

Subject: NEPOTISM

Date: June 4, 2008

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Replaces Policy Dated: July 11, 2001

PURPOSE: To establish a policy regarding the employment of relatives.

STATEMENT OF POLICY: Pinal County does not discourage the employment of relatives.

ARS ' 38-481 states, "It is unlawful, unless otherwise expressly provided by law, for an executive, legislative, ministerial or judicial officer to appoint or vote for appointment of any person related to him by affinity or consanguinity within the third degree to any clerkship, office, position, employment or duty in any department of the state, district, county, city or municipal government of which such executive, legislative, ministerial or judicial officer is a member..

It is for this reason that the County will not employ close family members (spouses, children, brothers, sisters, parents, grand-parents, grand-children, parents-in-law, sons and daughters-in-law, nieces, nephews, aunts, uncles) to work under the direct supervision of another such family member. Additionally the County will not permit the employment of close family members in the same department where either member finds themselves under intermittent or infrequent informal direction of the other family member or where the proximity of the family members gives the appearance that one person's employment is under the supervision or direction of the other; the family members report to the same first level supervisor; or in the opinion of the elected or appointed official, the Human Resources Director, and/or the County Manager, the safety, efficiency, morale, or effective administration of the department's operations will be adversely affected.

No employee or appointee shall:

- Participate in any County matter affecting, directly or indirectly, the financial interests of a relative;
- Directly or indirectly, advocate, participate in, or cause the employment, appointment, evaluation, promotion, transfer, determination of compensation or discipline of a relative;
- Exercise direct or indirect jurisdiction, supervision or direction of a relative;
- Have a relative serve on the same appointive board, committee, or commission;
- Exercise contract management authority where a relative is employed by or has contracts or development agreements with persons doing County work over which the public servant has or exercises contract management authority;
- Use or permit the use of his or her position to assist a relative in securing contracts or development agreements with persons or departments, for whom the public servant exercises contracting authority.

Employees who become relatives after appointment shall not continue to be employed in violation of this policy. One of the two employees must be appointed to an appropriate vacancy in accordance with Merit System Rules or resign. If no resolution has been reached within six (6) months, the Appointing Authority or the County Manager shall determine which employee is to be affected or involuntarily terminated. In offices headed by an Elected Official the Elected Official will determine who is to be affected or involuntarily terminated.