City of Mission Viejo
Personnel Policy

Subject: **NEPOTISM**

Purpose:
To provide guidelines to prevent the appearance of favoritism and/or a conflict of interest in the employment of City employees.

Related Policies:
Non-Discrimination
Problem Solving
Recruitment

Background:
It is the City's policy to recruit employees on the basis of competitive open or promotional recruitments. Selection is based upon the qualifications of each candidate. Regardless of the intentions, the selection and appointment of an individual who is related to, or cohabitates with, a supervisor or a manager, creates an appearance of favoritism and/or a conflict of interest. Similarly, the marriage or cohabitation of two (2) City employees who report to each other may create an appearance of favoritism or a conflict of interest. It is the intention of this policy to prevent such conflicts.

Policy:
1. Relatives and/or individuals who cohabitate with current City employees or elected officials are not eligible for City positions where a potential conflict of interest exists or the potential exists for creating an adverse impact on supervision, safety, security, or morale.

2. If two (2) employees, marry or cohabitate, the City Manager, or a designee, will review the working relationship of the two (2) employees and determine if the relationship creates a potential conflict of interest or an adverse impact on supervision, safety, security, or morale.

   a. If the City Manager, or a designee, determines that the relationship creates a potential conflict of interest or an adverse impact on supervision, safety, security, or morale, an effort will be made to transfer the least senior employee to a position where such a conflict or adverse impact does not exist.

      i. If an alternative position is not available, the affected City employees will be asked to decide which one (1) will resign from their City position.

      ii. If neither employee elects to resign, the employee with the least seniority will be terminated. The affected employee may request a review of such a decision under the Problem Solving policy.

3. For purposes of this policy, relatives is defined as an employee's parents, child or step child, spouse, grandparents, brothers or step brothers, sisters or step sisters, aunts, uncles, nieces, nephews, cousins and in-laws.

4. For purposes of this policy, cohabitation is defined as two (2) legally unrelated individuals who share a household.

Adopted: By City Council - September 11, 1989 - Res. No. 89-92.