



## Human Resources Policies and Procedures

Policy Title:	<b>Employment of Relatives and Workplace Relationships</b>	Policy Number:	3.6
Effective:	March 25, 2021		
	Supersedes previous version of policy effective dated <b>October 30, 2005</b>		
Approval:	<i>Thomas Guajardo</i>	Page	1 of 5

### 1.0 Scope

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Full-time          | <input checked="" type="checkbox"/> Union              |
| <input checked="" type="checkbox"/> Part-time          | <input type="checkbox"/> Independent Contractors       |
| <input checked="" type="checkbox"/> Temporary/Contract | <input type="checkbox"/> Visitors, Vendors, Volunteers |
| <input checked="" type="checkbox"/> Non-Union          | <input type="checkbox"/> Board and Commission Members  |

*Employees who are covered under the provisions of a collective bargaining agreement will follow the standards as contained in their respective contracts if this policy conflicts with the language in the contract.*

### 2.0 Purpose

The policy sets forth the City's policy on the employment of relatives and establishes the rules of conduct for personal relationships in the workplace between employees, including supervisors and managers.

### 3.0 Policy

- 3.1** It is the policy of the City of Ann Arbor to hire, promote, and transfer employees on the basis of individual merit and to avoid any favoritism or discrimination in making such decisions. A relationship by family, marriage, domestic partnership, or personal relationship with another City of Ann Arbor employee shall be neither an advantage nor a deterrent to employment, promotion, and level of salary or other condition of employment.

#### **DISCLAIMER**

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- 3.2** The employment of relatives of current employees must meet certain conditions. An employee may not hold a position that directly or indirectly reports to a relative. Even if favoritism or discrimination is not shown, the occurrence of an employee reporting to a relative may have the appearance of favoritism or may cause some discomfort for the individuals involved.
- 3.3** Similarly, employees who engage in personal relationships (including romantic and sexual relationships) are responsible for assuring that the relationship does not raise concerns about favoritism, bias, ethics or conflicts of interest. An employee may not hold a position that directly or indirectly reports to someone with whom the employee is in a personal relationship.
- 3.4** During non-working time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges with fellow employees in non-work or off-site areas should behave in an appropriate workplace manner to avoid creating situations in the workplace that could violate this and other city policies.
- 3.5** Employees who allow personal relationships with co-workers to adversely affect the work environment may be subject to discipline, up to and including termination. Failure to change behavior, maintain expected work responsibilities, and follow city policies is viewed as a serious disciplinary matter.
- 3.6** The City reserves the right to take prompt action if an actual or potential conflict of interest arises concerning employees who engage in a personal relationship that may affect terms and conditions of employment
- 3.7** Employees who engage in a personal relationship with someone with whom they are also in a direct or indirect reporting relationship must report the relationship to the Human Resources Department.

#### **4.0 Responsibility**

- 4.1** It is the responsibility of each hiring manager to hire, transfer or promote in compliance with this policy.
- 4.2** It is the responsibility of each employee to follow this policy.
- 4.3** It is the responsibility of an employee to notify his/her supervisor and the Human Resources Department (The HR Director, their HR Service Partner, or the city's Labor Attorney) when any of the following situations occur:

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- A. When an employee's relative is hired in a direct or indirect reporting relationship to the employee;
- B. When a person who is in a personal relationship with an employee is hired in a direct or indirect reporting relationship to the employee;
- C. When an employee is promoted or transferred into a position where the employee might have influence over a relative's, or someone with whom the employee is in a personal relationship with, job status or job security; and/or
- D. When an employee enters into a personal relationship with an employee with whom they also have a direct or indirect reporting relationship, or if an employee becomes a relative of someone with whom they have a direct or indirect reporting relationship.

**4.4** It is the responsibility of the Human Resources Director to create forms and reporting procedures for the memorialization of reporting and actions taken to address any potential conflicts of interest.

**4.5** Employees who are in a relationship that they assume may or may not be known to the City must report the relationship to the city within thirty (30) days of this policy becoming effective.

## **5.0 Definitions**

**5.1 Relative** – For purposes of this policy, relative is defined as any of the following:

- Spouse
- Domestic Partner
- Children, step-children, foster children, children of domestic partners, including adult children
- Any person for whom the employee has legal guardianship
- Parent, step-parent, or parent/step-parent of spouse or domestic partner
- Sibling, including step-sibling, and sibling or step-sibling of spouse or domestic partner
- Parent or step-parent of spouse or domestic partner
- Grandchild or step-grandchild
- Grandparent, step-grandparent, or grandparent or step-grandparent of spouse or domestic partner (including great-grandparents)
- Spouse or domestic partner of child or step-child

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- 5.2 Personal Relationship** - A relationship between individuals who have or have had a relationship of a romantic or intimate nature.
- 5.3 Direct Report** – An employee whose position is directly below that of a supervisor or manager.
- 5.4 Indirect Report** – Two employees where one is in a subordinate position to the other in the chain of command, but where the employee does not report directly to the other.

## **6.0 Procedures**

- 6.1** Individuals may not be hired, promoted, transferred, otherwise placed in a position, or allowed to continue in a position where a relative or someone with whom the employee is in a personal relationship with is in a direct or indirect reporting relationship to the position, unless as addressed in section 6.4
- 6.2** The City may prohibit situations where relatives or individuals in personal relationships in a Service Unit or Service Area have the potential for creating an adverse impact on supervision, safety, security, morale or where a potential conflict of interest might be involved. In such cases, the City reserves the right to alter a reporting structure, transfer employees, or create third part oversight of personnel decision making to ameliorate the appearance of a conflict.
- 6.3** Within sixty (60) days of this policy becoming effective, the Human Resources Director will cause forms to be created and communicated to all city employees, and all city employees will be required to disclose to Human Resources any employees who may be in a direct or indirect reporting relationship with a relative or a personal relationship.
- 6.4** When the potential for a conflict of interest is identified due to the relationship between co-workers, the Human Resources Director, Service Area Administrator, and Labor Attorney will work with the parties involved to consider options for resolving the problem. They may recommend relocating the employee so they report to a different employee with whom they do not have a conflict of interest or to simply create an oversight function where Human Resources or an SAA has the responsibility to independently review important human resources related decisions affecting the employee. Matters such as hiring, firing, promotions, performance management, compensation decisions and safety decisions are examples of situations that may require oversight of duties to avoid any actual or perceived reward or disadvantage. A voluntary solution must be

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reached within thirty (30) days of the initial relationship being reported to HR.

- 6.5** If the affected employees refuse to accept a reassignment, their immediate supervisors, Service Area Administrator, Labor Attorney, and Human Resources Director will meet and review the case at the end of the thirty (30) day period. They will render a decision on how the conflict of interest is to be ameliorated. If one or both parties refuse to accept this solution, such refusal will be deemed a voluntary resignation and they will separate from employment from the City.
- 6.6** If city staff cannot agree on a recommended solution, the City Administrator will render a final decision on how the workplace relationship will be managed and addressed.

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