

Metro Board Approved Policy

Nepotism Relationships in the Workplace

Adopted: February 3, 1993

Historical Perspective

This policy was amended on November 1, 2016.

Both of the predecessor agencies, the Los Angeles County Transportation Commission and the Southern California Rapid Transit District had nepotism policies with considerable differences in application, definitions of “family members” and methods of resolution. After reviewing best practices at other agencies and discussions with executive staff, a new policy was developed by the agency in consultation with County Counsel.

The Nepotism Policy prohibits any employees who are family members from working in the same chain of command. Family members are defined as an employee’s parent, child, spouse, domestic partner, brother, sister, grandparent, and any step relationships within the preceding categories. The policy also prohibits the hiring of any related family members of the Board of Directors. Employees are required to disclose changes in their personal situations, which may be covered under the Nepotism Policy.

The policy is intended to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace. It also seeks to avoid the perception of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and conflicts of interest.

MTA Policy # HR 3-5 (Nepotism)

Effective Date 6/22/01

POLICY STATEMENT

All Los Angeles County Metropolitan Transportation Authority (MTA) employees who are family members are prohibited from working in the same chain of command to avoid family members supervising other family members. Family members of the MTA Board of Directors are precluded from being hired by the MTA.

PURPOSE

This policy is to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace and to avoid the potential for problems of favoritism, conflicts in loyalty, discrimination, and appearances of impropriety or conflict of interest.

APPLICATION

This policy applies to all MTA employees, Members of the Board of Directors and their staff.

1.0 PROCEDURES

When two family members are MTA employees and work in the same chain of command, one of the members must seek a position transfer out of the same reporting chain of command.

Managers and/or supervisors should contact the Human Resources Department for assistance in facilitating the resolution by transfer.

2.0 DEFINITION OF TERMS

Family Members - Include an employee's parent, child (natural, adopted, or legal guardianship), spouse, domestic partners, brother, sister, grandparent, grandchildren and step-relationships within the preceding categories.

Nepotism - Describes a work-related situation in which there is the potential for favoritism toward a relative (such as giving a job, promotion, biased performance reviews, or more favorable working conditions) on the basis of the familial relationship.

3.0 RESPONSIBILITIES

Director of Human Resources (or Designee) shall coordinate with the employee's direct supervisor to develop appropriate plans to ensure that two family members are not in the same chain of command. If the situation is not resolved, then the Executive Officer of Human Resources will effect the transfer of either employee to ensure no potential conflict under this policy.

Executive Officer (or Designee) in the chain of command of the two family members will agree on and implement the appropriate action in conjunction with Human Resources.



Human Resources shall investigate reports of nepotism and take appropriate action.

Employees are required to disclose changes in their personal situations which may be covered by this procedure.

Supervisors or Managers may inquire about the family relationship between employees to determine the appropriateness of the working relationship under this policy.

4.0 FLOWCHART

Not Applicable

5.0 REFERENCES

Not Applicable

6.0 ATTACHMENTS

Not Applicable

7.0 PROCEDURE HISTORY

02/03/93 Former LACTC and former SCRTD interim procedures Board-adopted.

10/24/95 Revised to streamline and reduce operating costs.

05/07/01 Revised to define and streamline process.



Metro

**HUMAN RESOURCES
Relationships in the Workplace**

(HR 24)

POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) prohibits employees from directly supervising, or otherwise participating in employment decisions related to family members. Family members of the LACMTA Board of Directors are precluded from being hired by LACMTA.

PURPOSE

This policy supports effective supervision, internal discipline, security, safety, and positive morale in the workplace; and avoids favoritism, discrimination, appearances of impropriety or other conflicts of interest.

APPLICATION

This policy applies to all LACMTA employees, LACMTA Board of Directors and Board staff members who work with LACMTA on a regular basis. The Human Resources Department, in consultation with the Employee & Labor Relations Department will deal with situations that result in a conflict between this policy and the collective bargaining agreement on a case-by-case basis.

