

Issued: May 18, 2010

BP 7310 Nepotism in Employment

Reference:

Government Code Section 12920 et seq., 1090 et Seq.

The District does not prohibit the employment of relatives or domestic partners as defined by Family Code Section 297 et seq. in the same department or division, with the exception that they shall not be assigned to a position within the same department, division or site that has an a relative as defined below who is in a position to recommend or influence personnel decisions.

A Relative is defined as a person related by blood or marriage or domestic partnership and shall include the employee's:

- Mother, father, daughter, son, grandmother, grandfather, granddaughter, grandson, brother, sister, aunt, uncle, niece and nephew, husband and wife;
- Spouse of a daughter, son, brother, sister, aunt, uncle, niece and nephew;
- Stepmother, stepfather, stepdaughter, stepson, stepbrother and stepsister;
- A mother, father, son, daughter, brother and sister by relationship of adoption;
- Domestic partner;
- Relative of a domestic partner as listed for the spousal equivalent of the employee and;
- Any other person living in the immediate household of an employee.

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

The District 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, the District retains the right where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest to refuse to place relatives in the same department, division or facility. The District 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.

The CEO shall issue a regulation detailing the prohibited conduct under this policy.

Applicable Administrative Regulation:

AR 7311 Nepotism Prohibited Conduct