

POLICY NO:	PE 005
POLICY TITLE:	NEPOTISM (STAFF CONFLICT OF INTEREST)
DEPARTMENT:	PERSONNEL
APPROVAL DATE:	08-06-91 (June 1991)
REVISION DATE:	40-02-13 (February 26, 2013)
REVIEW DATE:	

Background:

It is appropriate to regulate employment to avoid potential favouritism or conflict of interest that may occur between employees who are related to one another. Such a practice is not in conflict with Section 6 of the Individual's Rights Protection Act where husband and wife are concerned provided the restriction on employment is based on nepotism and not on marital status per se. Accordingly, the spouse or any other relative of an employee may work in the same Department provided there is not an opportunity to exercise favouritism or there is no conflict of interest present for the employees involved.

Policy:

It is the intention of the County Council to regulate employment in such a manner so as to avoid potential favouritism or conflict of interest that may occur between employees who are related to one another.

While no individual, on the basis of marital status or familial relationship alone, will be denied employment with the County, employment practices should be conducted to avoid conflicts of interest.

Guidelines:

1. The policy prohibits an employee from being in direct supervision of his or her spouse or other relative unless there are extenuating circumstances and an exemption from this policy is approved by the County Council. Direct supervision for purposes of this guideline is considered to be supervision that involves assignment of duties, completion of evaluations or related responsibilities.
2. On the question of recruitment, a panel selection member who is a relative of an applicant should disqualify himself or herself from working on the particular competition.
3. When an employee marries another employee and a conflict of interest of favouritism situation is obvious, an alternative place of work within the County should be sought for one of the employees. In such cases the wishes of the employee should be taken into account as to who shall be placed in other employment, but normally, the employee occupying the supervisory

position will remain in his or her position.

4. When an alternative employment cannot be offered, one of the employees will be required to resign, and here again, this should normally be the employee who is not in a position to apply favouritism or who is not exercising supervision over the spouse or other relative.

Procedure:

1. The spouse or any other relative of an employee may work in the County system, provided there is not an opportunity to exercise favouritism or there is no conflict of interest present for the employees involved.
2. Spouses or family member of County employees who are considered in supervisory positions, may work in the system in areas over which the supervising employee bears no influence, responsibility, authority or accountability.
3. An employee is prohibited from being in direct supervision of his or her spouse or other relative. For purposes of this regulation, direct supervision shall include those jobs that by their definition require the following:
 - a. performance evaluations
 - b. assignment of duties
 - c. approval of requisitions
 - d. determination of salary or wages
 - e. decisions about promotion/retention/transfer/termination
4. When an individual who is involved in the selection process is a relative of an applicant, he/she is automatically disqualified from working on the particular competition. The chairperson of the selection committee shall designate an alternate member to sit on the selection committee.
5. If a selection committee determines that the appointment of the candidate of its choice would, as defined by this policy, result in a situation of potential conflict of interest, the committee shall advise Council of the situation, and Council shall be charged with the responsibility of making the final decision about employing the applicant.
6. When through hiring, transfer or promotion, a conflict of interest or favouritism situation is considered by Council to exist, an alternative place of work in the county system (as soon as one is available), shall be determined, normally for the non-supervising employee.
7. If it can be anticipated in advance, that the hiring, promotion or transfer of an employee will result in a conflict of interest or favouritism potential for another employee he/she would supervise, the "supervised" employee shall be advised of the necessity for him/her to assume another position in the system, such that would eliminate the conflict of interest or favouritism.