



## ADMINISTRATIVE POLICIES

<b>SECTION:</b>	Professional Conduct	<b>POLICY #:</b>	604
<b>TITLE:</b>	Nepotism	<b>PROCEDURE #:</b>	604-A
		<b>ORDER #:</b>	19-110
<b>DEPT:</b>	Business Services	<b>PROGRAM:</b>	Human Resources
<b>ADOPTED:</b>	11/05	<b>REVIEWED:</b>	<b>REVISED:</b> 09/19

**PURPOSE:** The purpose of this policy is to establish rules for managing nepotism and personal relationships in the workplace with the objective of maintaining the public trust and confidence in the integrity and professionalism of the decisions made and the services provided by Marion County.

**AUTHORITY:** The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035 and 203.111, 203.230 and 244.177.

The Marion County Board of Commissioners expresses the governing body’s official, organizational position on fundamental issues or specific repetitive situations through formally adopted, written policy statements. Policy statements serve to provide rules for public officials on the conduct of county business.

Marion County Administrative Policies and Procedures outline the forms and process through which the Board of Commissioners takes formal action on administrative policy. They are the official record of county administrative policy.

**APPLICABILITY:** All county departments, elected officials, and employees.

**GENERAL POLICY:** County employees are entrusted with performing work in a manner consistent with the highest professional and ethical standards. It is the policy of Marion County to prevent favoritism, bias, unequal treatment, or conflict of interest based on an employee’s familial, personal, or financial relationships.

**DEFINITIONS:**

Nepotism: Favoritism or bias shown by those acting in the capacity of a supervisor or by persons with oversight authority to family members or someone with whom they have a close personal or financial relationship.

## **SUBJECT: NEPOTISM**

Relative/family member: spouse, domestic partner, fiancé, children, step-children, foster children, parents (including foster parents and in loco-parentis relationships), step-parent, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, grandparent, grand-child.

### Personal Relationships:

1. Relative, family relationship, or personally involved relationships that are consensually undertaken by both individuals.
2. A relationship that gives rise to real or perceived conflict of interest and that includes relatives, close personal relationships, and financial relationships.
3. A relationship where one person is financially dependent on the other.
4. Persons who reside in the same household or have a romantic relationship or a relationship that has the effect of influencing judgment or employment actions of either party to the relationship.

In loco parentis: Relationships that involve the day-to-day responsibilities to care for house or provide financial support to an individual. A biological or legal relationship is not necessary. The continuing relationship between the parties after the individual reaches the age of majority constitutes an *in loco parentis* relationship.

Supervisory or oversight authority: When one employee has direct influence on decisions concerning selection and hiring, which includes making recommendations for hiring, assignment or review of work, providing input on employee performance evaluations, transfer, promotion, grievance review, or other terms and conditions of employment over another employee. This includes supervisors and lead workers.

## **POLICY GUIDELINES:**

### **1. RESPONSIBILITIES**

- 1.1. An employee may not directly or indirectly supervise a family member or an individual with whom there is a close personal or financial relationship.
  - 1.1.1. If an employee is in the position of supervising or having ultimate supervisory authority over a family member or individual with whom there is a close personal or financial relationship, supervisory authority must be delegated up the chain of command to the next level of management.
- 1.2. Department heads are responsible for:
  - 1.2.1. Ensuring that no appointment is made in their departments that may violate this policy; and
  - 1.2.2. Monitoring changes in employee reporting relationships after initial hire to ensure compliance with this policy.
- 1.3. It is the responsibility of each employee to avoid being in a position of supervising or being supervised by an immediate family member or someone with whom there is a close personal or financial relationship.
  - 1.3.1. Employees that establish a close personal or financial relationship with other employees must inform their department head and human resources, in writing, within five (5) business days of the beginning of the relationship or the change in their reporting relationship.

## **SUBJECT: NEPOTISM**

- 1.4. Employees must not participate in any personnel action that may impact the employment of a family member or close personal, or financial relationship, including:
  - 1.4.1. Appointing, employing, or promoting;
  - 1.4.2. Discharging, firing, or demoting;
  - 1.4.3. Interviewing; or
  - 1.4.4. Providing input in the appointment, evaluation, employment, compensation, promotion, discharge, firing or demotion.
- 1.5. Employees who become family members or establish a close personal or financial relationship with other employees may continue employment as long as the relationship does not result in nepotism as defined by this policy.
- 1.6. Provided no supervisory or oversight authority exists, nothing in this policy is intended to prevent family members or individuals in a personal or financial relationship from being employed by Marion County.
- 1.7. Each employee is responsible for complying with this policy. Policy violations, including but not limited to failure to disclose personal relationships, will be investigated by the department in consultation with human resources and may result in progressive discipline up to and including termination of employment.
- 1.8. When a self-reported close personal relationship is made, the employees and the county shall jointly make a good faith effort to find an alternative assignment for one of the two employees.
  - 1.8.1. Depending on business need, this may include but is not limited to: restructuring duties; assignment to another position; assignment to another shift; or change in supervision.
  - 1.8.2. If no alternative assignment is available within 60 business days, one of the employees will be required to resign. In the event that neither employee is willing to resign, the less senior employee will be laid off.
- 1.9. Managers, supervisors and lead workers may be disciplined for taking employment actions based upon close personal or financial relationships.

### **2. EXCEPTIONS**

There are no exceptions to this policy.

### **3. IMPLEMENTATION**

Department heads are expected to be knowledgeable of and shall be responsible for implementing this policy in their respective departments.

### **4. PERIODIC REVIEW**

This policy shall be reviewed by Human Resources at least every three years, or more often if needed, and updated as necessary.

Adopted: 11/05

Revised: 09/19