



City of Waukesha HR Policy

B10 Employment of Relatives

***This policy was completely re-written by the City Attorney. Therefore, there are no “highlighted changes” to point out.**

Purpose

The City is committed to employing the most-qualified individuals for their positions, regardless of whether they have relatives that are employed by the City. However, in certain circumstances, the employment of a relative of another City employee can give rise to real or perceived issues of favoritism that are detrimental to the City’s mission. Those with managerial authority or influence must also be mindful of not showing favoritism towards friends. The purpose of this Policy is to avoid those circumstances to the extent possible, while still allowing the employment of the best-qualified individuals. In the event of uncertainty in the interpretation or application of this Policy, this Policy shall be construed to allow employment of relatives generally, and to restrict employment of relatives only in those circumstances where the real or perceived issues it creates are detrimental to the City’s mission.

Summary

Definitions - For purposes of this Policy, capitalized terms are defined as follows:

1. The words Employ, Employed, and Employment mean any City employment, whether full-time, part-time, temporary, limited-term, seasonal, elected, or appointed. They do not include unpaid volunteer positions, non-employee appointees to boards and commissions, or to independent contractors.
2. Policy means this version of Human Resources Policy B-10, adopted **[insert date of adoption]**, as hereafter amended.
3. The word Relative, when used in this Policy, means an individual who is related in the following ways by blood, marriage or adoption: Spouse, parent, step-parent, sibling, half-sibling, child, step-child, mother- or father-in-law, sister- or brother-in-law, state-registered domestic partner, or the child of a state-registered domestic partner.
4. Supervisory Chain of Command means all persons having supervisory, management, or disciplinary authority over an employee, including all intermediate levels from the employee up to and including the department head.

Rules

- a. No person who is a Relative of the City Administrator or Human Resources Director may be employed by the City.
- b. No person shall be employed in a City department of which the director, chief or head is a Relative of that person.

- c. No person shall be employed in a City department in which any Relative of that person is in the Supervisory Chain of Command above that person.
- d. No City employee may participate in any way in the process of hiring, promoting, evaluating, disciplining, or terminating a Relative of that employee.
- e. This Policy applies equally to circumstances created by employee transfers between departments, promotions, demotions, department reorganizations, or marriages. In those cases, one of the Relatives may be reassigned outside of the Supervisory Chain of Command of the other or apply for other vacant City positions for which the Relative is qualified and which would not create a violation of this Policy. If the Relative cannot be reassigned or is not selected for employment in one of those other positions within 6 months after the change of circumstances, according to the City's usual employment criteria and process, then the Relative's employment with the City shall be terminated. Employees shall notify the Human Resources Department of any such changes in circumstances within 14 days after they occur.
- f. This Policy does not affect any employees who were not in violation of the version of HR Policy B-10 that existed immediately prior to the effective date of this version, but who become in violation of this Policy after the effective date of this version. Those employees shall remain subject to the version of HR Policy B-10 that existed immediately prior to the effective date of this version until they are no longer employed by the City of Waukesha.
- g. This Policy does not apply to supervisory situations that may arise as a result of an emergency or are temporary due to short-term staffing requirements.
- h. There may be other statutes, regulations, common-law rules, orders, department policies, or other rules that also prohibit or regulate employment, supervision, or training for reasons incidental to familial relationships. If any of them conflict with this Policy, they shall control to the extent that they are more restrictive than this Policy.
- i. Ambiguities in this Policy or its application to particular circumstances shall be resolved in the sole discretion of the City Administrator.
- j. Department heads are responsible for monitoring their departments for compliance with this Policy. Any known or suspected violations shall promptly be reported to the Human Resources Department.

Passed this ____ day of ____, 2020.

Approved this ____ day of ____, 2020.

Mayor

ATTEST:

City Clerk