

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: August 11, 2026

Item Details

Presenter(s): Karmen McGee, Director

Department(s): Human Resources

Requested Motion

- A) Motion to approve revisions to Article VII, Holidays and Leaves of Absence, Section 18 - Family and Medical Leave, of the Town of Apex Personnel Policy.
- B) Motion to approve revisions to Article V, Conditions of Employment, Section 10 - Employment of Relatives and Nepotism, of the Town of Apex Personnel Policy.

Approval Recommended?

Yes

Item Details

The Human Resources Department is requesting Council consideration of two amendments to the Town of Apex's Personnel Policies addressing Family and Medical Leave Act (FMLA) benefits administration and nepotism/employment of relatives. The proposed revisions are intended to provide clearer administrative guidance, establish consistent expectations for employees and supervisors, and strengthen the Town's personnel practices related to benefit continuation and potential conflicts of interest.

The proposed FMLA policy amendment clarifies the responsibilities of both the Town and employees regarding continuation of health insurance benefits while an employee is on approved FMLA leave. The revision specifies that the Town will continue its employer contribution toward health benefit premiums during both paid and unpaid FMLA leave, while employees remain responsible for their applicable share of premiums. It also establishes procedures for payment during unpaid leave, notice requirements before benefits may be terminated for nonpayment, and circumstances under which the Town may seek reimbursement of employer-paid premiums if an employee elects not to return to work following FMLA leave. The amendment additionally clarifies that employees remain responsible for payments associated with other insurance coverage and payroll deductions.

The proposed Nepotism and Employment of Relatives Policy amendment provides a more comprehensive framework for addressing employment relationships that could create an actual or perceived conflict of

interest, favoritism, or undue influence. The policy expands the definition of covered relationships beyond immediate family members to include domestic partners and certain other close personal relationships when the circumstances could present a conflict. While the employment of relatives is not categorically prohibited in most situations, the policy establishes separation requirements, including restrictions on relatives working within the same work unit, reporting to the same supervisor, or participating in employment decisions affecting one another.

The nepotism amendment also establishes additional safeguards for positions with broad organizational authority or influence. Relatives of the Mayor and Town Council, Town Manager and assistant/deputy managers, Town Attorney, Town Clerk, department directors, and Human Resources staff would be prohibited from employment with the Town. Employees and applicants would also be required to disclose relationships that may create a conflict so that Human Resources can evaluate the circumstances and determine whether corrective measures are necessary. Where a conflict arises, the policy prioritizes reassignment or restructuring where feasible and establishes a process for resolving circumstances in which an appropriate separation cannot otherwise be achieved. The Town Manager would retain authority to consider exceptions or unique circumstances requiring administrative judgment.

Collectively, the amendments are intended to modernize and clarify the Town's personnel policies, promote consistent administration, reduce ambiguity for employees and supervisors, and reinforce fair and impartial employment practices throughout the organization.

Attachments

- CN23-A1: Amendment to Article V, Section 10 – Town of Apex Nepotism and Employment of Relatives Policy
- CN23-A2: Amendment to Article VII, Section 18 – Family and Medical Leave (FMLA)

