

**LOS ANGELES COMMUNITY COLLEGES
PERSONNEL GUIDE**

B325
NEPOTISM
Policy

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Nepotism in Employment

Any act of an employee to use the authority, discretionary power, or influence of his/her position to obtain or secure the employment or promotion of a person related by blood or marriage is prohibited.

A person related by blood or marriage shall include mother, father, daughter, son, grandmother, grandfather, granddaughter, grandson, brother, sister, aunt, uncle, niece and nephew; husband and wife; spouse of a daughter, son, brother, sister, aunt, uncle, niece and nephew; stepmother, stepfather, stepdaughter, stepson, stepbrother, stepsister and spouse of a stepdaughter, stepson, stepbrother and stepsister; a mother, father, son, daughter, brother and sister relationship by adoption; and any other relative living in the immediate household of an employee.

Prohibited acts shall include, but not necessarily be limited to activity in the following processes:

1. Preparing reference forms, appraisals of promotability, letters of reference, performance evaluations, or any other evaluation process related to the employment, retention, or promotion of employees related by blood or marriage.

If a person related by blood or marriage to another person, as defined above, is designated in a collective bargaining agreement as the person to complete the performance evaluation as prescribed in the collective bargaining agreement. However, under such conditions the administrator shall be reviewed by the next higher supervisor who is not related by blood or marriage, as defined above, to that employee.

2. Preparing employment criteria or competitive examination materials or Participating directly or indirectly in the screening or interviewing of candidates for employment or promotion for positions in which candidates related by blood or marriage are competing.
3. Participating in the appointment, transfer, or job placement Decisions related to the assignment of employees related by blood or marriage.

The provisions of this regulation shall not be interpreted in such a manner as to deny qualified persons the right to application, examination, and consideration for employment under competitive conditions based on merit and fitness, for a position with the District.

A relative or an employee shall not be assigned if any of the following conditions exist:

1. One of the persons would have authority, discretionary power, or influence regarding the working conditions, work assignments, evaluation of work, discipline, retention, promotion, or change of status of the other person.
2. Both persons would be employed under the same immediate supervisor.

Persons may be employed who are relatives under the conditions of paragraphs 1 and 2 above, if all of the following conditions are met:

1. the individual has successfully competed in a competitive selection procedure under the auspices of the Division of Human Resources and is eligible for appointment; and
2. a like or comparable assignment in another unit or division of the District cannot be offered to the individual; and
3. the individual is determined to be the best candidate for the job based on merit by the college president or division head; and
4. the vice Chancellor, Division of Human Resources, determined the appointment to be in the best interest of the District.

When the appointment of a relative is made under the aforementioned exceptions the following action shall be taken:

1. As soon as a vacancy occurs in a class of either the newly hired employee or the previously hired employee, whichever employee is in that class shall be notified of the opportunity to be voluntarily transferred or reassigned to the vacancy. Such employee shall be allowed up to five working days to decide whether he or she will accept transfer or reassignment to the vacancy. If the employee should refuse voluntary transfer or reassignment to the vacancy and that employee was regularly employed in the District for a shorter period of time than the related employee, the employee with the least seniority shall be transferred or reassigned in accordance with the provisions of the appropriate collective bargaining agreement.

The employee to be transferred or reassigned shall be provided a written notification of the transfer or reassignment at least one week prior to the effective date of the transfer or reassignment.

The employee's supervisor shall personally meet with the employee and discuss the reason for the transfer or reassignment at least one week prior to the effective date of the transfer or reassignment.

2. The employee to be transferred or reassigned under the provisions of Paragraph 1 above can be either the subordinate or supervisor or a coworker in the same or different position classification.

If like or comparable employment in the District does not exist for either employee, the assignments of both employees shall remain in effect so long as they continue to be in the best interest of the District.