

# Nepotism

Management Directive, 15-02 | Revision Date: 06/06/2024

## Overview

The intent of this policy is to establish guidelines and procedures to prevent nepotism within the Department. This policy aims to maintain transparency and integrity in our hiring, promotion, and decision-making processes in a manner which prevents favoritism, or unfair treatment that may arise with employment of relatives in the Department.

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## Version Summary

This management directive was updated from the 12/28/15 version to include the definition for nepotism, personal relationship, and relative as defined in PPG 818- Nepotism and Personal Relationships Effective October 31, 2023 and to include clarifying language that nepotism is not allowed in matters of employment and/or promotion. Lastly, county employees are now required to provide written notice once they become aware of any current or pending working relationships that may violate this policy via the use of the Appointment of Close Relatives Declaration Form.

# POLICY

## Definition of Nepotism

The act of favoring or showing preferential treatment to a family member, relative or someone with whom the individual in power has a personal relationship in matters of recruitment, hiring, promotion or decision making within the Department. Please refer to [PPG 818-Nepotism and Personal Relationships](#) for detailed information.

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## Definition of Personal Relationship

Defined as a current relationship between persons as a result of cohabitation, romantic partnership or dating, financial partnership unrelated to official job duties, or any such other relationship as defined by the "Relative" section below.

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## Definition of Relative

Any known relationship formed by blood, marriage, or adoption, such as an employee's:

- spouse, ex-spouse, domestic partner;
- child (including stepchild, adopted child, child of domestic partner, foster child);
- parent, stepparent, adoptive parent, legal guardian, foster parent;
- sibling (including stepsibling, adoptive sibling, half-sibling);
- grandparent, grandchild, step or adoptive grandparent, step or adopted grandchild;
- father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and similar relationships from a previous marriage or domestic partnership; and
- aunt, uncle, spouse of aunt or uncle, cousin, niece, or nephew.

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## Notifying the Department of Potential Conflicts of Interest

No employee of the Department shall use their position or influence to benefit, directly or indirectly, any family member and/or someone with whom they have a personal relationship in matters of employment.

Nepotism interferes with fairness because it gives undue advantage to someone who does not necessarily merit this treatment. Promotions are to be based on merit. Merit indicates an employee's knowledge, skills, abilities and efficiency measured from the employee's educational qualifications, job experiences, and job performance and personnel records.

At the time a candidate applies for a position in the Department, the person must identify any relative known to be employed within the Department in order for management to make a well-informed decision regarding the placement of the candidate to any position as part of the selection process for hiring or promoting.

Employees involved in the recruitment and hiring process shall disclose any potential conflicts of interest arising from family relationships or close personal relationships and shall recuse themselves from decision making regarding those individuals.

Current employees are required to disclose relatives known to be employed within the Department to their supervisor in order for management to ensure that there is no real or perceived conflict of interest or favoritism within any division.

Relatives/individuals who have a personal relationship shall not be assigned within the same organizational division with the same immediate supervisor.

If a situation arises, either because of a new hire, transfer, promotion, reorganization, domestic partnership and/or marriage in which relatives are employed within the same division, management shall transfer or reassign one of the individuals to a comparable item in a different division in the Department, if possible.

Relatives shall not be assigned to positions of shared responsibility/workflow in the handling of negotiable documents, controlling of security systems, or accessing confidential information. Those relatives who are in positions of significant trust must ensure that they avoid any procedure or transaction in which a relative may be a participant or have a special interest. If an employee is inadvertently assigned to such a position, it is the employee's responsibility to report it to the supervisor immediately so as to enable management to maintain the integrity of the procedure or transaction through workflow changes or reassignment.

Employee shall be responsible for notifying management if a relationship with a supervisor within the same chain of command changes because of marriage or domestic partnership. If a situation occurs where the employees are supervisor-subordinate, then the subordinate employee shall be transferred or reassigned to a comparable item in a different unit, bureau, or division. Under no circumstances shall any employee be involved in a supervisor-subordinate work role with a spouse or other relative.

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## Exceptions

In any situation that is not in compliance with the provisions of this policy, the division manager may request an exception by the Department Head or designee. The division manager shall submit the functional responsibilities of the related employees in writing with detailed explanation of why the working relationship will not:

1. Be or present an appearance of a conflict of interest or preferential treatment;
2. Impair the employees' ability to exercise fairness and sound judgment in performing duties;
3. Create an environment of low morale and/or hostility in the workplace; and/or
4. Negatively impact the County's business or reputation amongst employees and the public.

When evaluating the appropriateness of the Exception Request to the policy, the overall objectives of the policy should be weighed against the reasons for the requested exception. All requests for exceptions shall be decided on a case-by-case basis and be completed within 10 business days. Both employees may remain in their current assignment while awaiting the decision from the Department Head or designee.

Departmental approvals must also include a written mitigation plan that, at a minimum:

1. Notes how the department will prevent actual and perceived conflicts of interest in the working relationship;
2. Describes the approved reporting relationships, including any modified reporting relationships needed to ensure that individuals with personal relationships as defined by this policy are removed from employment decisions or positions of oversight with one another; and
3. Establishes or confirms the existence of appropriate oversight and approval processes for expenditures, reimbursement claims, overtime approval, or other financial decisions by the involved parties to reduce any appearance of favoritism or impropriety.

If the request for an exception is denied and both related employees are at the same level, the division manager shall meet with both employees to discuss a voluntary reassignment based on available positions and Departmental needs. If neither employee volunteers to be reassigned, the division manager shall consider reassignment based on seniority of the related employees within the division and/or the business needs of the division.

If the request for an exception is denied and neither related employee agrees with the decision of the Department Head or designee and division manager, then the employee may file a Grievance. The decision of the Department Head or designee and reassignment to a comparable item in a different division in the Department by division manager will remain in effect during the grievance process. Exception Requests should not be granted when an employee is involved in a supervisor-subordinate work role with a spouse or other relative.

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## Notifications

The Department shall review this policy with each incoming employee and document the review for the personnel file. All employees must acknowledge they have received

and reviewed the County's Nepotism and Personal Relationships policy and must complete the Appointment of Close Relatives Declaration form on an annual basis.

It is the responsibility of the employee to notify the Department in writing once they become aware of a current or pending assignment or reporting relationship that presents a potential conflict of interest, or when the personal or professional relationship with another employee changes.

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## **Disciplinary Action**

Any Department employee who violates this policy is subject to prompt and appropriate **administrative**/disciplinary action which may include suspension, reduction, or discharge from County service. Any candidate for employment with the Department who fails to disclose relatives known to be working with the Department may be subject to disqualification from consideration for the position sought, or, if discovered after appointment, are subject to disciplinary action, as mentioned above.

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# APPROVALS

## Director or Designee

- Request for exceptions to the County's Nepotism and Personal Relationships

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# HELPFUL LINKS

## Forms

[Appointment of Close Relatives Declaration form](#)

## References

[Department of Human Resources \(DHR\) – PPG 818 – Nepotism and Personal Relationships Effective October 31, 2023](#)

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