

DATE SUBMITTED 02/24/2023
 SUBMITTED BY Kristen Smith
 DATE ACTION REQUIRED 03/01/2023

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: 1. Approve and Adopt the City of Imperial Nepotism Policy	
DEPARTMENT INVOLVED: Human Resources	
BACKGROUND/SUMMARY: The City of Imperial is requesting approval and adoption of a Nepotism policy to provide policy direction regarding the hiring and selection of appointed officers and full time and part time employees, and intern and volunteer opportunities, and supervision of relatives and/or family members. This policy applies to all City elected officials, appointed officers, full time and part time employees, interns and volunteers, paid or unpaid.	
FISCAL IMPACT: NOT TO EXCEED There is no fiscal impact for this item.	FINANCE INITIALS _____
STAFF RECOMMENDATION: Recommendation to approve and adopt the City of Imperial Nepotism Policy.	DEPT. INITIALS <u>KWS</u>
MANAGER'S RECOMMENDATION: Approve Staff Recommendation	CITY MANAGER'S INITIALS <u>QIB</u>
MOTION: SECONDED: APPROVED () REJECTED () AYES: DISAPPROVED () DEFERRED () NAYES: ABSENT: REFERRED TO:	



CITY OF IMPERIAL NEPOTISM POLICY

PURPOSE

To provide policy direction regarding the hiring and selection of appointed officers and full time and part time employees, and intern and volunteer opportunities, and supervision of relatives and/or family members.

SCOPE OF APPLICATION

This policy applies to all City elected officials, appointed officers, full time and part time employees, interns and volunteers, paid or unpaid.

DEFINITIONS

Closely Related Person: Spouse, domestic partner, grandfather, grandmother, spouse's or domestic partner's grandfather and grandmother, father, step-father, father-in-law, mother, step-mother, mother-in-law, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, sister, sister-in-law, brother, brother-in-law, grandchild, grandchild of spouse or domestic partner, aunt or uncle, niece or nephew, any relative living in the immediate household, or any person with which an individual is engaged in a romantic relationship.

Supervisor: An employee with any of the following responsibilities:

- Responsible for, or effectively contributes to, employee's performance evaluation
- Issues low level discipline (oral and documented oral counseling)
- Recommends higher level discipline
- Responds to Step 1 grievances
- Accountable for employee's time (e.g., schedule and/or timesheet approval)

POLICY

No employee shall appoint, employ or participate in a hiring decision involving any person with whom they are closely related, nor use his/her position to influence another City employee to hire such individuals. No employee may participate in the selection of a closely related person for internships and volunteer opportunities.

No person shall be employed in a position where that position will be directly, or indirectly supervised by a closely related person, or where it is reasonable to believe and it can be shown that employment of such individuals in the same department, division, or facility involves potential conflicts of interest or other hazards. Closely related persons shall not be employed in the supervisory-subordinate relationship even if it results from marriage after the employment relation was formed. The supervisor-subordinate relationship shall be interpreted to include all levels of supervisors within the chain of command, not just the immediate supervisor.

All employees shall refrain from intervening in any employment matter involving a closely related person and shall refrain from involvement in any employment matter which may be viewed as a conflict of interest.



CITY OF IMPERIAL NEPOTISM POLICY

If a reporting relationship or involvement in an employment matter is discovered that is in violation of this policy, the Department Director shall take appropriate action after consultation with the City Manager and Human Resources Department.

Nothing in this policy shall affect the right of the Department Director to reasonably regulate working conditions for closely related persons employed in the same department, division, or facility, for reasons of supervision, safety, security, or morale.

No provision herein contained, however, shall affect any employment status properly achieved under regulations in existence prior to the effective date of this policy or affect any future employment or promotion rights of any persons who have achieved or hereafter achieve such employment status within the department.

All definitions and provisions in this policy shall be at the discretion of the City Manager. Specific exceptions to the policy will be made when they are found to serve the needs and interests of the City.

DRAFT