

Organizational Policy

Nepotism and Dating in the Workplace

Purpose

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination, or actual or potential conflicts of interest, arising out of family or dating relationships in the workplace. These employment practices include supervisory decisions such as: recruiting, hiring, compensation, promotion, job assignment, training opportunities, supervision, performance appraisal, discipline, or any decision regarding terms and conditions of employment.

Nothing stated in this policy creates an employment contract between the City of Rochester and its employees.

Definitions

For the purposes of this policy, the following definitions shall apply:

Immediate Family (Nepotism): A relationship, whether by blood, adoption, marriage or domestic partnership, including: spouse or domestic partner¹; parent (including foster, or step); children (including adoptive, foster, or step); brother or sister (including in-laws).

Extended Family (Nepotism): A relationship, whether by blood, adoption, marriage or domestic partnership, including: grandparents and grandchild; aunts and uncles; nieces and nephews; cousins; all other family relationships not included in the definition for immediate family relationship.

Committed Relationship²: A consensual relationship between teammates characterized by a level of personal affection and familiarity not typically shared by coworkers in the work environment, and may involve cohabitating, without being married or registered as domestic partners.

Dating²: A form of romantic relationship between two teammates, who participate in shared activities, with the aim of assessing the other's suitability as a partner in an intimate relationship or as a spouse. Dating does not include a casual relationship or an ordinary fraternization between teammates in a business or social context.

Supervisor: An employee, including second-level supervisors and above, who is in a position of authority over a subordinate.

Subordinate: Any person who is lower in rank or position than a supervisor.

¹ As defined by Section 1-3-2 of the City of Rochester Code of Ordinances, Domestic Partnerships.

² To avoid a conflict of interest or an appearance of conflict of interest, the definition of "committed relationship" and "dating" should be interpreted broadly. If there is doubt about whether a committed relationship or teammate dating situation falls within this policy, teammates should disclose the facts to their supervisor rather than risk non-compliance.

Policy

Supervisors are prohibited from directly or indirectly making or influencing any decisions involving immediate or extended family members, including temporary/seasonal employees, teammates with whom they are in a committed relationship, or teammates whom they are dating.

The City prohibits the hiring of any immediate or extended family member of department heads, and assistant/deputy department heads, to work in the same department. The City will not hire or promote someone to work within the same division where an immediate family member is also employed or where the applicant is dating or is in a committed relationship with a teammate in the same division.

The City may permit the hiring or promotion of someone to work in the same department or division where an extended family member is also employed or may hire a temporary/seasonal employee to work in the same department as an immediate family member, provided the family member is not in a position to directly, or indirectly, make or influence any supervisory decisions involving family members.

Any existing family relationship, committed relationship, or teammate dating situation established prior to the date this policy revision becomes effective, will be granted a one-time exemption to this policy regarding the teammates' current relationship status and current position within the organization, provided the relationship is reported to their supervisor and the exemption is documented in the teammates' personnel file. Going forward, changes in status to exempted relationships will be evaluated within the parameters of this policy (i.e. dating to marriage) and eligibility for future promotion, transfer, or another position within the City organization will be evaluated by the department head and City Administrator, or their designee, on a case-by-case basis in consideration to any direct or perceived conflict of interests that may exist.

No exceptions to this policy will be made without the written consent of the City Administrator, or their designee.

Disclosure Requirements

Disclosure of family, committed relationships, and teammate dating situations must be transparent to ensure professional respect and accountability while also maintaining public trust. Teammates have a responsibility to disclose these types of relationship to their supervisor.

When two teammates begin dating and/or enter into a committed relationship or where an immediate family relationship occurs as a result of a marriage or otherwise, and this results in the teammates working in the same division, one of the employees will be required to obtain a position in a different division, department, or terminate their employment with the City. The department head where the teammates work and the City Administrator, or their designee, shall determine an appropriate length of time for this decision to be made. The determination as to which one shall change positions or terminate employment will be made by the two teammates.

Policy Violations

Teammates who are in a family relationship, committed relationship, or are dating other teammates are responsible to comply with this policy; failure to do so may result in disciplinary action up to, and including, termination of employment.

Department heads and supervisors are responsible to address all compliance issues that come to their attention, and resolve any known policy conflicts at the time of hiring, promotion, or transfer.

Policy revisions approved by City Administrator:


Alison Zelms

11/4/2021
Date

Policy History

Revision: October 21, 2021