Cassandra G. Langston
APPROVED: County Counsel or N/A

J. Peters
Department Head

J.A.W.
ADOPTED: CEO

Effective Date: 11/1/16

Date of Last Review: _____



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HUMAN RESOURCES Relationships in the Workplace

(HR 24)

1.0 GENERAL

1.1 Family Members

Qualified family members of LACMTA employees may be hired for a position within LACMTA, but may not work with one another in a supervisor/subordinate relationship. Family members may not influence other LACMTA employees who are responsible for making employment decisions regarding a relative.

2.0 PROCEDURES

2.1 Disclosure

Applicants must disclose all familial relationships with current LACMTA employees upon initial application when applying for initial employment with, or positional movement within LACMTA. Employees must inform their supervisor within thirty (30) days if a familial relationship develops after hire. Current employees must notify Human Resources if they are aware of a family member's application for employment. All disclosures will be kept confidential.

2.2 Ethics Notification

A Human Resources representative will notify the Ethics Department when an applicant discloses a familial relationship with another LACMTA employee.

2.3 Transfers

When two employees have a familial relationship that violates this policy, one of the two employees will be required to transfer to a position where no conflict exists. If a transfer conflicts with a collective bargaining agreement, Human Resources and Employee & Labor Relations will resolve the conflict on a case-by-case basis.

3.0 DEFINITION OF TERMS

Family Members – An employee's parent, child, spouse, domestic partner, sibling, aunt, uncle, first cousin, nephew, niece, brother-in-law, sister-in-law, son-in-law, mother-in-law, father-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, grandchild, of which these relations may be natural, adopted, step or resulting from a legal guardianship, as appropriate; or a person with whom the employee cohabitates.



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Nepotism – Preferential hiring, promotion or otherwise privileged treatment of a relative in the workplace.

Subordinate – An employee who is subject to another of a higher rank who has decision making responsibility over their job duties or other personnel decisions.

Supervisor – An employee in the same Cost Center as another employee over whom they have decision-making responsibilities involving job duties or other personnel decisions such as: setting schedules, disciplining, hiring, promoting, giving performance reviews, and similar.

4.0 RESPONSIBILITIES

Deputy Executive Officer, Human Resources (or Designee) coordinates with the employee's direct supervisor to develop appropriate plans to ensure that family members are not in a supervisor/subordinate relationship.

Civil Rights Department investigates claims of actions that violate federal/state anti-discrimination laws.

Employees are to notify their supervisor or the Deputy Executive Officer, Human Resources regarding changes in their personal situations that may be covered by this policy.

Ethics Department will provide Human Resources with guidance when notified of a familial relationship that may violate this policy.

Executive Officer (or Designee) in the chain of command of the family members implements the plan recommended to comply with this policy. If the Executive Officer is one of the family members, the next-level manager will implement the plan.

Human Resources Department will notify and work with the Ethics Department to investigate reports of familial relationships that are prohibited by this policy, and recommend appropriate action.

Supervisors or Managers monitor departmental familial and intimate relationships to ensure compliance with this policy.

5.0 FLOWCHART

Not Applicable



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6.0 REFERENCES

Not Applicable

7.0 ATTACHMENTS

Not Applicable

8.0 PROCEDURE HISTORY

- 02/03/93 Former LACTC and former SCRTD interim procedures Board-adopted.
- 10/24/95 Revised to streamline and reduce operating costs.
- 05/07/01 Revised to define and streamline process.
- 01/01/05 Revised to include definition of Domestic Partners.
- 04/09/12 Revised to ensure two employees in a familial relationship are not in a supervisor/subordinate relationship; redefines family members and nepotism; added "Procedures" section, revising procedures to deal with relationships in the work place by designating which departments and individuals will be involved and how; Replaces Nepotism (HR 3-5).
- 04/08/14 Biennial review: non-substantive changes.
- 08/25/16 Biennial review/audit response: HR will notify Ethics of familial relationships; current employees must notify HR if a family member applies for employment; added Ethics Department responsibilities; defined subordinate and supervisor; simplified definition of family members.