

CITRUS COMMUNITY COLLEGE DISTRICT REGULATION

R-4309

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NEPOTISM

No person shall be appointed or promoted to a position in any department in which such person's relative, within the third degree, already holds a position when such employment would result in a supervisor-subordinate relationship.

For the purpose of this section, a "supervisor-subordinate relationship:" shall be defined as one in which one person exercises the right to control, direct, reward or punish another person by virtue of the duties and responsibilities assigned to his or her position, including any and all participation in the evaluation process. "Relative" means an adult who is related to the person by marriage or blood within the third degree as determined by common law, or an individual in an adoptive relationship within the third degree. A "relative within the third degree" is reflected in common law, includes the individual's parents, grandparents, great grandparents, children, grandchildren, and great grandchildren, brothers, sisters, aunts, and uncles, niece, and nephews and the similar family of individual's spouse unless the individual is widowed or divorced.

If a District employee becomes related within the third degree to another District employee who works within the same department, both employees shall be allowed to retain his or her respective positions provided that a supervisor-subordinate relationship did not exist between those two positions at the time the relationship was established.

Where the above circumstances exist and mandate that two relatives within the third degree shall not work in a supervisor-subordinate relationship, the Office of Human Resources will transfer one relative with no reduction in salary to a similar position in another District department for which he or she qualifies. Although the wishes of the involved parties as to which of them is to be transferred will be given consideration by the District, the controlling factor in determining which relative is to be transferred shall be the positive operation and efficiency of the District. The transfer shall not be considered disciplinary in nature and shall not be the subject of any form of administrative appeal.

The District also retains the right to refuse to place the relative in the same department, division or facility where such has the potential for creating adverse impact on supervision, safety, security, morale or involves potential conflicts of interest.

Adopted: 03/18/03

References

Fair Employment and Housing Regulations, Division 3, Section 12940