

Town of Apex Nepotism & Employment of Relatives Policy

Purpose

The Town of Apex is committed to maintaining a fair, impartial, and professional work environment. To preserve public trust and avoid actual or perceived favoritism, conflicts of interest, or undue influence, the Town establishes the following guidelines regarding the employment of relatives and individuals with close personal relationships.

Definition – Relatives and close personal relationships

For the purposes of this policy, relationships will be evaluated based on the degree of closeness. Relatives of the following relationships will be subject to the conditions of this policy.

- Spouse or domestic partner
- Parent or guardian
- Child
- Sibling
- Grandparent
- Grandchild
- Aunt or uncle
- Niece or nephew
- Individuals in other close personal relationships, such as dating, cohabitating, or engaged couples; half-, step-, and in-law relationships of the above; or other relatives or relationships in which the degree of closeness could present a conflict of interest may also be subject to the conditions outlined in this policy.

Policy conditions

While employment of relatives is not strictly prohibited, the following guidelines shall be observed to avoid conflicts of interest, favoritism, or other undue influence:

- Relatives may not work within the same work unit. Department heads will consult with Human Resources to determine whether an appropriate degree of separation exists, based on the size and structure of each department.
- No two relatives may directly report to the same supervisor.
- No employee may supervise, evaluate, or influence the terms or conditions of employment of a relative, directly or indirectly, including but not limited to:
 - Application or hiring
 - Performance evaluation
 - Promotion or demotion
 - Transfer
 - Special assignment
 - Salary or leave administration
 - Disciplinary action
- Relatives of the following positions may not be employed by the Town of Apex in any capacity:
 - Mayor and members of Town Council
 - Town Manager, Deputy Town Manager, and Assistant Town Managers
 - Town Attorney

- Town Clerk
 - Department heads/directors
 - Human Resources Department staff
- Employees and applicants must promptly report any existing relationship or changes to a relationship that may create a conflict of interest. Reports should be made to the employee's supervisor, who will notify the department head. The department head will then consult with Human Resources to evaluate the situation and determine if further action is needed.

Mitigation and resolution of conflicts

If a new or existing relationship creates a potential conflict:

- The Town will make reasonable efforts to identify a suitable alternative arrangement to eliminate the conflict, such as reassignment or restructuring of reporting relationships.
- If no suitable option can be identified, the affected employees will be given 30 calendar days to determine which individual will resign.
- If no decision is made within 30 days, the Town reserves the right to make the determination.

Impact on promotional or transfer opportunities

To preserve appropriate separation and avoid conflicts of interest or the perception of favoritism, promotional opportunities, special assignments, and transfers may be limited for employees who have relatives employed by the Town.

Administrative review

Exceptions to this policy or unique circumstances requiring administrative judgment may be requested and approved at the discretion of the Town Manager or their designee.