

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
NEPOTISM

DBE  
(LOCAL)

<b>Effective Date</b>	This policy shall apply to all persons employed, reassigned, or promoted on <b>September 1, 2018</b> , and thereafter.
<b>Direct and Indirect Supervision</b>	For purposes of this policy, direct or indirect supervision shall be defined as a supervisory relationship in which the applicant or the current employee would, under an existing policy or procedure, be required to take employment action or would have authority over the terms or conditions of employment of another College District employee.
<b>Employment of Relative in Supervisory Relationship Prohibited</b>	An applicant shall not be employed by the College District in a full-time, a part-time, or a temporary position if he or she will directly or indirectly supervise or directly or indirectly be supervised by a College District employee who is related to the applicant within the third degree of consanguinity or third degree by affinity as defined by <del>law.</del> <del>the nepotism statutes.</del> [See DBE(LEGAL)]
Step Relatives	<del>This policy shall apply to step relatives within the second degree of affinity</del> <u>For purposes of this policy, step relatives shall be considered the same as relatives as described above.</u>
<b>Married Employees</b>	When a person in a supervisory position marries a person who he or she directly or indirectly supervises, the supervised spouse shall be transferred to another position for which he or she is qualified if such a position is available within the College District. In the event that such a position is not available within the College District, the supervised spouse shall be deemed to have resigned his or her employment with the College District effective as of the date of the marriage.
<b>Employment Decisions</b>	No College District employee may approve, recommend, or otherwise take any action on the appointment, reassignment, promotion, salary, or supervision of an applicant or employee who is a relative within the third degree of consanguinity or second degree by affinity.
<del>Employees Reporting to Same Supervisor</del>	<del>An applicant shall not be employed by the College District or assigned to a position if he or she and another employee who is related to the applicant within the third degree of consanguinity or second degree by affinity are required to report to the same supervisor.</del>
<b>Waiver</b>	<p>In circumstances where positions are considered difficult to fill, a request may be submitted to the College President to waive this policy. A justification explaining the exhaustive effort made in the search must be included in the request.</p> <p>If an appointment, reassignment, or promotion of a person under this position places an employee under the supervision of a close relative as defined in this policy, all employment actions and</p>

decisions regarding the supervised employee, including, but not limited to, the annual performance evaluation, shall be the responsibility of the next highest administrative supervisor.

**Reporting**

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Complaints alleging a violation of policy or law by a supervisor may be made to the College President or designee. Complaints alleging a violation of policy or law by the College President may be submitted directly to the Board or designee.

Complaints and appeals under this policy shall be submitted in writing or via the College District website. [See DGBA(LOCAL)]