

## ANTI-NEPOTISM

### **I. Purpose**

The purpose of this policy is to avoid favoritism, the appearance of or potential for favoritism, and conflicts of interest and loyalty often associated with nepotism. Nepotism is inconsistent with Western Dakota Technical College's (WDTC) longstanding policy of making employment decisions and other business decisions based solely on WDTC's needs and individual qualifications, skills, ability and performance.

### **II. General Statement of Policy**

- A. No WDTC employee (including faculty members or staff employees), Board of Trustee member, or any volunteer may make, participate in, or attempt to influence employment or other business decisions involving a relative, or pressure or cause others to do so. Therefore, there can be no direct reporting or supervisory relationship between relatives, and all "employment decisions" must be made by others. If an individual is to be assigned to a position that is under the supervision or control of a relative who has or may have a direct effect on the individual's progress or performance, or an individual is to be assigned to a position with the same immediate supervisor as a relative, a management plan must be devised and approved by the head of the organizational unit (e.g., VP or Director) and the Human Resources department.
- B. A management plan is also required when an individual already assigned to a position becomes a relative of a supervisor, subordinate, or someone who works for the same immediate supervisor.
- C. The purpose of the management plan is to outline supervision and evaluation procedures that will mitigate possible conflicts of interest. The management plan must address reporting relationships, supervision, and evaluation that will assure that there will be no decision-making influenced by relationships between relatives in promotion, compensation, hours, or other conditions of employment or in any approvals required for the expenditure of WDTC funds or the use of WDTC resources. The management plan should address the approval and review process to preclude any potential appearance of nepotism, conflict of interest, or conflict of commitment. To ensure continuity and appropriateness, a unit review of the approved management plan should take place in the event of any change in reporting relationships, and on an annual basis at a minimum by the direct supervisor and the Senior Human Resources Generalist.

D. Guidelines:

1. This policy does not prohibit (but does not encourage) WDTC from simultaneously employing relatives or engaging in commercial activities with the relatives of employees. For example, relatives are permitted to work in the same department so long as the relatives comply with the requirements outlined above (e.g., there is no direct reporting or supervisory relationship between the relatives and all employment decisions are made by others).
  2. This policy is in addition to WDTC's Policy 9020 Conflict of Interest. If a WDTC employee's relative is also employed by WDTC, is a WDTC Board of Trustee member, volunteers at WDTC, or engages in commercial activities with WDTC, the relationship must be disclosed to the Senior Human Resources Generalist.
  3. This policy applies to instances of nepotism that existed before the enactment of this policy. Any existing relationships or situations must be disclosed immediately, evaluated, and managed as provided in this policy.
- E. It shall be a violation of this policy if nepotism is practiced without notification to the Senior Human Resources Generalist and a management plan is not put in place and may result in discipline up to and including termination of employment.

### III. Definitions

- A. Nepotism: favoritism in the workplace based on kinship, which ordinarily consists of making employment or other business decisions based on a family relationship.
- B. Employment decisions: the full spectrum of employment or volunteer related actions, including but not limited to decisions related to hiring, supervision, direction of work, promotion, compensation, work/volunteer hours, performance evaluation, termination and all other terms and conditions of employment or volunteer related actions.
- C. Business decisions: decisions related to the full spectrum of WDTC commercial activities (e.g., buying, hiring, selling, contracting, licensing, leasing) or otherwise involving the expenditure of WDTC funds or the use of WDTC resources.
- D. Relative: the spouse, domestic partner, anyone in a romantic relationship and, whether by blood, adoption, marriage or domestic partnership, the child, parent, grandparent, sibling, grandchild, aunt or uncle, niece or nephew, or any person residing in the immediate household (or the household of the spouse or domestic partner of any of these relatives) of a WDTC employee, or his or her spouse or domestic partner, or person in a romantic relationship.

#### **IV. Reporting Procedures**

- A. Employees and volunteers must self-report in writing to the Senior Human Resources Generalist before they make, participate in, or attempt to influence (or cause others to make, participate in, or attempt to influence) decisions covered by this policy. If the relationship involves the leader of an organizational unit (e.g., a Director), the report must be made in writing to the next most senior leader to whom the employee is accountable.

#### **V. Dissemination of Policy and Training**

- A. This policy shall appear on the WDTC website on the policy webpage.

Legal References: None

Board Approved 02/25/2019; Committee Reviewed 1/26/2021; Committee Reviewed 7/9/2024