



SUBJECT: EMPLOYMENT OF RELATIVES	Effective Date: 5-20-08	Policy Number: 7.1
	Supersedes: Presidential Memorandum #13	Page Of 1 3
	Responsible Authority: Director, Human Resources	

APPLICABILITY:

This policy applies to prospective and current employees of the University.

POLICY STATEMENT:

The overall employment policy of the University affirms equal opportunity and a commitment to diversity. In association with this policy, special considerations exist when employers evaluate applications from relatives of employees of the University.

This policy is designed to ensure that Florida Atlantic University employs the most qualified, specialized, and technically competent individuals for faculty, administrative, and staff positions. The University does not necessarily consider family relationship a disqualifying factor, but bases employment on the comparative qualifications of the applicant.

The basic criteria for the selection of employees at Florida Atlantic University shall be appropriate qualifications to perform the job. The University's primary concern is that faculty or staff members are the best candidates with respect to the requisite qualifications for employment. The University has a parallel concern, however, in the avoidance of a conflict of interest or the appearance of such conflict, where an employee's professional decisions or actions pertaining to the performance of his or her job could be influenced by considerations arising from a relationship with another employee.

DEFINITIONS:

Relative. A *relative* for purposes of this policy is anyone related to an employee in the following ways, and includes those within these categories who are referred to as adopted, step-, grand-, half-, in-law, or great-:

- parent
- child
- sibling
- uncle or aunt
- first cousin
- nephew or niece
- spouse

Persons who intend to marry or with whom the employee intends to form a household, and any other person having the same legal residence as the employee are included in this definition of *relative*.

Conflict of Interest. *Conflict of Interest* for purposes of this policy includes, but is not limited to, participation by the relative in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, evaluation, promotion, demotion, or salary of the related person.

Employment. *Employment* for purposes of this policy and to ensure there is no perception of a conflict of interest, includes appointments to regular positions in any pay plan, temporary or casual employment, or paid student positions such as student assistants, graduate assistants, or research assistants.

PROCEDURES:

Relatives seeking appointment at the University must follow established appointment application policies and procedures.

Every employee or prospective employee has the obligation to fully disclose information about a relative employed at the University to the person responsible for recruitment, early in the recruitment process. Each employee has a responsibility to keep his/her supervisor informed of changes relevant to this policy, such as becoming a relative of another employee through marriage or new supervisory conflicts created by changes in organizational structure.

Employment of relatives in a single organizational unit or in job-related organizational units is permitted, provided that such employment will not involve a conflict of interest, actual or potential. If a conflict exists, the prospective supervisor of the person seeking appointment is responsible for developing a plan to manage the conflict (i.e., an alternate supervisor), in consultation with the prospective employee and the related person. The plan must assure that related persons do not have direct or indirect administrative decision-making authority over each other or make decisions which affect each other's terms or conditions of employment. The plan may specify responsibilities for general supervision, assignment, assessment of performance, salary, annual evaluation, promotion, tenure, retention or dismissal, career growth, discipline, dealing with issues/concerns from other employees, faculty and students, and handling confidential information.

The prospective supervisor shall submit the related person's application and the conflict of interest management plan for review and action through the appropriate channels:

1. Faculty appointments (including adjunct faculty) will be forwarded for final action to the Associate Provost of Academic Personnel through the Dean.
2. Staff appointments (AMP, SP and Temporary) and undergraduate or graduate student appointments will be forwarded for final action to the Director of Human Resources through the appropriate Dean, Director, Vice President, Provost or President.
3. If the prospective employee is a relative of the administrator (Dean, Director, Vice President, Provost or President), the plan will be forwarded for action to the immediate supervisor of the administrator.

If the prospective employee is appointed to the position, a copy of the approved conflict of interest management plan will be included in the personnel file of both employees.

With respect to employment of relatives within the same academic department or comparable institutional subdivision of employment, where no direct supervisory relationship is involved, a conflict of interest management memorandum is not required, however, neither relative shall be permitted, either individually or as a member of a faculty or as a member of a committee, to participate in the evaluation of the other related person. Evaluation of a relative for the purposes of assignment, annual evaluation, awards, promotion and tenure, salary increases, discipline and similar processes is not permitted.

POLICY APPROVAL
(For use by the Office of the President)

Policy Number: 7.1

Initiating Authority

Signature: _____ Date: _____
Name: El Pagnier Hudson, Director of Human Resources

*Policies and Procedures
Review Committee Chair*

Signature: _____ Date: _____
Name: Jennifer O'Flannery, Chief of Staff

President

Signature: _____ Date: _____
Name: Frank Brogan, President

Executed signature pages are available in the Office of the General Counsel