

# City of Richmond

## Administrative Manual

**SUBJECT:** Nepotism

**SECTION:** Human Resources

**POLICY NUMBER:** AP 308

**INITIAL DATE PREPARED:** May 27, 2014

### **I. POLICY**

It is the policy of the City of Richmond to not discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or registered domestic partner status.

Notwithstanding this policy, the City of Richmond reserves the right to reasonably regulate, for reasons of supervision, safety, security, or morale, the assignment of spouses and registered domestic partners within the same department, division, facility, or unit.

### **II. DEFINITIONS**

For purposes of this Nepotism Policy, the following definitions shall apply:

1. “Marital status” is defined as an individual’s state of marriage.
2. “Immediate family member” means an individual’s parent, step-parent, parent-in-law, grand-parent, child, step-child, grandchild, brother, sister, step-brother, step-sister, aunt, uncle or first-cousin. The term “immediate family member” also includes an individual who falls within one of these categories by a previous marriage, adoption or registered domestic partnership.
3. “Registered domestic partner” is as defined in Family Code section 297.

### **III. POLICY ADMINISTRATION**

1. Spouses or Registered Domestic Partners

The City will investigate to determine if there are any reasonable modifications (including but not limited to, transfer) or changes in procedure that can be made to minimize operational concerns regarding supervision, safety, security, or morale whenever the employment status of two employees results in either:

- (1) One spouse or registered domestic partner directly supervising another; or
- (2) Spouses or registered domestic partners working within the same department or division.

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In the event that no reasonable modifications or changes in procedure are available, or that any modifications or changes would affect safety, security, supervision or morale, the City reserves the right to transfer or reassign the spouse or registered domestic partner with the least seniority (determined by the MOU(s) governing the impacted employees) in his or her position.

### 2. Immediate Family Members

The City need not make reasonable modifications or changes in procedure when the relationship between two or more employees is that of immediate family members and not that of spouses or registered domestic partners.

### 3. Employees in the Same Department

Spouses, registered domestic partners, or immediate family members may continue to be employed within the same City department subject to approval by the Department Head, the Human Resources Director, and the City Manager or his/her designee. However, any such assignment is predicated upon both employees not reporting to the same immediate supervisor, not being supervised by each other; or, otherwise becoming involved at a work environment having the potential for adverse impact on supervision, safety, security or morale.

### 4. Reporting Obligations

It is the duty of all involved employees that are in a situation prohibited under this policy to immediately notify their supervisor either in person or through the chain of command that a situation exists in which the involved employee may be in violation of this policy. The City reserves the right to reasonably investigate the situation and determine whether the employee has violated this policy. Employees who do not comply with any reporting obligation under this policy may be subject to disciplinary action for their failure to report. Employees will have thirty (30) calendar days from the date this policy is implemented, to report any situations that they are currently in to their supervisor(s), that would violate this policy.