



# Weber County Human Resources Policy 3-500

## Nepotism

### **I. Purpose**

In order to avoid favoritism and the appearance of impropriety, Weber County shall restrict the hiring of relatives of current county employees, appointees, and elected officials.

### **II. Policy**

This policy establishes the parameters under which the hiring of relatives may be restricted.

### **III. Procedures**

#### **A. Definitions and Guidelines**

1. In this section, "relative" means father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law, or household member. This includes "step" relationships and "half" relationships.
2. "Hiring," "hire," and "employment offer" also refer to transfers and other methods of appointment to a county position.
3. "Employee" includes supervisors, managers, directors, elected officials, and all other individuals employed by Weber County.
4. A "division" is defined as:
  - a. a division within an office or department, if the office or department is separated into divisions; or
  - b. an office or department, if the office or department is not separated into divisions.
5. No county employee shall hire or attempt to influence the hiring of a relative to any county position or employment paid out of county funds. Providing a referral or recommendation for a relative for a position that does not violate this policy shall not be considered an "attempt to influence," as long as the employee providing the referral or recommendation does not have any direct or indirect supervisory authority over those who make the hiring decision. Retaliation, or threats of retaliation, for hiring decisions following referrals or recommendations under this section are strictly prohibited.

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6. Except as specifically allowed in this policy, an employee shall not occupy a position in the same division as a relative.
7. Prior to an employment offer, human resources will verify via the candidate's employment application or through the immediate supervisor that the candidate for employment will not occupy a position in the same division as a relative.
8. No county employee shall directly or indirectly supervise a relative in any county position or employment paid out of county funds.
9. No employee may be involved in any way in an evaluation of a relative for purposes of pay, benefits, promotion, or discipline.
10. When an event occurs that makes two existing employees relatives, thereby violating the provisions of this policy, the employees' supervisors and department directors (if applicable) and human resources will work with the employees involved to consider options for resolving the violation.
  - i. The initial temporary solution may be to change the employees' responsibilities, so that neither one is able to influence the other or take action that benefits or harms the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to remove anything that may indicate or appear to indicate nepotistic behavior.
  - ii. In many cases, long-term measures will be necessary, such as transfer of one or both employees to other positions or divisions.
  - iii. If one or both employees cooperate in seeking solutions but refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation, unless another reasonable solution is available.
  - iv. If there is no reasonable solution, such as no other positions are available, or the field of work does not allow transfer to another division, the employees will have 60 days to resolve the situation on their own. After 60 days, if the employees have not yet resolved the situation on their own by means acceptable to the supervisors and department directors (if applicable) and human resources, the employees' supervisors and department directors (if applicable) will work with human resources to determine the most appropriate action for the specific situation. This may include transfer or, if necessary, disciplinary action, up to and including termination.
11. Failure to cooperate in attempts to resolve a situation prohibited by this policy in a mutually agreeable fashion may be deemed insubordination and may result in disciplinary action, up to and including termination.

12. The hiring supervisor is responsible for ensuring policy compliance. Division directors are responsible for monitoring changes in employee reporting after the initial hire to ensure compliance with this policy.

**B. Pre-existing Relationships**

1. Pre-existing Relationships: Unless prohibited by this paragraph or another policy, existing situations that pre-date the effective date of this policy are not prohibited by this policy, provided the employees disclose the existence of the relationship. In the case of supervisory relationships, transfer of one of the employees to another position will be required. A transfer within the division may be allowed, if the human resources director and the department director (if applicable) determine that the concerns addressed in this policy are eliminated; otherwise, a transfer outside of the division will be required.
2. Employees who are relatives before the effective date of this policy, who allow those family relationships to adversely affect the work environment, will be subject to disciplinary action in accordance with existing county policies, including counseling for minor problems. Failure to change behavior and maintain expected work responsibilities could result in more serious disciplinary measures, up to and including termination.

**C. Exceptions**

1. An exception to this policy requires the prior written approval of the HR Director and the County Commission. An exception may be granted only in cases where one or more of the following criteria is met:
  - a. The relative will be employed for four weeks or less
  - b. The relative is the only person qualified or eligible for the position
  - c. The relative is a volunteer as defined by the employing entity
2. When a county employee supervises a relative as a result of one or more of the exceptions listed in section C.1:
  - a. The employee who supervises a relative shall make a complete written disclosure of the relationship through a sworn statement filed with the Board of County Commissioners. The statement must be filed when the supervisory relationship begins, and again during January of each year thereafter during which the supervisory relationship continues; and
  - b. The employee who exercises authority over a relative may not evaluate the relative's job performance or recommend salary increases for the relative.

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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY:

\_\_\_\_\_  
Gage Froerer, Chair

ATTEST:

\_\_\_\_\_  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

\_\_\_\_\_  
Sarah Swan  
Human Resources

Approved as to form and legality:

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Courtlan Erickson  
Deputy County Attorney