

HUMAN RESOURCES

BP 7310 NEPOTISM

References:

Government Code Sections 1090 et seq. and 12940 et seq.;
Education Code Section 88194;
Family Code Sections 297 et seq.

The District will not discriminate in favor of or against any job applicant because of an immediate family member or domestic partner's (as defined by Family Code Sections 297 et seq.) employment in the District. Employees shall not be assigned to a position within the same department, division, or site as an employee's immediate family member or domestic partner where either would be in a position to supervise and/or recommend or influence personnel decisions with respect to the other.

Any employee of the District is also prohibited from making any admissions, financial aid, work-study, student hourly employment, or internship decisions for student(s) who are immediate family members and/or domestic partners.

This procedure is subject to the provisions in the applicable collective bargaining agreement or employee handbooks.

Personnel decisions include appointment, reappointment, retention, evaluation, tenure, work assignment, promotion, discipline, demotion, termination, leaves, and salary decisions regarding the relative or domestic partner (as defined by Family Code Sections 297 et seq.)

For purposes of this policy, immediate family means any relative living in the employee's immediate household, spouse, registered domestic partner, parents, grandparents, siblings, children, stepchildren, grandchildren, and in-laws. Domestic partners are defined by Family Code Sections 297 et seq. (Also see BP 7510 titled Domestic Partners.)

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right, where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest, to refuse to place immediate family in the same department, division, or facility. The District retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, or morale, or to prevent other potential conflicts of interest.

Date Adopted: 7/12/2011; Revised: 12/7/21

(Replaces former Palomar Policy 106 and all previous versions of BP 7310.)

Prior to accepting any employment decisions, employees have the responsibility for full disclosure in writing to the appropriate supervisor or administrator that a conflict of interest may exist. All applicants have the responsibility for disclosing any immediate family members and/or domestic partners employed by or affiliated with the District.

This policy applies to all types of employment including, but not limited to full-time, part-time, temporary, and student hourly.