



CITY OF KINSTON

Personnel Policy

Subject: Employment of Relatives	Section: Conditions of Employment		Review Responsibility: Director of Human Resources		
	Policy #:: 6	Effective Date: 01/31/2020	Rev. #: 3	Revision Date: 01/24/2020	Page: 1 of 2
	Supersedes: 6/20/1988	Prepared By: <i>HR Director</i>		Approved By: <i>Tony Scan</i>	

1.0 Purpose

To provide guidance in cases where members of the same family and/or household are employed by the City thereby creating the potential for conflicts of interest, improprieties, operational conflicts or which may jeopardize emergency services or adversely affect the public's perception of fairness in providing equal opportunity for employment to all qualified individuals.

2.0 Policy

Members of an immediate family shall not be simultaneously employed by or transferred within the City into a regular position in the following circumstances: where one member works under the direct or indirect supervision of another member, where one member works in a department headed by another member, or where one member may have influence over the other member's employment, promotion, salary administration, or other related management or personnel consideration. In addition, this policy shall apply to personal relationships between employees who are not relatives but who, because of their personal relationship, are so closely identified with each other that it may create conflict of interest, operational conflicts, the perception of unfairness, or jeopardize emergency services as determined by the Department Head. Problems caused by such a close, personal relationship shall be documented thoroughly by the Department Head. Immediate relatives of the City Manager, and/or Human Resources Director shall not be employed in any capacity by the City of Kinston. The initial employment or continued employment of relatives of the mayor or any member of the city council after his/her election or appointment and during his/her term of office is permitted, provided there is not a direct or indirect reporting relationship.

3.0 Procedure

3.1 "Immediate" is defined as such a degree of closeness in a relationship which would suggest the potential for problems or the perception of unfairness within the work unit. In general, this includes spouse, parents, brother, sister, children, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandparents, grandchildren, also step and half-relationships, but does not preclude those relations not listed. It may also include other relationships where the individuals are living within the same household or are otherwise so closely identified with each other that a potential for problems or the perception of unfairness within the work unit could exist.

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- 3.2 Where two or more individuals presently in the employ of the City in the same department or in different departments whose job description requires working within close proximity, become “immediate” relatives by marriage, or otherwise, they may decide among themselves who shall leave the employ of the department/City and who will stay employed by the department/City.
- Should they be unable to reach an agreement within fifteen (15) calendar days, the rule of seniority shall apply. Whenever possible, a transfer to another department may be authorized, should a suitable position exist for which the employee is qualified. Where a department operates on a shift basis, the Department Head may opt to separate the employees through assignment to different shifts.
- 3.3 Withholding of information by an employee of the circumstances or event which creates a status of immediate relative pursuant to this policy shall render the employee subject to disciplinary action, up to and including dismissal.
- 3.4 Relatives of current employees may be hired for temporary and/or seasonal positions under three (3) conditions.
- a. The applicant meets all qualifications and the requirements of the position being filled.
 - b. The applicant is appointed competitively from a pool of qualified applicants.
 - c. The employment relationship is temporary.
 - d. The relatives are not in supervisory/subordinate roles in the same department, including but not limited to making decisions affecting employment, compensation, payroll or other personnel matters.
- 3.5 The Human Resources Department will monitor the employment/promotion process and advise the City Manager of any change of employee status or proposed management action which may violate the policy.
- 3.6 If a Department Head desires to employ, promote, or transfer an individual which action may create a situation or the perception of a situation contrary to the intent of this policy, he/she shall certify in writing that the action contemplated does not violate this policy. This certification shall be done in writing by memorandum for the review and a decision by Human Resources Director and the City Manager.
- 3.7 Any exception to this policy shall require written approval by the City Manager.