

### UNIFIED PERSONNEL BOARD POLICY #7

### **Nepotism**

#### **Purpose**

It is the County's policy that all appointments and promotions should be based on merit and fitness and conducted in a non-discriminatory manner without regard to factors such as familial status. The act of using your power or influence to get jobs or unfair employment advantages for members of your own family is called nepotism and is strictly prohibited.

The act of using your power or influence to get jobs or unfair advantages for others, whether they are family members or not, may violate the State code of ethics, Florida Statutes §112.313, et. seq and be cause for discipline up to and including termination.

At a minimum, this policy is intended to comply with the Florida Statute on nepotism (F.S. §112.3135) which prohibits appointment, employment, promotion or advancement of specified relatives by any public official vested with or delegated the authority to appoint, employ, promote or advance, or who is in a position to recommend an individual for appointment, employment, promotion or advancement.

#### **Coverage**

The provisions of this policy apply to all County employment appointments, whether in classified or exempt service, including temporary positions.

Emergency employment is excluded from this policy.

In all events, an Appointing Authority has the right to refuse to place employees who are relatives in the same department, division or facility regardless of whether such placement would violate this policy if the Appointing Authority determines such placement would have an adverse impact on supervision, safety, security or morale, involves a conflict of interest, or is otherwise not in the best interests of the employing unit.

#### **Restrictions**

1. An employee or Appointing Authority who has been given authority to appoint, employ (hire), promote, or otherwise advance individuals or to recommend individuals for appointment, employment (hire), promotion, or advancement in connection with employment is prohibited from:
  - a. appointing,
  - b. employing,
  - c. promoting, or
  - d. participating on an interview panel to appoint, employee or promote any relative, as defined herein, if doing so would result in a supervisor-subordinate relationship between that employee or Appointing Authority and the relative.

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2. An employee or Appointing Authority may not temporarily delegate the duty or responsibility for appointing, employing, promoting or advancing others to avoid the policy/law.
3. An individual may not be appointed, employed, promoted, or advanced in or to a position in an agency if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual.

### **Definitions**

For the purposes of this policy “relative” means spouse, domestic partner, child, parent, grandparent, grandchild, brother, sister, aunt, uncle, niece, nephew, or first cousin, whether by blood, marriage, or adoption. (This includes relatives designated as “in-laws,” “halfs”, and “steps”.)

“Supervisor-subordinate relationship” means a relationship in which one person exercises the right to either control, direct, assign, reward, evaluate or discipline another person by virtue of the duties and responsibility assigned to his/her position.

An employee is also deemed to be a “supervisor” for purposes of this policy if the employee has significant influence over such decisions; or if the employee’s opinion on such decisions is given significant weight.

The term “supervisor” is intended to include all in the chain of command who routinely approve personnel actions.