

Guidance Document

Nepotism

Revised June 2023

Definitions

Covered Relative – individuals related to each other within the third degree by consanguinity (blood) or the second degree by affinity (marriage). A listing of these relatives is provided in the [Degrees of Relationship Listing](#) in the Appendix of System Policy 07.05 *Nepotism*.

Employee – all personnel employed by Texas A&M University including faculty, staff, graduate assistants, and student workers who receive compensation in either a full- or part-time capacity.

Official Procedure

1. GENERAL

- 1.1. Applicants and employees shall disclose covered relatives that are employed by Texas A&M University entities including TAMU Health and Galveston. Employees shall promptly disclose any changes or updates to covered relatives.
- 1.2. An employee's consensual relationship with an individual who is not the employee's spouse is addressed by System Regulation 07.05.01, *Consensual Relationships*, rather than this guidance.
- 1.3. System Policy 07.05, *Nepotism* Section 2.2 (b) allows the President or his/her designee to authorize the hiring of an employee's covered relative including a determination that the supervision complies with the policy or for currently employed covered relatives that the supervision complies with the policy. The President has delegated these responsibilities to the Vice Presidents of each department or their designee(s). If the Vice President is related to the applicant or employee seeking approval, approval must be obtained from the President. If the President is related to the applicant or employee seeking approval, approval must be obtained from the Chancellor.

2. APPLICANT REVIEW PROCEDURES

- 2.1. An applicant shall disclose covered relative(s) on the application for employment. If the position is not posted through Talent Acquisition, such as a student worker position, the [Disclosure of Employment of Relatives form](#) should be submitted. HROE will endeavor to identify and appropriately address inherent conflicts of

interest that may exist with regards to disclosed covered relatives of the applicants in relevant candidate pool and the hiring manager/committee.

- 2.2 After an offer of employment has been accepted, the hiring manager will review the reporting structure and interactions of disclosed covered relatives, if applicable, to ensure compliance with System Policy 07.05, *Nepotism* Section 2.2. If a covered relative has responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other's employment, an alternative reporting structure is developed that complies with System Policy 07.05, *Nepotism* Section 2.2.1.
- 2.3 A disclosure of a covered relative(s) employed at the university by an applicant having accepted an offer of employment, whether or not an alternative reporting structure is developed, is routed for review through TA to the Vice President, President, or Chancellor, as specified in Section 1.3 for final approval and authorization. The Vice President, President, or Chancellor will provide a written decision within five business days to TA.

3. EMPLOYEE REVIEW PROCEDURES

- 3.1 An employee shall disclose covered relative(s) by submitting a [Disclosure of Employment of Relatives form](#).
- 3.2 When an employee discloses a covered relative(s) is employed at the university, the department will review the reporting structure and interactions of disclosed covered relatives to ensure compliance with System Policy 07.05, *Nepotism* Section 2.2. If either covered relative has responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other's employment, an alternative reporting structure is developed that complies with System Policy 07.05, *Nepotism* Section 2.2.1.
- 3.3 All disclosures of covered relatives employed at the university, whether or not an alternative reporting structure is developed, are routed for review through Faculty Affairs (FA) for faculty and ER for staff to the Vice President, President, or Chancellor, as specified in Section 1.3 for final approval and authorization. The Vice President, President, or Chancellor will provide a written decision within five business days to FA or ER, as applicable.

4. EMPLOYMENT ACTIONS REVIEW PROCEDURES

- 4.1 Employment actions, such as, internal promotions, transfers, demotions, restructuring, and reduction in force, are reviewed by FA for faculty. Staff internal promotions, transfers, demotions, and reclassifications are reviewed by Classification and Compensation. Staff restructuring and reduction in force are reviewed by ER.
- 4.2 If the requested employment action results in a covered relative having responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other's employment, the department develops an alternative reporting structure that complies with System Policy 07.05, *Nepotism* Section 2.2.1. Additional considerations include determining what impact the employment action would have on an alternative reporting structure currently in

place. This would not prohibit the employment action; however, the alternative reporting structure should be reviewed and, if applicable, updated.

- 4.3 If the requested employment action results in the creation or modification of an alternative reporting structure, a memorandum detailing the requested employment action, the covered relatives involved, and the alternative reporting structure is routed to the Vice President, President, or Chancellor, as specified in Section 1.3 for final approval and authorization. The Vice President, President, or Chancellor will provide a written decision within five business days to FA, Classification and Compensation, or ER , as applicable.

5. REPORTING POTENTIAL CONFLICTS OF INTEREST

- 5.1 An employee shall promptly report in writing to his or her supervisor any situation involving a covered relative or any other family member that could create the appearance of a conflict of interest for the employee in his or her official capacity.
- 5.2 Nepotism on Sponsored Projects is addressed separately as a financial conflict of interest under [University Rule 15.01.03.M1](#).

6. RECORDS

The [Disclosure of Employment of Relatives form](#), reports of potential conflicts of interest, and memorandums will be kept electronically as directed by the Vice President of Human Resources and Organizational Effectiveness and in both the employee's and the relative's official personnel files in accordance with Guidance Document, *Official Personnel File* and SAP 61.99.01.M0.01 *Records Management*.

Related Statutes, Policies, or Requirements

Tex. Gov't Code Ch. 573
[System Policy 07.05, Nepotism](#)
[System Regulation 07.05.01, Consensual Relationships](#)
[Guidance Document, Official Personnel File](#)
[University SAP 61.99.01.M0.01, Records Management](#)

Forms

[Disclosure of Employment of Relatives Form](#)

Contact Office

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