

Human Resources Memorandum

SUBJECT: Nepotism Policy	NUMBER: HR 16-016
	DATE ISSUED: June 10, 2016
DISTRIBUTION: All CDFW Employees	EXPIRES: N/A

PURPOSE

It is the policy of the California Department of Fish and Wildlife (CDFW) to recruit, hire and assign all employees on the basis of merit and fitness in accordance with civil service statutes, rules and regulations. Nepotism is expressly prohibited by the State of California because it is antithetical to a merit-based personnel system.

DEFINITION

The California Department of Human Resources (CalHR) PML 2015-014 defines nepotism as the practice of an employee using his or her influence or power to aid or hinder another in the employment setting because of a personal relationship. Personal relationships for this purpose include, but are not limited to, association by blood, adoption, marriage and/or cohabitation. Close personal relationships include: domestic partner, cohabitants, housemates, former spouse, and romantic or sexual relationships. Relatives include all of the following, whether by blood, marriage (step family), or adoption: father, mother, son, daughter, brother, sister, grandparent, uncle, aunt, cousin, nephew, niece, spouse and in-laws.

POLICY

The CDFW prohibits nepotism and provides a workplace free of favoritism or bias. All CDFW employees are required to disclose to his/her manager if they are both: (1) related to, or in a close personal relationship with another CDFW employee and (2) are in one or more of the working relationships identified below. Employees in personal relationships will avoid the following work situations:

- Work in the same office or work group
- Work for the same first-line supervisor
- Work in each other's chain of command
- Hold a position that can grant special privileges or influence the appointment, promotion, work assignments, discipline or corrective action of the other; or
- Participate in the development and/or administration of an examination, or influence the hiring/interviewing of a person with whom they have a personal relationship.

Whenever employees have a personal relationship and are in working situations as outlined above, CDFW may reassign one or both of the employees to an available vacancy. This policy applies to all categories of employees (full-time, part-time, permanent intermittent, retired annuitant, temporary, student, limited-term appointment and consultant).

NEPOTISM POLICY EXCEPTIONS

Exceptions to this policy may be requested by providing substantial justification describing the necessity for such assignment. *A written approval from the Director, or an authorized representative (i.e. Chief of Human Resources), must be obtained prior to making a commitment to hire.* A written response to the exception request will be provided in 30 business days. If the exception request is denied the denial must include the basis or reason for the denial.

ANTI-NEPOTISM POLICY SELF-REPORTING FORM and REPORTING REQUIREMENTS

An employee in one of the identified working relationships shall notify their manager and complete the Anti-Nepotism Policy Self-Reporting Form (DFW 1024). The manager will prepare a memorandum to HRB's Branch Chief that either proposes an alternative reporting/working relationship or a justification for a policy exception.

If nepotism arises as a result of changed circumstances after hiring (e.g., marriage), it is the supervisor's responsibility to bring this situation to the attention of HRB's Branch Chief when made aware of the change in circumstances. HRB's Branch Chief will discuss the possible remedies with the Regional Manager/Branch Chief of the affected Program.

INTERVIEW AND EXAMINATION PANELS

Members of hiring and examination panels shall recuse themselves from interviewing, examining, or developing exams or interviews for individuals they have a close relationship.

RESPONSIBILITIES

Human Resources Branch:

- Ensures that the conditions of this policy are enforced in all applicable situations that may create or result in the existence of nepotism.
- Ensures timely review of all questions regarding potential nepotism.
- Maintains all documentation related to mitigation efforts of existing or new personal relationships.

Managers and Supervisors:

- Informs candidates of CDFW's Nepotism Policy and reporting requirements at the time of the hiring interview process.
- Ensures their employees are aware of CDFW's Nepotism Policy and reporting requirements, and takes corrective action on any violations to this policy. This may require reassigning an employee or requesting an exception to this policy.

Employees:

- Immediately notifies their supervisor of any personal relationship in conflict with this policy and completes the Anti-Nepotism Policy Self-Reporting Form.

Please direct any questions to your assigned Personnel Analyst.

**ACKNOWLEDGMENT OF RECEIPT AND UNDERSTANDING OF CDFW
NEPOTISM POLICY**

This is to acknowledge receipt of CDFW's Nepotism Policy - **HRB 16-016** and attachments, which include: Anti-Nepotism Policy Self-Reporting Form - **DFW 1024** and this form - Acknowledgement of Receipt and Understanding of CDFW's Nepotism Policy and Procedures.

I have read this policy and understand that any CDFW employee who has a close personal relationship or a relative who works in CDFW are required to notify their supervisor/manager when working arrangements are in conflict with the policy, and will be required to complete the Anti-Nepotism Policy Self-Reporting Form - **DFW 1024**.

Please complete the following in ink:

(Print Name)

(Signature)

(Date)

(Division/Office)

COMPLETED FORM MUST BE KEPT IN OFFICIAL PERSONNEL FILE: