

Policy Title	Employment of Relatives
Policy Number	HRS-C24-006
Effective Date	February 5, 2024
Responsible Office/Person	Human Resources
Related Policies	Amorous Relationships; Conflict of Interest

I. POLICY STATEMENT

The University of Massachusetts Dartmouth (“UMass Dartmouth” or “University”) does not discourage nor prohibit the employment of relatives of current faculty and staff members. However, the University does recognize that employment of current or former relatives in certain circumstances may increase the potential for conflicts of interest or perceptions of favoritism or bias – either real or perceived. Through this policy, the University outlines its expectations regarding the employment of relatives of current University faculty and staff members.

II. PURPOSE

This policy is intended to promote employment, academic decisions and conduct in the work and educational setting that avoid a conflict of interest, appearance of favoritism, abuse of power, or the potential for a hostile work or academic environment as it relates to the employment of relatives.

III. DEFINITIONS

Department Head: A Department Head is the primary head of a designated college, school, institute, center, department, functional area or section of the University.

Faculty and staff: Persons whom the University employs or awards institutional appointments to provide educational or support services.

Relative: Current or former spouse, domestic partner, child, step-child, sibling, parent, step-parent, sister/brother-in-law, mother/father-in-law, niece, nephew, uncle, aunt, cousin, grandparent, grandchild or any individual residing in the same household of a current faculty or staff member. This definition applies whether the relationship is by blood, adoption, created by marriage, or domestic partnership.

Student: Any person who is currently enrolled at the University in undergraduate or graduate credit-bearing courses or programs.

IV. PROCEDURE

1. Duty to Disclose

a. Pre-Hire Obligations

Upon applying for employment opportunities with the University, prospective applicants are required to disclose the names of any relatives who are employees of the institution when submitting their official employment application with the University.

Faculty and staff who serve as members of a Search and Screen Committee and discover that a relative (as defined by this policy) is among the candidates in the applicant pool have a duty to disclose the relationship by completing the Nepotism Disclosure Form (located on the UMass Dartmouth Human Resources portal) and submitting the document to the Office of Human Resources. Under certain circumstances, the impacted Search and Screen Committee member may be required to recuse themselves from evaluating the applicant.

b. Post-Hire Obligations

If any individual, after the commencement of employment or a change in employment status (e.g., lateral transfer, promotion, etc.) is currently or previously related to or found to have entered into a familial relationship as defined above, which results in the formation of a supervisor-subordinate relationship between the parties the impacted individuals shall disclose the nature of the relationship by completing the "Nepotism Disclosure Form" and submitting the document to the Office of Human Resources within fifteen (15) business days from the date of discovery or notice.

Upon discovery or receipt of disclosure of the relationship, the University shall allow the impacted individuals fifteen (15) business days from the date of receipt of notification, to decide how the conflict shall be resolved between the parties. Potential resolutions include, but are not limited to, the resignation of one or both parties, lateral transfer of one or both parties, a change in the reporting relationship resulting from the reassignment of a party to another supervisor, or recusal of evaluative role or responsibility.

In the event the parties cannot resolve the conflict within the allotted fifteen (15) business day timeframe, the designated Department Head, in consultation with the Office of Human Resources, shall institute a personnel action change to resolve the conflict, including but not limited to the potential resolutions as outlined above. When necessary, the University shall make a good faith effort to find the displaced individual another suitable position within the institution, but cannot guarantee such placement.

2. Exceptions

The designated Department Head, in consultation with the Office of Human Resources, may authorize an exception to the provisions of this policy if it is found that:

- a. The position to be filled requires a person with specialized training and experience not generally available in the employment market;
- b. There is a vital institutional need to fill the position;

- c. Substantial bona fide efforts have been made to locate and employ such a person who is not a relative of the employee; and
- d. The relationship between the relative and the applicant or employee is unlikely to materially affect their employment status with the University.

The request for an exception to this policy shall be made in writing by the designated Department Head and shall include the criteria used to justify the decision for the hiring or placement of the applicant or employee. The justification memo shall be submitted to the Department Head of the Office of Human Resources for review and approval and placed in the personnel file of the impacted employee.

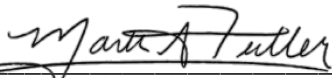
V. RESPONSIBILITY

The designated Department Head or designee is responsible for ensuring policy compliance and for monitoring changes in employee reporting relationship after initial hire. All faculty and staff are responsible for immediately reporting changes which implicate this policy to their designated Department Head or Office of Human Resources official.

VI. ATTACHMENTS

- None

VII. APPROVAL AND EFFECTIVE DATE

APPROVED BY:  Date 2/5/24
Mark A. Fuller, Ph.D.
Chancellor