

Fraternization and Nepotism Policy

- I. **Purpose:** The City is committed to a work environment that is collegial, respectful, and productive. The purpose of this policy statement is to promote a positive work environment that is free from relationships that cause a real or perceived conflict of interest.

- II. **Scope:** This policy applies to all elected or appointed officials, officers, directors, employees, and contractors. This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

- III. **Policy:** Familial or Romantic relationships between individuals in inherently unequal positions, where one party has real or perceived authority over the other in their professional roles, are inappropriate and strongly discouraged in the workplace. If a Familial or Romantic relationship exists or develops, it must be disclosed.

- IV. **Definitions:**
 - a. ***Familial Relationship.*** A relationship resulting from family ancestry or marriage. This includes a spouse, domestic partner, fiancé, parent, children, sibling, uncle, aunt, first cousin, nephew, niece, spouse, grandchild, grandparent, in-laws, step-parent, step-children, foster parent, foster sibling, foster child.
 - b. ***Inappropriate Relationship.*** A personal or familial relationship between individuals in inherently unequal positions where one party has real or perceived authority, influence, or power over the other AND said relationship gives rise to an actual or perceived conflict of interest, causes unrest, lend themselves to the perception of favoritism, adversely affects morale, or otherwise disrupts the good working order of the City.
 - c. ***Real or Perceived Authority.*** A person with the ability to influence or have power over an individual's conditions of employment or has the ability to directly impact the other's career progression, which includes formal and informal supervisory relationships. Authority within professional relationships may result from actual supervision, or mentoring, reviewing, advising, evaluating, teaching, or personal relationships with a member of law enforcement and civilian employee, where a real or perceived power imbalance exists.
 - d. ***Romantic Relationship.*** A relationship characterized by a level of personal affection and familiarity not typically shared by coworkers and involving, but not limited to, dating, physical intimacy, sexual activity, or other similar behaviors.

V. Procedures:

- a. During working time and in working areas, employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity.
- b. During nonworking time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in nonwork areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.
- c. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on company premises, whether during working hours or not.
- d. Employees who allow personal relationships with co-workers to adversely affect the work environment will be subject to disciplinary action. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
- e. Employees' off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is Familial or Romantic Relationships where one party has **actual or perceived authority** over the other.
- f. Failure to cooperate with the City to resolve a conflict or problem caused by a Familial or Romantic Relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
- g. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
- h. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy.
- i. Any concerns about the administration of this policy should be addressed to the director of HR or City Manager.

VI. Disclosure Requirement: Disclosure of a Familial or Romantic Relationship creates a transparent environment that ensures the mission is met with mutual professional respect and accountability while also maintaining public trust and avoiding conflict of interest.

- a. If individuals of unequal authority are in this type of relationship, the party of greater power is prohibited from engaging in all official matters affecting or appearing to affect the other and both must immediately disclose it to their supervisor (or any superior in their chain of command).
- b. Disclosure reduces the risk to both parties, as measures can be taken immediately to mitigate real or perceived conflicts of interest and bias.

- c. A failure to disclose such a relationship may result in disciplinary action.

VII. Remediation: Upon such notification, the City Manager¹ or their designee must ensure that the City manages, decreases, or eliminates potential risk as a result of the relationship. Appropriate action may include, but is not limited to:

- a. Reassignment of one party to sever the supervisory relationship.
- b. Recusal of the supervisor or individual in the position of authority or perceived authority from all official matters affecting, or appearing to affect, the subordinate.
- c. Administrative inquiry into the matter to determine if any inappropriate action(s) occurred as a result of the relationship, which could result in administrative action, including disciplinary action. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.
- d. If one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation.

¹ A Familial or Romantic Relationship involving the City Manager shall be disclosed to the City Attorney