

Organizational Policy

Nepotism and Relationships 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 personal 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:

Business Relationship: Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the City employee's annual interest, compensation, investment, or obligation is greater than \$250.

Conflict of Interest: An actual or perceived situation in which a teammate's action, inaction, or decisions are or may be influenced by the teammate's divided loyalty due to a personal or business relationship.

Extended Family: 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.

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

Personal Relationship: includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

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

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

Policy

The City prohibits all personal or business relationships between employees inconsistent with this policy. Further, teammates are prohibited from directly or indirectly supervising or making/influencing any decisions involving immediate or extended family members which includes temporary/seasonal employees.

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 may permit the hiring or promotion of someone to work in the same department or division where an extended or immediate family member is also employed or may hire a temporary/seasonal employee to work in the same department as an extended or 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 prohibited relationship 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. Teammates shall submit a letter documenting the exempted relationship along with their specific relationship, current position and supervisor, to the Human Resources Department. This information will be retained in a non-personnel file in the event it is necessary to prove compliance with the policy. Going forward, changes in status to exempted relationships will be evaluated within the parameters of this policy 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 personal and business relationships must be transparent to ensure professional respect and accountability while also maintaining public trust. Teammates have a responsibility to disclose these types of relationships to their supervisor.

When two teammates enter into a situation where an immediate family relationship occurs as a result of a marriage or otherwise, and this results in the teammates working directly or indirectly for the same supervisor, one of the employees will be required to obtain a position with a different supervisor. The department head (where the teammates work) and the City Administrator, or their designee, shall determine an appropriate length of time for this supervisory change to be made. The determination as to which one shall change supervisors or terminate employment will be made by the teammates involved in the situation.

Policy Violations

Teammates who enter into a personal or business relationship 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

02/07/2022

Date

Policy History

Revision: February 4, 2022