

USM Bylaws, Policies and Procedures of the Board of Regents

USM HR Policy Review Sheet

Policy Number: VII – 2.10

New Policy Title:

Old Policy Title: Policy on Employment of Members of the Same Family (Nepotism)

1. Policy Application: Nonexempt Staff Exempt Staff Faculty Contingent Staff
 All Other: _____

2. Proposed Revisions

Terminology outdated

Re-Formatting

Title Change

Obsolete provisions deleted

Merge with other policy: _____

Clarifications:

Transfer to another policy or chapter: _____

Updates to reflect changes in law

Incorporate USM-wide existing practice into policy: Adds faculty to coverage by the policy.

Incorporated Pre-USM Policy:

Fills gap in policy:

Added definitions

Other revisions: _____

**VII - 2.10 – POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY
(NEPOTISM)**

(Approved by the Board of Regents, February 28, 1992; AMENDED December 12, 2008;
Amended , 2015)

I. PURPOSE AND APPLICABILITY

To establish a policy for employees of the University System of Maryland (USM) which permits members of the same family to be employed in the USM while promoting fairness and preventing conflicts of interest. This policy applies to all USM Staff and Faculty.

II. DEFINITIONS

A. “Family member” means:

1. The employee’s spouse, children or step-children;
2. A parent of the employee or the employee’s spouse;
3. A brother or sister of the employee or the employee’s spouse;
4. Grandparents or grandchildren of employee or the employee’s spouse;
5. Aunts and uncles of the employee or the employee’s spouse;
6. Nephews and nieces of the employee or the employee’s spouse;
7. Sons-in-law and daughters-in-law of the employee or the employee’s spouse.

B. “Supervisor/subordinate relationship means: a relationship in which one family member reports to another family member, or one family member otherwise participates directly in making personnel decisions regarding another family member.

~~“FAMILY MEMBER” – For purposes of this policy, “family member” means the following relatives of an employee or spouse: Spouse, children, parents, brother, sister, grandparents, grandchildren, aunts, uncles, nephews, nieces, brother-in-law, sister-in-law, son-in-law, and daughter-in-law.~~

III. GENERAL

Members of the same family are eligible for employment in the USM. However, a supervisor-subordinate relationship shall not exist between family members nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion.

IV. FAMILY MEMBERS RECOMMENDED TO WORK FOR THE SAME SUPERVISOR

When members of the same family are recommended to work for the same supervisor, the arrangement ~~must shall~~ be approved in advance by the ~~institution~~ Institution's President ~~chief executive officer~~ or designee. No appointment of a family member may be made without such prior approval.

V. DEVELOPMENT OF A SUPERVISOR/SUBORDINATE RELATIONSHIP AFTER EMPLOYMENT

A. If a supervisor/subordinate relationship between family members develops during employment, the family members must notify the institution's Chief Human Resources Officer (CHRO) ~~director of Human Resources/Personnel~~ immediately. The institution must take action to ensure that the supervisor/subordinate relationship ~~ends does not exist~~; such action may include transfer, reassignment or removal of one or more family members.

B. If actions to avoid a supervisor/subordinate relationship between family members are not feasible, the next highest administrative supervisor of the employees may request an exception to the prohibition against such employment. The request shall be made in writing to the President, or, as appropriate, the Chancellor or the Board of Regents, and shall address:

1. The unique circumstances that prevent actions to avoid a supervisor/subordinate relationship among the family member employees;
2. The specialized qualifications of the family member employees or other factors that demonstrate why their continued employment is in the best interest of the institution despite the supervisor/subordinate relationship; and
3. Proposed measures to restrict participation of the supervising family member in any personnel actions affecting the subordinate family member, including specific alternative procedures for the ongoing supervision and evaluation of the family member.

C. Family members may not be employed in a supervisor/subordinate relationship without the approval of such a requests by the President or, as appropriate, the Chancellor or Board of Regents.

~~VI.~~ D. This policy does not apply to appointments and promotions made, or to family relationships which existed, prior to the effective date of this policy, February 28, 1992.

IMPLEMENTATION PROCEDURES

USM Bylaws, Policies and Procedures of the Board of Regents

Each President shall identify his/her designee(s) as appropriate for this policy, develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to his/her institutional community, and post it on its Institutional website.

~~Each Chief Executive Officer shall identify his/her designee(s) as appropriate for this policy; shall develop procedures as necessary to implement this policy; shall communicate this policy and applicable procedures to his/her institutional community; shall forward a copy of such designations and procedures to the Chancellor.~~

REPLACEMENT FOR

~~BOR III 17.00, Policy on Employment of Members of the Same Family.~~

~~UM Personnel Policies and Rules for Classified Employees, Section II, Nepotism, page II-15.~~