

## **NEPOTISM**

*Reference: Government Code Section 12920 et seq., 1090 et seq.*

Applicants seeking employment with Southwestern Community College District must do so on the basis of personal merit and professional qualifications. To ensure that employment is based solely upon the individual and his/her anticipated contributions to the College District, extreme care must be taken to eliminate from the hiring process any favoritism based upon a family relationship. At the same time, however, it is important to recognize that a policy which arbitrarily bars employment to relatives of current employees may deny the College District access to valuable skills and services.

Members of the same immediate family may hold positions in the College District. "Immediate family" as used in this policy means parent, spouse, son, son-in-law, brother, brother-in-law, daughter, daughter-in-law, sister, sister-in-law, grandchild, aunt, uncle, cousin, niece, nephew, step-relative in any of the above categories, domestic partners as defined by Family Code Section 297, et seq., or any relative living in the current employee's home.

No member of the immediate family of any supervisor, manager, or administrator may be employed in the same department or office where there would be a supervisory relationship between the supervisor, manager, or administrator and the immediate family member. No employee shall participate in the decision-making process concerning employment, work assignment, evaluation, promotion, retention, or termination of an employee who is an immediate family member as defined above.

No person related to any current employee may be employed by the College District without the family relationship being brought to the attention of the Vice President for Human Resources.

In compliance with Government Code Section 1090, et seq., and the Political Reform Act (Government Code Section 87100, et seq.), no person in whose employment any Governing Board member has a financial interest, other than a remote interest, may be employed by the District. A current employee who is an immediate family member of a Board member, and in whose employment the Board member has a financial interest, shall retain employment rights, but shall not be eligible for promotion. The Board member must recuse herself/himself from any consideration, discussion, or decision, whether at a Board meeting or outside of a Board meeting, regarding the employment, work assignment, evaluation, promotion, retention, or termination of the family member. This provision does not prohibit the Board member from voting on collective bargaining agreements and other matters that affect a class of employees to which the family member belongs.

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Board members' immediate family members in whom the Board member has no financial interest may be considered for employment. The related Governing Board member must reveal the relationship to the remainder of the Board and to the Vice President for Human Resources, and thereafter must recuse herself/himself from any consideration, discussion, or decision, whether at a Board meeting or outside of a Board meeting, regarding the employment, work assignment, evaluation, promotion, retention, or termination of the family member. This provision does not prohibit the Board member from voting on collective bargaining agreements and other matters that affect a class of employees to which the family member belongs.

No employee shall suffer any reprisal for reporting that a supervisor, manager, or administrator has or is engaged in behavior violating this policy.

The College District retains the right to refuse to place family members in the same department, division or facility where such placement has the potential for creating a negative impact on supervision, safety, security, or morale, or involves potential conflicts of interest,. The College District retains the right to reassign or transfer any person to eliminate the potential for creating a negative impact on supervision, safety, security, or morale, or involves other potential conflicts of interest.