

Policy 2-5 Rev. 4
Date: June 29, 2004

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Subject: **EMPLOYMENT OR SUPERVISION OF IMMEDIATE FAMILY**

1. PURPOSE

To outline the university's policy toward employment, supervision, or recommendation of immediate family, regardless of time worked, in order to promote the public interest, to avoid the possibility of personal bias, and to strengthen public confidence in the integrity of the university.

2. REFERENCES

[Policy and Procedures 2-6](#), Equal Opportunity and Nondiscrimination Employment.

[Policy and Procedures 2-6A](#), Sexual Harassment and Consensual Relationships.

[Policy and Procedures 2-9](#), Termination of Nonacademic Staff Employees and Disciplinary Sanctions.

[Policy and Procedures 2-25](#), Employment Grievances.

[Policy and Procedures 2-30](#), Conflicts of Interest.

[Policy and Procedures 2-32](#), Discrimination Complaints.

[Policy and Procedures 8-12](#), Code of Faculty Responsibility.

Utah Code 52-3-1, 52-3-2, Prohibiting Employment of Relatives.

Utah Code 67-16-1 and following, Utah Public Officers' and Employees' Act.

3. DEFINITION

Immediate family - for the purpose of this policy immediate family is defined to include the following relatives of an employee: his/her spouse, grandfathers, grandmothers, grandsons, granddaughters, fathers, mothers, step-fathers, step-mothers, sons, daughters, step-sons, step-daughters, brothers, sisters, uncles, aunts, nieces, nephews, first cousins, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, daughters-in-law, or sons-in-law and the spouses of any members of the employee's immediate family. Immediate family also includes a person who is in a spouselike relationship to the employee.

4. POLICY

- A. University policy prohibits any individual holding a position for which payment is made from funds administered by the university to supervise, employ, appoint, or vote for the appointment of members of his or her immediate family, in or to any position or employment when the salary, wages, pay or compensation of such appointee is to be paid out of such funds administered by the university. Nor may an employee recommend the

employment of a member of his or her immediate family when that family member will be directly supervised by the employee. The restraint extends further in that a subordinate supervisor may not hire or participate in cases of a member of the immediate family of his or her immediate supervisor. In addition, individuals may not supervise or participate in the processes (votes, meetings, or discussions) of review and decision-making on any matter concerning retention, promotion, tenure, salary, or discipline of members of their immediate family. (See 2-6A)

- B. This policy is effective on November 20, 1995 and applies to all appointments (including transfers) made on or after that date. This policy does not apply to employment and supervisory arrangements which were in existence and which were in accordance with applicable university policy in effect prior to the effective date of this policy. However, any future reviews or changes in employment or relationship status will be covered by this policy.

5. EXCEPTIONS

- A. Exceptions will be granted only in cases where it is determined to be in accordance with applicable law and in the best interest of the university to grant an exception.
- B. Requests for exceptions to this policy shall be submitted through the administrative chain to the cognizant vice president, who will consult on the matter with the Human Resources Vice President. The vice president will then forward the request accompanied by his/her recommendation to the President or designee for a final decision.

Approved: Board of Trustees 11/20/95
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