

CITY OF REDDING

Personnel Policies and Procedures Manual

Section: Employment

Subject: Nepotism

Personnel Director: Rinda Johnson

Date: 6/23/06

City Manager: Kent Starnes

Date: 6/27/06

City Council Resolution No. (if applicable) _____ Effective Date: 5/1/87

~~The definition of nepotism as defined in Webster's dictionary is "the act of favoritism shown to relatives especially in appointment to desirable positions." There is no State law or regulation which prohibits nepotism and the City of Redding Personnel Code makes no mention of it. Therefore, the following will be the City of Redding nepotism policy:~~

~~The criteria for nepotism is supervisory capacity. For example, the City Manager cannot, since he has authority over all employees, appoint a relative to any position with the City of Redding. No relative of any Department Head or Division Superintendent can be employed in any capacity within that Department or Division. Relatives of City employees outside of the City Manager and Assistant City Manager may be employed by the City provided they are not subject to supervision by a relative and also they must be the best qualified applicant. To deny a qualified applicant the right to work for the City because he has a relative already employed by the City would be discriminatory.~~

1. PURPOSE:

The purpose of the Nepotism Policy is to establish guidelines in dealing with the issue of employing or promoting persons who are related to City employees or officials. These guidelines shall ensure that hiring and supervision within the City are conducted in a manner which enhances public confidence in the City and prevents situations that have the potential for adverse impact on the City or give the appearance of preferential treatment, improper influence, or conflict of interest.

2. DEFINITIONS:

- A. For purposes of this Policy, "employee" means any regular full-time or part-time employee. Status "9", part-time temporary employees are exempt from this Policy to the extent that they can work in the same department/division as a relative providing the relative does not supervise them in any capacity.
- B. For purposes of this Policy, "relative" means spouse, child, grandchild, brother, sister, parent, or grandparent whether by blood or by marriage.
- C. For purposes of this Policy, "supervisor" means any employee, regardless of job description or title, having authority to hire, transfer, promote, discipline, evaluate or regularly assign work to employees or to recommend such action. This includes any person who is in the line of supervision above the employee up to the City Manager.

3. POLICY:

- A. It is the intent of the City of Redding not to discriminate in its employment and personnel actions with respect to its employees, prospective employees, or applicants on the basis of familial or marital status. Pursuant to Government Code 12940, the City of Redding reserves the right to reasonably regulate for reasons of supervision, safety, security, or morale, the working of spouses and relatives in the same division. Effective July 1, 2005, the City shall continue to allow hiring employees related through familial or marital status; except for the employment of relatives in the same division or for Police, the same department. Employees hired prior to July 1, 2005, may continue to work in the same division/department as a relative, providing the working relationship is not in violation of other terms or conditions of this policy.
- B. The City of Redding shall not appoint a person to a position within the City who has a marital or familial relationship with the City Manager, City Attorney, or any member of the City Council.
- C. No person shall be appointed, demoted, transferred, or promoted to a position in a department or division in which such person's relative already holds a position where such has the potential for creating a supervisor/subordinate relationship or adversely impacts, safety, security, internal control, morale, or involves a potential conflict of interest.
- D. If two City employees become relatives and their respective employee positions involve a supervisory relationship as defined in Section 2. B of this policy or involve a potential for adverse impact or conflict with this policy, the employees' work situations shall not be permitted to continue.
- E. The City will first attempt to transfer one employee to another department or division where a conflict with this policy does not exist. If the work situation cannot be rectified through a transfer the City shall take all necessary steps to ensure that those involved in the work situation do not make recommendations or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, retention, tenure, performance evaluation, compensation, promotion, discipline, termination, or other employment status of each other.

4. PROCEDURE:

- A. Employees, who are responsible for making or influencing decisions to extend offers of employment for City employment or to promote employees shall be obligated, by this policy, to disclose the existence of a familial relationship to their supervisor prior to taking or making any employment action which would constitute nepotism as defined by this policy. Failure to do so may result in disciplinary action, up to and including termination of employment.
- B. Persons who seek positions with the City or employees who seek transfers or promotions shall disclose any family or relative relationships at the time of such application.

- C. Department Directors and other hiring managers shall be cognizant of and shall enforce the above restrictions in all hiring decisions.
- D. The Personnel Director shall be consulted on a case-by-case basis for advice on the implementation of this directive.
- E. Disputes over interpretation or enactment of this policy shall be decided by the City Manager. The decision of the City Manager, based upon reviewing the recommendation of the Department Director and/or the Personnel Director and all pertinent information, shall be final and shall not be subject to the grievance procedure, unless the provisions of this policy have not been adhered to.

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