



Board Policy No. 209

Nepotism

ADOPTED: 06/12/2019
RECENT AMENDMENT: 8/2019
SEE ALSO: N/A

SUBJECT CATEGORY: SECTION 200, HUMAN RESOURCES
SUBSECTION: GENERAL
CONTROL DEPARTMENT: HUMAN RESOURCES

I. PURPOSE

To promote equity, prevent conflicts of interest and breaches in confidentiality, and avoid the perception of favoritism in employment personnel decisions and work assignments ~~of individuals who are related to~~ resulting from Family/Familial Relationships and/or are involved in a Dating/Intimate ~~relationship with a District employee, Board Officer, or an applicant for District employment.~~ Relationships in the workplace.

II. PERSONS AFFECTED

All District Employees and Board Officers.

III. DEFINITIONS

“Nepotism” ~~is~~ means the practice, ~~amongby~~ those with power or influence, of ~~favoring relatives or friends in the workplace, especially through~~ granting preferential ~~hiring, promotion or otherwise privileged treatment.~~ when making personnel decisions to an applicant or employee with whom an individual has a Family/Familial Relationship or Dating/Intimate Relationship.

~~“Relatives” means parent~~ “Family/Familial Relationship” means a relationship by blood, marriage, domestic partnership adoption or equivalent step relationship, including but not limited to a parent (including an adult who stood “in loco parentis” during one’s childhood; children, grandparents, grandchildren, brothers, sisters) child, grandparent, grandchild, sibling, first cousins, uncles, aunts, nieces, nephews cousin, uncle, aunt, niece, nephew, present or former spouses, domestic partners, cohabitants, fiancés, guardians, wards, equivalent step relationships or relationships through marriage, adoption or domestic relationship. “Familial” or “related spouse, present or former domestic partner, cohabitant, fiancé, guardian, or ward. “Relatives” or “Related” shall have the same meaning as ~~relatives~~ Family/Familial Relationship.

~~“Dating/intimate relationship” is defined as a relationship that may be reasonably expected to lead to the formation of~~ “Dating/Intimate Relationship” means a consensual romantic ~~or sexual~~ relationship between individuals, regardless of gender or sexual orientation. Interpersonal ~~relationship~~ Relationship shall have the same meaning as ~~dating/intimate relationship~~ Dating/Intimate Relationship.

“Personnel Decisions” ~~means~~ decisions ~~includes affecting an applicant’s or employee’s work conditions including,~~ but ~~is~~ not limited to, ~~initial employment~~ selection for interviews, hiring,

retention, evaluation, transfer, promotion, [demotion, supervision, discipline, termination, compensation](#), salary placement or work assignments. Personnel ~~actions~~[Actions](#) shall have the same meaning as Personnel ~~decisions~~[Decisions](#).

~~“Supervisor” is an employee who has decision-making responsibility over another employee involving job duties or other personnel decisions such as, but not limited to: setting schedules, disciplining, input into hiring or promotion decisions, giving performance evaluations, and similar.~~

~~“Subordinate” is an employee who is under the authority of another employee who has decision-making responsibility over his/her job duties or other personnel decisions.~~

~~“Supervision” means having direct authority over another employee’s work, job duties, or Personnel Decisions.~~

IV. POLICY

A. General

~~When employees who are related or who are in a dating/intimate relationship work in the same area of the District, conflicts of interest, misunderstandings, or claims of and/or perceptions of favoritism may arise. Employees who are related or become related and/or who establish a dating/intimate relationship may continue to be employed at the District so long as it does not involve any of the situations outlined below. Prohibited situations include, but are not limited to:~~

[The District prohibits Nepotism in the workplace. Employees who have a Family/Familial Relationship or Dating/Intimate Relationship shall not be permitted to work in circumstances that result in actual or perceived preferential treatment.](#)

B. [Restrictions](#)

[District employees are prohibited from:](#)

1. Direct ~~or indirect~~ supervision of an employee by ~~a relative or~~ someone with whom ~~s/he is in a dating/intimate relationship~~ [they have a Family/Familial Relationship or Dating/Intimate Relationship](#).
2. ~~Any job assignment that might jeopardize the security and/or quality control of business conducted by the District. For example: one in which an employee audits and/or approves the work of a relative or of someone with whom s/he is in a dating/intimate relationship.~~

