

EXHIBIT A:

CURRENT POLICY: 6.10 Employment of Immediate Family

The following policy addresses employment of immediate family members at the City. For the purposes of this section, immediate family member is defined as spouse, domestic partner, parent, parent-in-law, step-parent, legal guardian, sibling, step-sibling, sibling-in-law, child, stepchild, child-in-law, legal ward, grandchild, or grandparent.

Employment of an immediate family member shall be subject to the following considerations in addition to the standard requirements of the position for which the applicant is being considered.

- a. The City shall not place one (1) member of an immediate family under the direct supervision or authority of another member of the same immediate family.
- b. The City may refuse to place two (2) members of an immediate family in the same department, division or facility if the work involves potential conflicts of interest greater for members of immediate family than for other persons.
- c. If two (2) regular employees become married while both are employed in the same department or division of the City, their positions shall be evaluated in terms of the stated policy. If there is found to be a conflict, either employee may be transferred to a different department in the City which would eliminate the conflict. The employee with the least seniority shall be subject to the transfer if neither party volunteers.

REVISED TO:

6.10 Anti-Nepotism

The following policy addresses the employment of relatives by the City. The City does not prohibit the hiring, employment, and supervision of relatives generally. However, the City reserves the right to evaluate such circumstances on a case-by-case basis to avoid actual, potential, or perceived conflicts of interest, favoritism, or adverse impacts on supervision, safety, security, employee morale, public trust, or the efficient operation of the City.

In keeping with this policy, applicants will not be hired, and employees will not be transferred into positions where they would be directly or indirectly supervised by a relative.

Employees shall promptly notify Human Resources if they become aware of a familial relationship or other circumstance that may implicate this policy. Supervisors and Department Heads who become aware of a relationship that may implicate this policy shall promptly notify Human Resources.

For purposes of this policy, “relative” means an employee’s spouse, domestic partner, parent, parent-in-law, stepparent, legal guardian, sibling, stepsibling, sibling-in-law, child, stepchild, child-in-law, legal ward, grandchild, grandparent, aunt, uncle, niece, nephew, first cousin, or any person related by blood, marriage, adoption, domestic partnership, or a comparable family relationship living in the same household as the employee.

Employment of a relative shall be subject to the following considerations in addition to the standard requirements of the position for which the applicant or employee is being considered:

- a. Applicants. An applicant who has a relative employed by the City shall not be denied the right to file an application for employment and compete in the examination process because of their familial relationship. However, an eligible candidate’s appointment may be denied if Human Resources determines that the appointment would violate this policy, including because it would create a direct or indirect supervisory relationship between relatives, create a potential conflict of interest, or have a potential adverse impact on supervision, safety, security, employee morale, public trust, or the efficient operation of the City.

A refusal of appointment under this policy shall not affect the candidate’s eligibility for other positions that may become available.

In no case may an employee participate directly or indirectly in the recruitment, examination, interview, selection, or appointment process for a position for which the employee’s relative has filed an employment application.

- b. Current Employees. Where two relatives are employed by the City at the time this policy is adopted, the relationship shall not be deemed a violation of this policy unless the employees’ continued employment creates an actual or potential conflict of interest or has an actual or potential adverse impact on supervision, safety, security, employee morale, public trust, or the efficient operation of the City.

If a familial relationship exists or is established after employment begins, including through marriage, domestic partnership, adoption, or other relationship covered by this policy, the employees shall promptly notify Human Resources. The employees may continue in their positions so long as the terms of this policy are not violated.

If circumstances require that a direct or indirect supervisory relationship exist temporarily, the involved supervising employee shall make reasonable efforts to defer personnel matters involving the relative to an uninvolved supervisor or manager.

If Human Resources determines, in consultation with the Department Head and the City Manager or designee, that the relationship creates a potential violation of this policy, the City may take appropriate action to address the conflict, including but not limited to modification of reporting relationships, reassignment of duties, change in supervisor, transfer to a comparable vacant position for which the employee is qualified, or separation from employment with the City. An employee may also elect to voluntarily

demote to a lower vacant position for which the employee is qualified, provided the demotion addresses the conflict.

If the conflict cannot be addressed through transfer, reassignment, voluntary demotion, or another reasonable remedial measure, the City Manager or designee shall determine the appropriate action in the best interests of the City, subject to applicable law, these Personnel Rules and Regulations, any applicable memoranda of understanding, and any required due process procedures.

- c. Review. Except as otherwise required by applicable law, these Personnel Rules and Regulations, or any applicable memorandum of understanding, the City's determination that a conflict exists and its selection of non-disciplinary remedial measures under this policy shall not be subject to a separate appeal or grievance procedure.