

#76

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REC

Date: 03-31-16

Weekly Agenda Date: 04-05-16

DEPARTMENT HEAD / CITIZEN: Ed Gilliland

SUBJECT: Nepotism Policy

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

WORDING FOR AGENDA ITEM: Nepotism Policy, Discussion and Action.

EXECUTIVE SUMMARY: The Nepotism policy has been updated for clarity.

BACKGROUND: We were confronted with a situation where a person was chosen as a finalist for a position here in the County. Hiring them would have violated the Nepotism Policy so they were not hired. It was stated that the policy was unclear, perhaps should allow for exceptions, and was not particularly workable. We tweaked the policy slightly and added language for clarity. Through the kind assistance of the County Attorney and some review of what others, including the City of Sioux City use as a Nepotism Policy, we are bringing forward the policy you see.

FINANCIAL IMPACT: NONE

RECOMMENDATION: Please move to approve the Nepotism Policy. We will add this to our Handbook and post it in policy.

ACTION REQUIRED/PROPOSED MOTION: Please move to approve the Nepotism Policy.

Approved by Board of Supervisors March 3, 2015.

**NEPOTISM POLICY FOR WOODBURY COUNTY
THE FOLLOWING EMPLOYMENT RULES AND REGULATIONS SHALL APPLY**

The County Board of Supervisors (Board) finds that a nepotism policy assures that employees are hired and/or promoted on the basis of their qualifications and fitness for the department and for the good of the public service.

Elected officials are required to follow State law, not restricted to the County nepotism policy.

No hiring authority may appoint or vote for the appointment as a regular, paid-on-call, temporary, or seasonal employee when any of the following conditions exist:

- When one member of the immediate family is already employed in the department to which another member of the immediate family is seeking employment; or
- When an employee seeking a promotion or transfer through in-house posting of job openings would result in a supervisory relationship between immediate family members; or
- When an applicant's immediate family member is employed by the County in a position that is classified as confidential.

Any such appointment may be voided by the Board if not done voluntarily by the hiring department.

If a family relationship is created by the marriage or cohabitation of County employees or in the event of an immediate family member becoming an elected official working in the same department, the two employees will be given the option of deciding who will transfer or be reassigned if possible. If it is not possible for one to transfer or to be reassigned the two employees may decide which one shall resign within 90 days of the occurrence or face immediate termination. If a family relationship is created by marriage between an employee and a non-employee, the employee who became married must transfer or take reassignment, if possible, or terminate employment within 90 days.

For the purpose of this policy the term "immediate family member" means any of the following: spouse (husband or wife), domestic partners, cohabitating couples, child and/or step-child (son or daughter), parent (mother or father), step-parent, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandparent, aunt, uncle, niece, nephew, cousin, and any permanent member of the immediate family.

- The policy is not applicable when an employee is to be paid wages or salary of less than six hundred dollars per year.
- This policy is not applicable to County Civil Service Employees.
- Any further exceptions to this would require prior Board approval.

Employees employed prior to the date of adoption of this policy amendment who are affected by this policy may continue their employment and shall have the right to seek transfers, promotions and, where applicable, change the status of their existing employment to full-time. This policy shall not restrict an employee's right to transfer or seek promotion within the County to the extent such action does not further violate this policy.