~~3. — Employment of relatives and/or of persons in a dating/intimate relationship in the same department, division or office that may lead to conflicts of interest or other problems.~~

~~4. Employment of relatives of General Manager.~~

~~Should any of the situations listed above apply, they will be addressed as described in Section V. of this policy.~~

~~B. — Personnel Actions~~

~~— Employees and applicants for employment must not receive any preferential treatment in the employment process based on their personal relationship with another District employee. Relatives and/or individuals in a dating/intimate relationship must follow the same employment procedures as other candidates. No applicant for District employment, shall be hired, promoted or transferred in any manner that is inconsistent with or outside the District's established hiring processes and procedures (excluding the hiring of Board Officers). Candidates will only be considered for employment or promotion if they meet the minimum job qualifications of the positions for which they are applying, including promotions, transfers, reclassifications and other personnel actions.~~

~~C. — Confidential Records~~

~~2. — Persons who are relatives of and/or engaged in a dating/intimate relationship shall not be given Influencing or providing input into Personnel Decisions for an employee with whom they have a Family/Familial Relationship or a Dating/Intimate Relationship.~~

~~3. Conducting audits of or approving the work of an employee with whom they have a Family/Familial Relationship or Dating/Intimate Relationship.~~

~~4. Approving the time sheets of an employee with whom they have a Family/Familial Relationship or a Dating/Intimate Relationship.~~

~~5. Performing any job assignment in which the employee will have access to sensitive and/or confidential information of another District employee where a related or dating/intimate relationship conflict of interest may arise an employee with whom they have a Family/Familial Relationship or a Dating/Intimate Relationship.~~

~~D. — Obligation of Employees to Disclose~~

~~C. Applicants~~ Procedure

Questions concerning interpretation of this Policy are to be referred to the General Counsel.

1. Disclosure of Family/Familial Relationship or Dating/Intimate Relationships

- a. All employees, regardless of seniority, must immediately disclose all a Family/Familial Relationship or dating/intimate relationships Dating/Intimate Relationship that violates this Policy to the Executive Director of Human Resources, or their designee.
- ~~a.b.~~ Applicants must disclose all Family/Familial Relationships or Dating/Intimate Relationships with current District employees to the Human Resources Department upon initial application for employment, or when being considered for positional movement within the District. The District will review the disclosures and determine whether the applicant may move forward in the recruitment process.
- c. Employees must disclose, to the Executive Director of Human Resources or their designee, all Family/Familial Relationships or Dating/Intimate Relationships when applying for promotion or requesting a positional change. The District will review such disclosures and determine whether the requested action would violate the restrictions set forth in this Policy and/or whether the employee can proceed with the promotion or positional change.
- ~~b.d.~~ If two employees, who are related or in a dating /intimate develop a Family/Familial Relationship or Dating/Intimate Relationship as defined by this Policy, during the course of employment with the District, -relationship, work in the same area of the District, then both employees have an obligation to must immediately disclose the new relationship to senior management and the to the Executive Director of Human Resources, or their designee, in a timely manner. This disclosure will enable the District to determine whether any conflict of interest exists. The District will take immediate steps to determine whether any conflict of interest exists.
- ~~c.e.~~ Failure to disclose a familial or dating/intimate relationship at the time it is formed and/or at the time of application timely disclose a Family/Familial Relationship or Dating/Intimate Relationship, either when the relationship is formed or at the time of application for employment, as required by this policy, constitutes a violation of this policy and is grounds for disciplinary action, up to and including termination of employment. -is grounds for corrective action up to and including termination of employment.
- f. If the disclosure or discovery of a Family/Familial Relationship or Dating/Intimate Relationship reveals a violation of this Policy, the District reserves the right to take any action necessary to alleviate the violation.

V. AUTHORITY

A. General Manager's Authority

Questions concerning interpretation of this Policy are to be referred to the General Counsel.

~~The General Manager is directed to create the enforce this Policy and establish administrative regulations necessary disclosures, processes and systems required to implement and monitor all aspects carry out the directives of this policy.~~ The General Manager is authorized to create any processes and systems necessary to implement this policy.

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VI. ATTACHMENTS

None.