

ADMINISTRATIVE PROCEDURE

CATEGORY: **Personnel, General**

SUBJECT: **Employment and Assignment of Relatives
of District Employees**

NO: **7184**

PAGE: **1 OF 3**

EFFECTIVE: **2-10-64**

REVISED: **10-3-12**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing employment and assignment of persons who are related to district employees. (This procedure applies to all assignments [monthly, temporary, and hourly] including substitute assignments of more than a few days' duration.)

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: I-1340, California Government Code sections 1090-1098, 12940; Title 2 of the California Code of Regulations, sections 7292.01-7292.6.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Human Resource Services Division.
2. **Definitions**
 - a. **Relatives:** Includes spouse, domestic partner, mother, father, son, daughter, brother, sister, half-brother, half-sister, grandparent, grandchild, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, uncle, aunt, nephew, niece and first cousin.
 - b. **Supervisor:** Person responsible for assigning work to and overseeing and evaluating performance of an employee.
3. **Regulations**
 - a. No relative shall be appointed to or placed in any position where one relative would be responsible for the direct supervision, evaluation or discipline, of the other relative or of his or her supervisor.
 - b. No two relatives shall be appointed to or placed in any position that would compromise or have the possibility of compromising the safe and smooth operation of the district.

- c. No two relatives shall be appointed to or placed in the same department, division or facility if such assignment involves potential conflicts of interest, decreased morale, security threats or other hazards greater for relatives than for unrelated persons.

D. IMPLEMENTATION

1. **Employee** notifies the Human Resource Services Division in writing immediately upon receipt of information that he/she is being considered for employment or assignment in violation of these regulations or when such a familial relationship is newly created. Applicants must indicate on employment application form whether they are related to any person employed by the district, the nature of their relationship and where in the district the relative is placed.
2. **Principal, division head, or other selecting official** determines whether a conflicting relationship exists with the selection or assignment of any applicant or employee referred or certified to him/her for consideration.
3. **Principal, division head or other district official** arranges with Human Resource Services the transfer and reassignment of an employee when a conflicting relationship (as defined in C.3.a.-c.) arises through marriage or registration of a domestic partnership. Such transfer shall be effective no later than the first day of ensuing school year.
4. **Human Resource Services Division**
 - a. Reviews existing conflicting relationships and confers with appropriate principal, division head or district official to determine action to be taken.
 - b. Determines whether a conflicting family relationship exists for new hires and transfers; withholds final appointment to avoid violation of this procedure.
 - c. Informs all applicants and candidates for employment, transfer, or promotion of these regulations at earliest practicable time.
5. **Compliance with Collective Bargaining Agreements and Applicable Law**

All appointments, transfers or other actions made under this procedure shall be made in accordance with the provisions of any applicable collective bargaining agreement and in compliance with applicable law.

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E. FORMS AND AUXILIARY REFERENCES

1. Classified, certificated, and management applications for employment, assignment, or transfer.
2. Employee records, forms, or evidence indicating existence of an employee-family relationship as defined above.

F. REPORTS AND RECORDS

G. APPROVED BY



General Counsel, Legal Services
As to form and legality

H. ISSUED BY



Chief of Staff