

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

**Personnel
EMPLOYMENT OF RELATIVES**Policy Statement

The Fresno County Superintendent of School (FCSS) desires to maximize staff and community confidence in hiring, promotion, and other employment decisions by establishing practices that are free of conflicts of interest or the appearance of impropriety. Therefore, the following shall be the FCSS policy regarding the employment of relatives.

QUICK LINK[Employment of Relatives Form](#)

Nepotism is defined as the practice of employing or appointing relatives or domestic partners in an organization based on kinship. For the purposes of this policy, "relatives" shall be defined to include, but are not limited to, the following relations: spouse, domestic partner, mother, father, child, brother, sister, grandmother, grandfather, uncle, aunt, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law of an employee, whether by blood or by marriage. A relative shall also be defined to include any person(s) living in the same household of an employee and/or any persons that are over or under the legal guardianship of the new employee.

No person shall be denied the opportunity for employment because such person is related to any person presently employed by FCSS unless such employment would constitute a prohibited conflict of interest. Government Code Section 12940 and 2 CCR 7292.5 prohibit the FCSS from making an employment decision or discriminating against a person on the basis of marital status, including the fact that his/her spouse is employed by the FCSS. However, Government Code Section 12940 does allow employers to reasonably regulate the working of spouses in the same department or facility for reasons of supervision, safety, security or morale.

The FCSS retains the discretion not to assign an employee to a position where a relative maintains supervisory or evaluative responsibilities for the position. The FCSS further retains the discretion over all hiring, transferring, promotion, and assignment decisions to avoid problems of favoritism, supervision, security, and/or morale.

Relatives may only be employed at the same department or work location with the approval of the FCSS or designee. If approved, the FCSS shall develop a reporting structure to ensure supervisory authority and responsibility is assigned to appropriate personnel to avoid conflicts of interest or the appearance of impropriety. The FCSS shall make reasonable efforts to assign job duties in a manner to minimize problems of supervision, security, safety and/or morale of other FCSS employees and/or to avoid actual or perceived conflicts of interest or the appearance of impropriety.

An employee shall notify their supervisor within 30 days of any change in circumstances that may implicate this policy.

Adopted: 01/17/2012

Amended: 09/17/19; 02/04/2020; 07/29/2924

References

CSBA

4112.8/4212.8/4312.8