



## ADMINISTRATIVE PROCEDURE

<b>SUBJECT:</b> <b>ANTI-NEPOTISM</b>	<b>Number</b> <b><u>II-7</u></b>	<b><u>Effective Date:</u></b> <b>Issued: <u>08/20/1990</u></b> <b>Revised: <u>12/21/1999</u></b> <b>Revised: <u>03/25/2020</u></b>	<b>Page 1 of 3</b>
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### **PURPOSE:**

To establish policy governing the employment, assignment of work, and placement of relatives (established by blood, marriage, or other legal action), domestic partners and their children, and employees involved in personal relationships. Contra Costa Water District (District) is committed to the employment and advancement of employees based on qualifications and merit. It is in the District's interest to avoid the creation of incompatible circumstances, avoid favoritism or the appearance of favoritism that creates or potentially creates a conflict of interest or has the potential to create an adverse impact on supervision, performance of work, safety, security, or morale, and decrease the potential for inappropriate or illegal conduct in the workplace, including, but not limited to, sexual harassment.

### **POLICY:**

It is the policy of the District to:

1. Not place or have an employee in a position or circumstance where they: (a) are required to assign, evaluate and/or supervise the work of an immediate family member, additional family member, domestic partner or a person that they are involved with romantically; (b) recommend discipline and/or participate in compensation decisions concerning an immediate family member, domestic partner or a relationship because of its nature which makes it difficult to enforce the rules and regulations of the District or supervise day-to-day activities (this is particularly important as it relates to a non-discriminatory, harassment-free workplace); (c) have access to confidential information pertaining to a family member, domestic partner or a person they are involved with romantically; and/or (d) are related to a member of the District's Board of Directors, the General Manager or Assistant General Managers, the designated hiring authority, or the Human Resources & Risk staff and that relationship results in a potential conflict of interest.

"Immediate family member," is defined as spouse, parent or person who stood in loco parentis; child including step, half and adopted; sibling; in-law; grandparent; and step relationship (i.e., stepfather). Additional family members are defined as aunt, uncle, niece,

nephew, or cousin. "Domestic partner" is defined as individuals who reside in the same household and are in a relationship, but who are not legally married.

2. In general, to not employ or allow family members, domestic partners, or persons involved in a romantic relationship to work in the same department or division, or in any assignment at the District unless the District first determines that the employment/assignment of such individuals does not result in interests that are incompatible, or potentially incompatible, with those of the District, such as the District's requirement to maintain appropriate management overview, supervision, safety, security and/or morale.
3. Take steps to adjust circumstances, which may exist at the time this procedure is revised, that fall within this Procedure's restrictions, limitations and definition.

**PROCEDURES:**

1. Department Heads and other hiring managers shall make selection decisions that comply with this procedure, whether an applicant is from within or outside the District.
2. Department Heads/Division Managers shall consult with Human Resources & Risk on each case for guidance on compliance with this Procedure.
3. When a relationship (marriage, domestic partner, persons involved in a romantic relationship, or other family member) arises after employees are hired that falls within the restrictions of this procedure, the affected employees will promptly (within five business days) notify their department Head and cooperate with the Department Head and/or Human Resources & Risk to determine the best course of action for immediately resolving the potential incompatibility, inappropriate conduct, or appearance of favoritism such a relationship creates. Such action could include a transfer, reassignment and/or other options. The District will take into account the preferences of the affected employees; and if voluntary compliance by the affected employees is not achieved in a timely manner, only then will the District implement non-disciplinary reassignment, transfer, demotion or other action, including but not limited to termination of employment.
4. An employee who is a party to a relationship covered by this procedure, who does not comply after having received notice of such, may be subject to disciplinary action, up to and including termination of employment.

**RESPONSIBILITIES:**

1. It is the responsibility of Department Heads/Division Managers to ensure compliance with this procedure in their departments/divisions and to consult with the Human Resources & Risk Manager on this topic.
2. It is the responsibility of each employee to be informed of this procedure and to take steps necessary to not place themselves in non-compliance with any section or requirement. Employees who fail to disclose personal relationships covered by the procedure will be subject to disciplinary action up to and including termination of employment.

The following examples demonstrate this requirement, but is not a complete list of examples of the types of situations that may arise:

- a. The District has requested an employee serve as acting supervisor in a department in which the employee's brother or sister is employed. The employee, who serves as acting supervisor, should disclose to the Department Head/Division Manager, before taking the assignment, that the employee's brother or sister is employed in the department.
  - b. An employee has applied for a position in a department in which the employee's spouse works as a Confidential Secretary. At the time of the application, the employee applying for such position should disclose to the hiring Department Head/Division Manager the existence of this relationship.
3. It is the responsibility of the Human Resources & Risk Manager to advise Department Heads/Division Managers on achieving compliance with this procedure and to facilitate the resolution of covered circumstances in the least disruptive manner possible.
  4. The District reserves the right to exercise appropriate managerial judgment to take such actions as may be necessary to achieve the intent of this policy. The District reserves the right to vary from the guidelines outlined in this policy to address unusual circumstances on a case-by-case basis.

APPROVED:

  
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Stephen J. Welch  
General Manager