

Nepotism and Conflicting Relationships

750.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of the Yolo County Probation Department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

750.1.1 DEFINITIONS

Business relationship - Serving in an outside business, company, partnership, corporation, venture or other transaction as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor, where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears a Department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A Supervisor, officer or employee vested with authority by law, rule or regulation or to whom such authority has been delegated.

Relative - An employee's family member by virtue of blood, marriage, adoption or cohabitation. This includes, but is not limited to, an employee's parent, stepparent, spouse, domestic partner, significant other, child, step-child, grandchild, sibling, step-sibling, grandparent, step-grandparent, parent-in-law, brother-in-law, sister-in-law, legal guardian, and any other persons who are living as a member of and in the same household as the employee, and/or *in loco* parentis relationship.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a Supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

750.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply:

Yolo County Probation Department

Policy Manual

Nepotism and Conflicting Relationships

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a Supervisor/subordinate relationship exist temporarily, the Supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved Supervisor.
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such Supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, Departmental trainers will not be assigned to train relatives. Departmental trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) In order to avoid actual or perceived conflicts of interest, employees of this Department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties or, in the case of relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, probationer, juvenile offender, known gang member, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

750.2.1 EMPLOYEE RESPONSIBILITY

Before entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his or her uninvolved, next highest level Supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall notify promptly his or her uninvolved, next level Supervisor. In the event that no uninvolved Supervisor is immediately available, the employee shall have another uninvolved employee either relieve the involved employee or remain present to witness the action.

750.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a Supervisor shall take promptly all

Yolo County Probation Department

Policy Manual

Nepotism and Conflicting Relationships

reasonable steps to mitigate or avoid such violations whenever possible. Supervisors shall notify the Chief Probation Officer promptly of such actual or potential violations through the chain of command.