County of Monterey
Board Policy Manual

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Policy on Family and Romantic Relationships at Work	P-155	1 of 4
Policy Category Personnel		

I. Purpose

The County of Monterey is committed to maintaining a professional work environment free of conflicts of interest, nepotism, and favoritism. A workplace where employees maintain clear boundaries between family, personal, and work relationships leads to an environment that:

- Is fair, equitable, and safe;
- Promotes high employee morale; and
- Ensures trust in the County's employment and promotional system.

The purpose of this policy is to explain when family and romantic relationships may cause problems, or the appearance of problems, related to nepotism, favoritism, or conflicts of interest at work. This policy also establishes standards and disclosure requirements to prevent those problems from occurring.

Nepotism occurs when family members favor other family members in employment decisions. Nepotism does not align with the County's policy and practice of making employment decisions based solely on County needs, merit- based processes, and individual qualifications, skills, knowledge, abilities, and performance.

Romantic relationships between supervisors and subordinate employees may raise issues of conflict of interest, abuse of authority, or favoritism. These relationships also have the potential to adversely impact other employees. Moreover, the real or perceived power imbalance that may exist between a supervisor and a subordinate may raise questions about mutual consent.

People in both family and romantic relationships are referred to as "related persons" (defined in Definitions below) solely for purposes of this policy.

II. Applicability

This policy applies to all County officers, elected officials, employees {including Merit Systems permanent, exempt, temporary, full and part time}, interns, and volunteers. These individuals are referred to collectively as "employees" solely for purposes of this policy.

III. Definitions

A) *Employment Decisions*: Refers to the full array of decisions and actions that involve County employees and their employment, including, but not limited to, hiring, supervision, promotions, compensation, work hours, leave approval, assignment of duties, performance evaluation, discipline, termination, and decisions involving other terms and conditions of employment such as those listed in Section IV.

B) *For the purposes of this policy, Related Person(s)means*:

i. A family member, as defined by the California Family and Probate Codes, whether by blood, adoption, marriage, or domestic partnership, including:
- Spouse;
- Domestic partner;
- Child;
- Parent;
- Grandparent/Grandchild;
- Aunt/Uncle;
- Sibling;
- Cousin;
- Niece/Nephew; and
- Any corresponding in-law, step, or foster relation

ii. Employees having a consensual sexual romantic or intimate relationship occurring within the last two years. This includes but is not limited to dating or marital engagement.

a. For the purposes of this policy, dating shall be defined as a stage of romantic relationships whereby two people meet socially with the aim of each assessing the other's suitability as a prospective partner in an intimate relationship or marriage.

C) *Direct Supervision*: One employee directing the work of another employee with decision making authority related to hiring, promotion and disciplinary action decisions; in addition to timesheet and leave request approval and performance evaluation responsibilities. This includes temporary and project-based assignments.

D) *Indirect Supervision:* One employee is responsible for the work of another employee through the organizational structure or chain of command. This includes temporary and project-based assignments.

IV. Policy

Employees are prohibited from directly supervising related persons.

Employees may not make, participate in making, or influence any employment decision involving a related person. This includes, but is not limited to:

- Hiring, promoting, transferring, or re-assignment;
- Serving on a hiring panel;
- Developing, administering, or rating a competitive exam;
- Initiating an administrative investigation or discipline;
- Assigning work;
- Preparing, conducting, or contributing information to a performance evaluation;
- Approving overtime or any other compensated time;
- Approving vacation, sick, or other leave time;
- Granting or denying permission to attend a conference or other work-related event; and
- Approving reimbursement for work-related expenses.

It is best practice that employees do not indirectly supervise related persons. Exceptions to this policy for indirect supervision may be made on a case by case basis as set forth in the Reporting Procedure Section V.2 below.

All employees are prohibited from retaliating against anyone who reports a potential violation of this policy or anyone who has made a report under this policy.

Employee questions about this policy should be directed to the departmental personnel analyst or human resources manager.

V. Reporting Procedure

1. Direct supervision of related persons must be promptly reported by both employees to their departmental personnel analyst or human resources manager. The department human resources professional will notify, and work in consultation with, the Department Head or Board of Supervisors to remove the conflict.

2. Indirect supervision of related persons must be promptly reported by both employees to their departmental personnel analyst or human resources manager to assess the implications for the workplace, and to ensure that employment decisions are made appropriately. The department human resources professional will notify, and work in consultation with, the Department Head or Board of Supervisors.

3. Individuals who become related persons during County employment and while in a direct or indirect supervision situation must promptly disclose the relationship following the process set forth in the Reporting Procedure.

VI. Management Plan Procedure

1. If for operational reasons, an indirect supervisory relationship conflict cannot be removed, the department in consultation with the departmental personnel analyst or human resources manager will formulate a Management Plan to address the conflict. Management Plans must be approved by the Department Head with final concurrence by the County Administrative Officer and/or designee.

2. At a minimum, all Management Plans must address reporting relationships, supervision, and evaluation to ensure a supervisor does not participate in employment decisions regarding a related person, as prohibited by this policy.

3. If a conflict exists within the County Administrative Office having related persons, the Management Plan will be referred to the Office of the County Counsel for processing.

4. A Department Head, prohibited under this policy from making, participating in, or influencing employment decisions involving related persons, shall delegate in writing the authority to make employment decisions regarding such related persons to another employee within the department.

VII. Investigation and Corrective Action

All employees must cooperate with any investigation into possible violations of this policy. Violations may include, but are not limited to:

- Failing to report, or actively concealing, a relationship that falls within this policy;
- Failing to comply with policy; or
- Retaliating against another employee who has made a report under this policy.

Violations of this policy may lead to discipline, up to and including termination.

VIII. Review Date

a. This Policy has been reviewed by the department and will be continued to November 25, 2029.

IX. Board Action

a. Legistar File No. RES 18-146, October 23, 2018.