process

for youth counselors, including establishing the criteria for employment, and from all personnel matters relating to her son. See also A.O. 2000-81 (opining that the daughter of the director of the Johnston Department of Parks and Recreation could apply for and accept part-time employment as an official for the department's youth soccer league, provided that all applicants were accepted for part-time employment as officials, the petitioner did not supervise or in any way participate in the supervision of his daughter, and the petitioner's daughter was not afforded any preferential treatment in terms of pay, assignment, or period of employment that was not provided to every other game official). Compare A.O. 2012-15 (opining that the daughter of the Director of the Rhode Island Department of Health (RIDOH) could not be hired as a summer intern in RIDOH's Division of Infectious Disease and Epidemiology because not all persons who applied would be hired and the interns would be assigned various work assignments at the discretion of the division chief, a subordinate of the director, depending upon experience and whether they were in a paid or unpaid position).

Here, the Petitioner has no reason to believe or expect that his grandson would be directly financially impacted by reason of the Petitioner's activity as a town manager. The selection of summer camp counselors is the sole responsibility of the recreation director who accepts all eligible applicants who were not previously dismissed from the position or who received multiple disciplinary actions in a prior year for gross misconduct. Further, the Petitioner would not be using his public position to obtain financial gain for his grandson because, once again, all applicants are accepted outside of the exceptions referenced above, and the camp counselors are compensated with minimum wage, with a 25-cent increase for each subsequent year that the teen returns to work as a counselor. Additionally, the facts as represented do not implicate Regulation 1.3.1's nepotism provisions because the Petitioner's grandson would not be obtaining an employment advantage by virtue of the Petitioner's participation in his selection as a camp counselor, nor would the Petitioner participate in the supervision, evaluation, appointment, classification, promotion, transfer, or discipline of his grandson. The Petitioner is not delegating such tasks to the recreation director as his subordinate. The recreation director has assumed complete responsibility for all aspects of the summer camp program since before the Petitioner accepted his role as town manager.

Accordingly, based on the facts as represented, the relevant provisions of the Code of Ethics, and consistent with prior advisory opinions issued, it is the opinion of the Ethics Commission that the Code of Ethics does not prohibit the Petitioner's grandson's summer employment in the town's summer camp program. The Petitioner is advised, however, that if any of the facts change or any circumstances arise that may present a conflict of interest under the Code of Ethics as to his grandson's temporary summer employment including, but not limited to, the opportunity to be selected by the recreation director for a leadership position, or a disciplinary matter for which the recreation director seeks assistance from a superior, he should seek further guidance from the Ethics Commission.

This Advisory Opinion is strictly limited to the facts stated herein and relates only to the application of the Rhode Island Code of Ethics. An advisory opinion rendered by the Commission, until amended or revoked by a majority vote of the Commission, is binding on the Commission in any subsequent proceedings concerning the person who requested the opinion and who acted in reliance on it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. Under the Code of Ethics, advisory opinions are based on the representations made by, or on behalf of, a public official or employee and are not adversarial or investigative proceedings. Finally, this Commission offers no opinion on the effect that any other statute, regulation, agency policy, ordinance, constitutional provision, charter provision, or canon of judicial or professional ethics may have on this situation.

Code Citations:

§ 36-14-5(a)

§ 36-14-5(d)

§ 36-14-7(a)

520-RICR-00-00-1.3.1 Prohibited Activities – Nepotism (36-14-5004)

Related Advisory Opinions:

A.O. 2012-15

A.O. 2001-40

A.O. 2000-81

A.O. 2000-42

Keywords:

Conflict of Interest

Nepotism