

AP 7310 Nepotism

Reference:

Government Code Sections 1090 et seq; 12920 et seq.

No IVC employee shall vote, make recommendations or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, evaluation, retention, tenure, compensation, promotion, termination, other employment status or interest of an immediate family member as defined below.

An "immediate family member" is defined as a close relative including: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, registered domestic partner, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, and by guardianship and/or adoption or a person residing in the immediate household. Relatives of domestic partners shall be treated as relatives of spouses.

Any act of an employee to use the authority, discretionary power or influence of his/her position to obtain or secure the employment or promotion of persons related by blood, marriage or domestic partnership is prohibited. This procedure shall apply to all employees including full time, part time, temporary and student workers and members of the Board of Trustees.

The provisions of this procedure shall not be interpreted in such a manner as to deny qualified persons the right to application, examination, and consideration for employment under competitive conditions based upon merit and fitness for a position within the District.

In each of the following circumstances, special written provisions must be prepared for review and approval by the Chief Human Resources Officer (CHRO) and Superintendent /President before an individual may be appointed:

1. If the individual is to be assigned to a position under the supervision or control of an immediate family member who has or may have a direct effect on the individual's progress or performance; or
2. If the individual is to be assigned to work for the same immediate supervisor as another immediate family member.

The special written provisions shall include a plan to ensure that personnel matters including evaluation, retention, tenure, promotion, wages, hours and other terms and conditions of employment, will not be influenced due to the relationship as an immediate family member. The plan should provide that the head of the organizational unit (Dean, VP, etc.) is to review all decisions on personnel matters. In those cases where related employees will be working for the same immediate supervisor, the plan should include steps to be taken to alleviate any pressures toward favoritism that could occur as a result of supervising members of the same immediate family. The head of the organizational unit shall be responsible for investigating concerns about conflicts of interest or favoritism involving members of the same immediate family.

When the appointment of a relative is made with written authorization and plan, the situation shall be assessed carefully to ensure that the following are not adversely affected:

- The work production of the unit.
- The safety and morale of the unit.
- The fair and impartial supervision of employees by supervisors in the unit.

Exceptions may be granted upon recommendation of the Superintendent/President.

See Board Policy 7310