



BP 7310 NEPOTISM

References:

Government Code Sections 1090 et seq. and 12940 et seq.;
Family Code Sections 297 et seq.

The District does not prohibit the employment of relatives or domestic partners as defined by Family Code Sections 297 et seq. in the same department or division, with the exception that they shall not be assigned to a position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence personnel decisions.

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, leave of absence or vacation approval, promotion, discipline, demotion, or salary of the immediate family member or domestic partner as defined by Family Code Section 297 et seq..

Immediate family means the mother, father, mother-in-law, father-in-law, grandmother or grandfather of the employee or the spouse or registered domestic partner of the employee, grandchild, son, son-in-law, daughter, daughter-in-law, step-children, brother or sister of the employee, stepparents, or any relative living in the immediate household of the employee.

Domestic partner is defined by Family Code Sections 297 et seq. and the collective bargaining agreements and employment MOUs of the District.

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right to refuse to place spouses in the same department, division, or facility where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest. In such cases, the District also retains the right to reassign or transfer one of the related individuals.



If, subsequent to appointment to any position, an employee becomes legally related to another employee of the District, the District may require one of the parties to change department or position to avoid a conflict of interest.

Date Adopted: June 23, 2016

Legal Reference Update #29: October 2016

Board approved Updates: December 8, 2016

Legal Reference Update #31: October 2017

Legal Reference Update #32: April 2018