3-02/010.06 - Nepotism and Personal Relationships

Personal relationships between Department members will inevitably develop within the workplace. The Department respects the rights of its members to associate freely and pursue relationships with colleagues they meet in the workplace. However, members shall use sound judgment to ensure these relationships do not create an adverse impact on their job performance, interfere with the performance of their duties, or compromise the integrity of a professional work environment.

The County of Los Angeles' Policy, Procedures, and Guidelines #818, Nepotism and Personal Relationships (PPG 818) seeks to ensure that employment decisions are merit-based and free from any real or apparent conflict of interest, favoritism, or preferential treatment. Consistent with PPG 818, this policy seeks to ensure that Department members do not have direct supervision, hiring power, or are in a position of interrelated trust with a relative or individual with whom they have a personal relationship as defined in this policy. Furthermore, this policy establishes Department-specific roles and responsibilities for reporting a relative or personal relationship between Department members.

Definitions

Cohabitation is defined as a living arrangement where individuals regularly reside in the same household.

A **Conflict of Interest** refers to situations where professional judgment, decisions, or actions may be compromised due to a conflict between personal interests and official responsibilities.

Interrelated trust refers to positions with oversight, approval, or auditing relationships that help to ensure the integrity of the County's internal controls and personnel, fiscal, or programmatic operations.

Nepotism is the practice of individuals with power or influence providing unfair advantage (personal, economic, or employment) to a relative or someone with whom the individual in power has a personal relationship.

Personal Relationship is defined as a current relationship between persons as a result of cohabitation, romantic partnership or dating, financial partnership unrelated to official job duties, or any such other relationship as defined by the "Relative" section below.

Note: Also referred to as a "Qualified Personal Relationship" (QPR).

A Relative is defined as any known relationship formed by blood, marriage, or adoption, such as an individual's:

- Spouse, ex-spouse, domestic partner, ex-domestic partner;
- Child (including stepchild, adopted child, child of domestic partner, foster child);
- Parent, stepparent, adoptive parent, legal guardian, foster parent;
- Sibling (including stepsibling, adoptive sibling, half-sibling);

- Grandparent, grandchild, step or adoptive grandparent, step or adopted grandchild;
- Father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and similar relationships from a previous marriage or domestic partnership; and
- Aunt, uncle, spouse of aunt or uncle, cousin, niece, nephew.

POLICY

Department members shall not participate in or influence any workplace decisions involving a relative and/or someone with whom they have a QPR, as defined in this policy. Areas involving workplace decisions include, but are not limited to, examinations, hiring, performance evaluations, transfers, reinstatements, promotions demotions, scheduling, compensation, reclassification studies, investigations, and discipline. Personal relationships not impacted by this policy are not reportable as a potential conflict of interest under this policy.

Department members who are relatives and/or have a QPR shall not be assigned to positions of interrelated trust or authority that could impair the County's or Department's system of checks and balances. The Department will not transfer, promote, or otherwise assign Department members who are relatives or have a QPR to the same bureau, facility, or patrol station, except as noted under Exceptions.

A Department member should not be assigned to a position under the direct or indirect supervision or control of a relative or a person with whom they have a QPR who may directly affect the member's assignment, progress, performance, or advancement. Direct or indirect supervision is inclusive of the entire chain of command within a bureau, facility, or patrol station.

This includes, but is not limited to, positions in certain work units that deal with approval and disbursement of funds or negotiable instruments, development and awarding of contracts, and maintenance and control of financial systems.

Department members shall not directly supervise nor serve as intradepartmental or interdepartmental project leads to any relative or to someone with whom they have a QPR.

In cases where indirect supervision occurs, or may occur, between relatives and/or Department Members involved in a QPR, the Department will assess whether the indirect supervision would result in potential nepotism or a conflict of interest based on the standards outlined in this policy, County **PPG 818**, Civil Service Rules, Memorandums of Understanding, and Departmental practices.

This policy applies to all Department members (both civilian and sworn positions), consultants, contracted employees, and any person authorized to work within the Department.

Acknowledgement and Disclosure Requirements

All current and potential Department members are mandated to fully disclose any and all known relative(s) and any QPR within the Department as part of the hiring, promotion, and transfer process as indicated below:

- Upon hire, each Department member shall be provided with a copy of this Nepotism Policy during the onboarding process, and must complete and sign the Acknowledgment and Disclosure form (**SH-AD-**

758) indicating that they received and reviewed the policy;

- Each year thereafter, Department members shall complete the Nepotism Policy Acknowledgment and Disclosure form (**SH-AD-758**) during the annual performance evaluation process; and
- It is the responsibility of each Department member to notify their unit commander, in writing, once they become aware of a current or pending assignment or reporting relationship in which a relative is involved and/or where a QPR exists, or when the personal or professional relationship with another employee changes and is now covered in this policy;
    - The Department member may also notify the Department of the end of a QPR.
- Written notification shall be made via **SH-AD-758**.

Management Responsibilities

Upon learning of any relative relationship or QPR within the bureau, facility, or patrol station, the following procedures shall be followed:

- The unit commander must reassign the Department member(s) as necessary to ensure that the Department members do not work in a supervisory chain of command with each other;
- The reassignment will not result in any loss of wages without the agreement of the Department member. The reassignment will not result in a change in the Department members schedule or RDO's without input from the Department member.
- The reassignment shall be based on the needs of the bureau, facility, or patrol station and with the input of the involved employees;
- A memorandum documenting the basis for reassignment, along with a copy of the Department member's written notification shall be forwarded to the division chief and the Captain of Personnel Administration Bureau; and
- Any approvals or exceptions to this policy shall be retained in the Department member's personnel file.

Personal information obtained through a Department member's disclosure under this policy is considered confidential and is only to be shared with individuals who have a legitimate need to know such information.

Exceptions

All requests for exception to this policy will be evaluated on a case-by-case basis, weighing the overall objective of this policy and County PPG 818.

Any exception to this policy must be approved by the Undersheriff with a written explanation of why the working relationship is not a conflict of interest, impairs the member's ability to exercise fairness in the course of their duties, or negatively impacts Department operations. The Undersheriff may determine whether the exception outweighs any actual or potential conflicts presented by the movement due to the transfer, or assignment of

Department members.

A request for exception must be submitted via a memorandum from the division chief to the Undersheriff. The memorandum must establish the justification for the request and include a statement outlining the actions to be taken, including a written mitigation plan to ensure oversight, objectivity, and fairness in Departmental decisions should the exception be approved.

The mitigation plan shall include, at minimum:

- A description of the reporting structure, and any modification(s) needed to ensure that relatives or individuals with personal relationships as defined by this policy are removed from employment decisions or positions of oversight with one another;
- How the Department will prevent actual and perceived conflicts of interest in the working relationship; and
- Establishment or confirmation of the existence of appropriate oversight and approval processes for expenditures, reimbursement claims, overtime approval, or other financial decisions by the involved parties to reduce any appearance of favoritism or impropriety.

Department members assigned to the same bureau, facility, or patrol station prior to the implementation of this policy will be considered for an exception based on the hardship an immediate transfer may pose, until such time the Department can accommodate the individuals involved and ensure compliance with this policy.

Change in Relative Relationship or QPR

Department members who have previously provided notice of a relative relationship or QPR and who are no longer involved in a relative relationship or QPR may file a supplemental **SH-AD-758** and have the previous notification removed from their file upon request of the Department member, as permissible by the policy.

Noncompliance

Failure to adhere to this policy may be cause for administrative action, which may include discipline up to and including discharge.