University Policy 7050

Nepotism

Effective Date

January 1994

Last Revision Date

July 2012

Responsible Party

Vice President and Chief Financial Officer, (208) 426-1200
Human Resources, (208) 426-1616

Scope and Audience

This policy applies to all University employees and prospective employees.

Additional Authority

- Idaho Code §18-1359, Using Public Position for Private Gain
- Idaho State Board of Education Policy, Section I.G.
- IDAPA 15.0401.024, Conflict of Interest and Personal Conduct
- IDAPA 15.0401.025, Nepotism
- BSU Policy 7010 (Employee Consensual Relationships)
- BSU Policy 7015 (Faculty/Staff and Student Consensual Relationships)
- BSU Policy 7080 (Ethics in Government/Conflict of Interest)
1. Policy Purpose

To establish policy relating to the hiring, supervision and instruction of individuals and / or contractors whose familial relationship with existing employees may create conflicts of interest.

2. Policy Statement

It is the University’s objective to hire and recruit the most qualified individuals to be members of the campus community. However, the protection of the individual as well as the University requires certain safeguards against conflicts of interest, whether real or perceived. This policy intends to reinforce the University’s commitment to practices which create and maintain an academic environment free of conflicts, constructive working relationships and practices that are fairly, efficiently, and evenhandedly applied to all.

3. Definitions

3.1 A Person Related by Family or Marriage Means

A person with whom an employee has a current or former familial relationship, including a parent, step-parent, child, step-child, son-in-law or daughter in-law, brother, sister, spouse, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, brother-in-law or sister-in-law, in a guardianship capacity, or persons living in the same household.

3.2 Influence

Using one’s position to alter the outcome of the hiring of a person related by family or marriage through coercion, bribery, threats, intimidation, and quid pro quo.

4. Responsibilities and Procedures

4.1 Employment of Persons Related by Family or Marriage

a. No University employee may appoint, employ, vote for, or unduly influence the appointment or employment of any person(s) related by family or marriage (as defined by the policy) to any position, employment, or duty at the University.

b. The University permits the employment of qualified persons related by family or marriage to a current employee so long as:

   (i.) The current employee has not in any way been involved in the hiring of the qualified person related by family or marriage;
(ii.) Based upon an independent review, and in the University’s sole opinion, the person related by family or marriage is deemed qualified for the position;

(iii.) Such employment does not, in the sole opinion of the University, create any actual conflict of interest; and

(iv.) The current employee is not in a position to affect the assignment of duties, work responsibilities, salary, hours, performance evaluations, career progress, benefits, or other terms and conditions of employment of the person related by family or marriage.

c. Persons related by family or marriage are permitted to work in the same University Department, provided:

(i) No direct reporting or supervisor-subordinate relationship exists; and

(ii) The current employee is not in a position to affect the assignment of duties, work responsibilities, salary, hours, performance evaluations, career progress, benefits, or other terms and conditions of employment of the person related by family or marriage.

Appropriate actions may include but are not limited to: appointment of a qualified alternative supervisor, or evaluator to the position of authority.

d. Employees who marry while employed, or become part of the same household are treated in accordance with these guidelines. That is, if in the sole opinion of the University, a conflict arises as a result of the relationship, the University may take immediate action to address the conflict in accordance with this policy and the Employee Consensual Relations Policy #7010, as applicable.

c. In the event that the familial or marital relationship ends, the University will address the conflict in accordance with the Employee Consensual Relationships Policy #7010, as applicable.

4.2 Academic or Related Supervision of Persons Related by Family or Marriage

a. Persons related to students by family or marriage (as defined by this policy) are permitted to act as instructors, lecturers, advisors, mentors, graduate assistants, coaches, or housing supervisors, provided:

(i) No direct supervisory or evaluative relationship exists; and
(ii.) The employee is not in a position to directly affect the academic progress or academic success of the student related by family or marriage.

b. Appropriate actions may include but are not limited to: appointment of a qualified alternative instructor or evaluator to the position of authority.

c. Employees and students who marry while employed at or attending the University, or become part of the same household are treated in accordance with these guidelines. That is, if in the sole opinion of the University, a conflict arises as a result of the relationship, the University may take immediate action to address the conflict in accordance with this policy.

Revision History

July 1995; October 2007; July 2012