

Human Resources

1 AP 7310 NEPOTISM

2 References:

3 Government Code, Sections 1090 et seq. and 12940 et seq.

4 The employment of relatives, immediate family members, or domestic partners in the same
5 facility, department, division, office, or line of supervisory authority can cause serious
6 problems in the work place which adversely affect productivity, morale, confidentiality,
7 safety, security, and can create conflicts of interest. The employment of relatives, immediate
8 family members, or domestic partners can adversely impact the nature of the necessary
9 working relationships between supervisors and employees and between co-workers. Such
10 employment can raise issues which adversely affect the public trust and confidence in the
11 fairness and efficiency of the employment policies and operations of the District. These
12 issues may be raised as:

- 13 • real or perceived favoritism;
- 14 • scheduling conflicts;
- 15 • personal conflicts;
- 16 • hostility in the work place;
- 17 • claims of preferential treatment;
- 18 • the award of better working conditions, promotions, transfers or assignments;
- 19 • the compromise or suspected compromise of confidential or privileged
20 information or records;
- 21 • alternation or destruction of records; and/or
- 22 • the suspected or actual loss or destruction of District property or financial assets.

23 A. "Relatives" or "members of an immediate family" are defined in Board Policy 7310 as
24 father, mother, brother, sister, spouse, child, grandchild, stepfather, stepmother,
25 stepson, stepdaughter, mother-in-law, father-in-law, brother-in-law, sister-in-law,
26 son-in-law, daughter-in-law, grandfather, grandfather-in-law, grandmother,
27 grandmother-in-law, foster parents in lieu of father or mother, foster children or family
28 members living in the immediate household. Pursuant to BP 7510 titled Domestic
29 Partners, a domestic partner and his/her immediate family members shall have,
30 insofar as permitted by California law, the same consideration as a spouse.

31 B. At anytime that an immediate family member or a relative of a member of the
32 Board of Trustees is being considered for employment in any regular full-time,
33 part-time, or hourly capacity by the District, said member of the Board of Trustees
34 shall make known the family relationship before action is taken.

- 35 C. Relatives or immediate family members of current District employees may be hired
36 by the District as employees, promoted, or transferred but the District may consider
37 the following issues before taking these personnel actions:
- 38 1. will the individuals concerned work in a direct supervisory
39 relationship with one another, or be in the same line of authority or
40 supervision;
 - 41 2. will the individuals concerned work in divisions, departments, offices,
42 or facilities which would allow or require that their work or work
43 products are shared or dependent on one another;
 - 44 3. will the employment, promotion or transfer pose any reasonably
45 foreseeable problems or conflicts involving supervision, security,
46 confidentiality, performance, or morale.
- 47 D. Current District employees are strictly prohibited from participating in, or
48 influencing or attempting to influence the selection process or employment,
49 promotion, or transfer of a relative or immediate family member as described in
50 Board Policy 7310.
- 51 E. Current District employees are strictly prohibited from participating in, or
52 influencing or attempting to influence decisions regarding admission, financial aid,
53 work-study, student hourly employment or internship for students or prospective
54 students who are their relatives or immediate family members as described in
55 Board Policy 7310.
- 56 F. The District reserves the right to take prompt action to prevent the attempt of any
57 relatives or immediate family members from influencing any personnel action.
- 58 G. No personnel action will be based on an individual's status as a relative or
59 immediate family member of a current District employee except in the following
60 circumstances:
- 61 1. for business reasons of supervision, safety, security or morale, or direct
62 reporting relationship; and
 - 63 2. for business reasons of supervision, safety, security or morale, the
64 District may refuse to place both members of an immediate family in the
65 same department, division or facility if the work involves reasonably
66 foreseeable conflicts of interest.
- 67 G. Applicants for employment must declare on their District applications their relatives
68 or immediate family members who are current District employees. Present
69 employees who become relatives or members of the same immediate family must
70 notify their supervisors and/or the Human Resources Office. Any supervisor who
71 receives a report of change in status of two employees such that they become
72 relatives or immediate family members of one another will notify the Human
73 Resources Office. If that relationship causes or it is reasonably foreseeable that it
74 will cause a conflict of interest or any of the problems listed above in this procedure,

75 the District will make every attempt to reassign one of the employees or will make
76 arrangements which mitigate the problems until such a transfer is possible.

77 Office of Primary Responsibility: Vice President, Human Resources

Date Approved: December 10, 2008

Date Revised: March 28, 2011

Date Reviewed: May 15, 2019