

Missouri Western State University

Policy Name: Nepotism in Employment	Date Effective:
Policy Category: Human Resources	Date Last Revised: June 25, 2009
Approving Authority: Vice President of Finance & Administration	Date Last Reviewed:
Responsible Office: Office of Human Resources	Recommended Review Cycle: Annual

I. Purpose

Nepotism in the workplace occurs when relatives or closely related persons are favored in employment decisions. Nepotism is inconsistent with the University’s policy and practice of making employment decisions based solely on University needs and individual qualifications, skills, ability, and performance. The policy is intended to ensure effective supervision, internal discipline, trust, and positive morale in the workplace, and seeks to avoid the appearance of, or potential for, favoritism, conflicts of interest, the appearance of impropriety, and conflicts of loyalty associated with nepotism.

II. Applicability

This policy applies to all faculty, staff, student employees, and individuals employed by or seeking employment with the University.

III. Definitions

Relative. For purposes of this policy, “relative” means any relative within the 4th degree by consanguinity (blood) or affinity (marriage or adoption). An affinity relationship by marriage terminates with death or divorce. The 4th degree includes spouses, domestic partners, parents, children, grandparents, siblings, grandchildren, great-grandparents, aunts/uncles, nieces/nephews, great-grandchildren, great-great-grandparents, great-aunts/uncles, first cousins, great-nieces/nephews, and great-great-grandchildren. Half-blood relatives are considered the same as whole-blood. Stepchildren, stepparents, etc. are considered the same as blood relatives of the person or the person’s spouse or domestic partner.

Senior Administrator. Employees holding the position of president, provost, vice president, vice provost, or positions otherwise approved by the president.

Relationship Chart. Chart provided by the Missouri Ethics Commission represents a guide to aid in the understanding of a relative within the 4th degree. See, [Relationship Chart](#).

V. Policy

The University upholds Article VII, Public Officers, Section 6 of the Missouri State Constitution, which provides that any public officer or employee in this state who, by virtue of public office or employment, names and appoints to public office or employment a relative shall thereby forfeit office or employment.

No officer or employee may participate, either directly or indirectly, in a decision to appoint, hire, reappoint, re-hire, reassign, promote, or discipline an employee of the university who is a relative of such officer or employee. Similarly, an employee may not supervise, either directly or indirectly, the work of another employee who is a relative of the supervising employee, unless the supervisory role is specifically approved by the president of the university. This policy applies to decisions regarding full-time, part-time, paid, unpaid, and volunteer positions.

Notwithstanding any other provision of University policy inconsistent herewith, the employment of relatives within the University is not precluded, as long as the employment is in compliance with all University policies regarding employment qualifications, performance, promotion, and management of situations where nepotism, or the appearance of nepotism, is possible.

When an employee becomes aware that the performance of any employee's duties would cause a violation of this policy, the employee so aware shall follow the procedures below.

In the event that the president of the university is prohibited from acting on a personnel matter by the provision of this section, the procedures listed below shall apply.

VI. Procedures/Policy Details

A. Reporting and Resolution

In any circumstance in which any employee becomes aware that the employee's own or another employee's duties would cause a violation of the policy above, the employee so aware shall notify the Office of Human Resources. No retaliatory action will be taken for any such report made in good faith.

All related persons are expected to disclose their relationship in advance of any employment decisions being made involving the other. Employees must self-report to the Office of Human Resources before they make, participate in or attempt to influence (or cause others to make, participate or attempt to influence) employment decisions covered by this policy.

If it is determined by the Office of Human Resources that a violation has occurred or is at risk of occurring, the matter will be referred to the appropriate senior administrator(s) for appropriate action. Action will be based on the extent and nature of the violation or potential violation (including the subject employee's relevant intent), the position held by the employee(s) at issue, and the availability of appropriate alternative arrangements to avoid future violation. Disciplinary action, if appropriate, will be consistent with applicable University policies, procedures, and/or memorandums of understanding.

B. Disclosure of Existing Relationships

Familiar or other close relationships should be disclosed so that they can be evaluated and either avoided or managed pursuant to the policy procedures.

C. Applicability to Research Grants

As a general rule, a principal investigator shall not permit a person with whom the principal investigator is related to be paid from funds of a grant or contract supervised by the principal investigator unless disclosure has been made in advance to the Principal Investigator's department chair and dean and an appropriate management plan has been put in place to ensure that the work of the relative is being supervised by another individual on the grant who is not related to the Principal Investigator.

D. Consequences of Violations

A violation of this policy, regardless of the manner in which it is brought to the attention of the University, may lead to disciplinary action as appropriate, up to and including termination of employment in the most serious circumstances.