

Utah Tech University Policy

303: Employment of Relatives/Nepotism



- I. Purpose
- II. Scope
- III. Definitions
- IV. Policy
- V. References
- VI. Procedures
- VII. Addenda

I. Purpose

- 1.1 To outline the Utah Tech University (“the University”)’s policy towards employment of relatives and to minimize the negative impact on productivity and job satisfaction created by nepotism or the perception of nepotism.

II. Scope

- 2.1 This policy applies to all University employment, as well as appointees, chief administrative officers, and public officers as defined under Annotated Utah Code 52-3-1.

III. Definitions

- 3.1 **Employee:** a person whose salary, wages, pay, or compensation is paid from public or University-managed funds.
- 3.2 **Chief Administrative Officer:** a person who has ultimate responsibility for the operation of a department or agency of the state or a political subdivision.
- 3.3 **Public Officer:** a person who holds a position that is compensated with public funds.
- 3.4 **Relative:** defined as a father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandparent-in-law.

IV. Policy

- 4.1 In compliance with Annotated Utah Code 52-3-1, it is unlawful for a public employee to appoint, employ, vote for, or recommend the appointment of a relative in or to any position or employment when the salary, wages, pay or compensation of the relative will be paid from public funds and the relative will be directly supervised by a relative. The restraint extends further in that a subordinate supervisor may not hire the relative of a superior.
- 4.2 Exceptions to this policy may be granted as follows:
 - 4.2.1 The relative was employed before the public officer assumed his/her position and if the relative's appointment does not violate the provisions of this policy at the time of the appointment; or
 - 4.2.2 The relative will be employed for a period of twelve (12) weeks or less; or
 - 4.2.3 The relative is a volunteer as defined by the University; or
 - 4.2.4 The applicable Vice President or President determines that the relative is the only qualified person to fill the position and/or that the supervisor is the only person available or the best qualified person to supervise the functions of the relative.
- 4.3 In compliance with the Utah Board of Higher Education policy, the President's spouse will be hired to perform related duties for the University at one dollar per year.

V. References

- 5.1 Annotated Utah Code 52-3-1
- 5.2 Utah Board of Higher Education Policy R205

VI. Procedures

- 6.1 Employees are required to disclose any relationship to existing University faculty and staff as part of completing new hire paperwork and/or completing application materials.
- 6.2 Exceptions must be requested in writing and submitted to the applicable Vice President or President, explaining the family relationship, the reasons for the exception, the relationship's effect on salary and classification determination, how performance appraisals and promotions will be

handled, and how general supervision will be accomplished. This request must be approved before the relative can be hired.

- 6.3 If an exception is approved, the Human Resources Office will include both the written request and approval within the employee's personnel file.
- 6.4 In the event a pre-existing relationship is discovered or a new family relationship develops among employees, a written request will be submitted to the Human Resources Office explaining the family relationship, the reasons for the exception, the relationship's effect on salary and classification determination, how performance appraisals and promotions will be handled, and how general supervision will be accomplished. Such a request must also be approved by the applicable Vice President or President.

VII. Addenda – N/A

Policy Owner: Human Resources, Exec. Director
Policy Steward: Human Resources

History:

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