



## **BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT**

Policy Title:	Familial Relationships in Employment
Policy Type:	Board of Visitors
Policy Number:	BOV Policy # 29 (2018)
Approved:	06/08/2018
Responsible Office:	Office of Human Resources
Responsible Executive:	Chief of Staff
Applies to:	University employees, prospective employees and student employees

### **POLICY STATEMENT**

It is the policy of Norfolk State University, consistent with the State and Local Government Conflict of Interest Act, that certain close family members not be employed by the University unless neither employee exercises any control over the employment or employment activities of the other, and neither is in a position to influence the employment activities of the other.

It is also the policy of Norfolk State University that certain extended family members be prohibited from being in a supervisory relationship with one another, even if it results from marriage after the employment relationship was formed.

This policy sets forth the disclosure and approval requirements that must be followed as a condition of employment with the University.

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### DEFINITIONS

**Immediate Family Members or Immediate Family:** (1) a spouse, (2) any other person residing in the same household as the employee who is a dependent of the employee or of whom the employee is a dependent (*Code of Virginia* § 2.2-3106).

**Extended Family Member or Extended Family:** Any person, other than Immediate Family, related to the employee within the four degrees of kinship or the three degrees of lineage. This includes the employee's or the spouse's children, parents, grandparents, great-grandparents, brothers, sisters, half-brothers and half-sisters, grandchildren, great-grandchildren, aunts, uncles, nieces and nephews, great nieces and nephews, first cousins; and persons married to any of the foregoing; and includes adopted, step, and foster relatives. The term also includes domestic partners and relatives of domestic partners.

**Immediate Supervisor:** The employee in direct authority over another employee. For the purposes of this policy, this includes the person or persons who evaluates the employee, makes assignments to the employee, or has authority to hire or separate, or to determine or make recommendations on the hiring, separating, salary or other terms and conditions of employment of the employee.

**Reviewer:** The Immediate Supervisor's supervisor, and anyone within the chain of command above the Immediate Supervisor's supervisor.

**Supervisor-Subordinate Relationship:** The Supervisor-Subordinate Relationship includes the relationship between the employee and his or her Immediate Supervisor, as well as any reviewer.

### CONTACTS

The Office of Human Resources officially interprets this policy. The Chief of Staff to the University President is responsible for obtaining approval for any revisions as required by [BOV Policy #01 \(2014\) \*Creating and Maintaining Policies\*](#) through the appropriate governance structures. Questions regarding this policy should be directed to Office of Human Resources.

### STAKEHOLDERS

University employees, prospective employees and student employees.

### POLICY CONTENTS

#### 1. Prohibited Employment

Consistent with the State Conflicts of Interest Act, Immediate Family Members may not be employed by the University unless neither employee exercises any control over the employment



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or employment activities of the other, and neither is in a position to influence the employment activities of the other.

### **2. Prohibited Supervisor-Subordinate Relationships**

Supervisor-Subordinate Relationships are prohibited between or among Extended Family Members.

#### **Procedures**

Upon initial adoption of this policy, each employee of the University must, within 30 days, report to the Director of Human Resources any Immediate Family Members or Extended Family Members who are also employed by the University.

Applicants for employment at the University shall be required in the employment process to disclose the identity of any and all Immediate Family Members and Extended Family Members working at the University.

Employees of the University have a continuing obligation to report to the Director of Human Resources any change in marital status of any person where the change results in creation of a new relationship for the employee of Immediate Family or Extended Family with any other employee of the University.

In the case of new and current Immediate Family Member employees, a *Familial Employment Review* form (to be developed) must be completed by both Immediate Family Members. If such dual employment meets the criteria for the exemption of Prohibited Employment described above, and is recommended by all Supervisors and Reviewers of both employees, and approved by the President, then that dual employment will be permitted.

In the case of new and current Extended Family Member employees, a *Familial Employment Review* form (to be developed) must be completed by both Extended Family Members. If no Supervisor-Subordinate Relationship is proposed or exists between the employees, and the employment is recommended by all Supervisors and Reviewers of both employees, and is approved by the President, then the non-supervisory employment will be permitted.

No offer of employment shall be made to any new or transfer employee who is in an Immediate or Extended Relationship with another employee until the *Familial Employment Review* form shall have been approved the President.

#### **Responsibilities**

It is the responsibility of the hiring authority to ensure that each applicant has disclosed information about the applicant's Immediate and Extended Family members employed by the University. It is



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also the responsibility of the hiring authority to initially analyze this information to determine if the employment is prohibited or if an approved *Familial Employment Review* form is required before extending an offer of employment.

It is the responsibility of the appropriate vice president to approve employment of an applicant who has a family member already employed by the University in the same college or assistant or associate vice president's area. Signing an approval form is appropriate only when the signatory believes that the relationship between the current employee and the applicant will not disrupt or in any way impede the operations of the college or area under the assistant or associate vice president.

It is the responsibility of each applicant for employment and each employee to disclose, consistent with this policy, all current or new Immediate or Extended Family Relationships with any employee of the University.

### **Sanctions**

Any employee who violates this policy by failing to make disclosures required by this policy is subject to disciplinary action up to and including immediate termination.

Any hiring authority who violates this policy by failing to obtain prior written approval to make an offer of employment to an individual who reveals the existence of an Immediate or Extended Family Member employee, is subject to sanctions.

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

### **PUBLICATION**

This policy will be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to;

Communicate the policy in writing, electronic, or otherwise to the University community, within 14 days of approval;

- Submit this policy for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the appropriate website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet the publication requirements does not invalidate this policy.



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### **REVIEW SCHEDULE**

- Next Scheduled Review: September 2020
- Approval by, date: Board of Visitors, 06/08/2018
- Revision History: None – New Policy
- Supersedes: None – New Policy

### **RELATED DOCUMENTS**

1. [Code of Virginia § 2.2-3106](#) Prohibited contracts by officers and employees of state government.
2. [Code of Virginia § 2.2-3100](#) Policy; application; construction.
3. Norfolk State University [Ethics in Procurement Administrative Policy #43-28](#).

### **FORMS**

Familial Employment Review