



## Board Policy No. 209

### Nepotism

**ADOPTED:** 06/12/2019

**RECENT AMENDMENT:** N/A

**SEE ALSO:** N/A

**SUBJECT CATEGORY:** SECTION 200, HUMAN RESOURCES

**SUBSECTION:** GENERAL

**CONTROL DEPARTMENT:** HUMAN RESOURCES

#### I. PURPOSE

To promote equity, prevent breaches in confidentiality, and avoid the perception of favoritism in employment and work assignments of individuals who are related to or are involved in a dating/intimate relationship with a District employee, Board Officer, or an applicant for District employment.

#### II. PERSONS AFFECTED

All District Employees and Board Officers.

#### III. DEFINITIONS

**“Nepotism”** is the practice, among those with power or influence, of favoring relatives or friends in the workplace, especially through preferential hiring, promotion or otherwise privileged treatment.

**“Relatives”** means parent, including an adult who stood “in loco parentis” during one’s childhood, children, grandparents, grandchildren, brothers, sisters, first cousins, uncles, aunts, nieces, nephews, present or former spouses, domestic partners, cohabitants, fiancés, guardians, wards, equivalent step relationships or relationships through marriage, adoption or domestic relationship. “Familial” or “related” shall have the same meaning as relatives.

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

**“Personnel decisions”** includes, but is not limited to, initial employment, hiring, retention, evaluation, transfer, promotion, salary placement or work assignments. Personnel actions shall have the same meaning as Personnel 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.

#### **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:

1. Direct or indirect supervision of an employee by a relative or someone with whom s/he is in a 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**

Persons who are relatives of and/or engaged in a dating/intimate relationship shall not be given access to sensitive and/or confidential information of another District employee where a related or dating/intimate relationship conflict of interest may arise.

**D. Obligation of Employees to Disclose**

1. Applicants must disclose all familial or dating/intimate relationships to the Human Resources Department upon initial application for employment, or when being considered for positional movement within the District.
2. If two employees, who are related or in a dating /intimate relationship, work in the same area of the District, then both employees have an obligation to disclose the relationship to senior management and the Executive Director of Human Resources, or 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.
3. Failure to disclose a familial or dating/intimate relationship at the time it is formed and/or at the time of application is grounds for corrective action up to and including termination of employment.

**V. AUTHORITY****A. General Manager's Authority**

The General Manager is directed to create the necessary disclosures, processes and systems required to implement and monitor all aspects of this policy.

**VI. ATTACHMENTS**

None