

Chapter 7 – Human Resources

BP 7310 Nepotism

References:

Government Code Sections 42940 **1090** et seq. and 4090 **12940** et seq.; Family Code Sections 297 et seq.

The College does not prohibit the employment of relatives or domestic partners as defined by Family Code Sections 297 et seq. in the same department or division, ~~with the exception that they shall not be assigned to a regular position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence personnel decisions.~~ **However, the Board prohibits the appointment of any person to a position for which their relative maintains management, supervisory, evaluation, or promotion responsibilities and prohibits an employee from participating in any decision, including personnel decisions, that singularly applies to any of their relatives.**

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, demotion, or salary of the relative or domestic partner as defined by Family Code Sections 297 et seq.

For the purposes of this policy, Immediate family **relative** means **the individual's** spouse, **registered domestic partner,** parents, grandparents, siblings, children, **step-children,** grandchildren, **great-grandchildren, aunts, uncles, nieces, nephews,** and in-laws **and the similar family of the individual's domestic partner** or any other relative **individual** living in the employee's home.

The College will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale or creating other potential conflicts of interest.

Notwithstanding the above **regarding relatives,** the College retains the right **to determine, on a case-by-case basis, whether to appoint a person to a position in the same department or facility as an employee with whom they maintain a personal relationship when that relationship** of reassignment where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale or involves other potential conflicts of interest. ~~The College has the right to refuse to place spouses in the same department, division, or facility.~~ **In addition,** ~~the~~ the College retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, or morale or involves other potential conflicts of interest.

An employee shall notify their immediate manager and Human Resources within 30 days of any change in their circumstances that may constitute a violation of this policy.

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