



General Rules
Policy No. 14
Approved: 12/09/98

THE CITY OF POMONA

ADMINISTRATIVE POLICIES AND PROCEDURES

EMPLOYMENT OF RELATIVES POLICY (NEPOTISM)

I. PURPOSE

To prevent potential for adversely impacting the safety, security, morale or efficiency of supervision of other employees, or in which there may be created a potential conflict of interest.

II. APPLICABILITY

This policy applies to all full-time and hourly/part-time City employees, except for volunteers.

III. POLICY

- A. No person shall be appointed or promoted to a position in any department in which such person's relative already holds a position, when such employment would result in any of the following:
1. A supervisor-subordinate relationship;
 2. The employees having job duties which require performance of shared duties on the same or related work assignment;
 3. Both employees having the same immediate supervisor.
- B. If a City employee marries another person employed by the City within the same department, both employees shall be allowed to retain their respective positions provided that a supervisory relationship does not exist at the time of marriage between these two positions. During the period of employment, no supervisory position shall exist between the two employees.
- C. The City also retains the right to refuse to place both spouses in the same department, division or facility where such has the potential for creating adverse impact on supervision, safety, security or morale or involves potential conflicts of interest.

The separation from employment provisions of Sections D is applicable to individuals hired after adoption of this policy. However, previously hired employees are still subject to discipline pursuant to other City policies if their relationship to a colleague creates "cause" for discipline.

- D. Where the above circumstances exist and mandate that two spouses shall not work in a

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prohibited relationship, the Human Resources Department will attempt to transfer one spouse to a similar classified position in another department. Although the wishes of the involved parties as to which spouse is to be transferred will be given consideration by the City, the controlling factor in determining which spouse is to be transferred shall be the positive operation and efficiency of the City. If any such transfer results in a reduction in salary or compensation, the same shall not be considered disciplinary in nature and shall not be the subject of any form of administrative appeal. (Sworn police employees are entitled to Government Code §3304 (b) administrative appeal).

IV. DEFINITION OF TERMS

For purpose of this section, "*relative*" means spouse, child, step-child, foster-children, parent, grandparent, grandchild, brother, sister, half-brother, half-sister, uncle, niece, nephew, in-laws, award of the State, or any other individual related by blood or marriage.

"*A supervisorial relationship*" shall be defined as one in which one person exercises the right to control, directly or indirectly, reward or punish another person by virtue of the duties and responsibilities assigned to his/her position.

V. PROCEDURE

- A. The employee is responsible for immediately notifying the department head of an impending marriage or an impending acquired relationship into the same department.
- B. The department head shall be responsible to ensure that work assignments are made so as to avoid conflict of interest or violation of this policy.
 1. If no conflict of interest exists because employees have no working interrelationship, supervisory or evaluative control over one another, no action shall be necessary.
 2. If conflict exists, such action may include reassignment to another position, work location or work shift within the department, the Human Resources Department will be contacted to identify other possible alternatives within other City departments. However, if no possible placement is found, the employee will be terminated or given the option to resign.