

Disclosure of Employment of Relatives Process (Nepotism) The Role of the HR Liaison



Division of Human Resources and Organizational Effectiveness

June 2020

Disclosing Relatives

- Applicants and employees are responsible for disclosing if a “covered relative” is employed by Texas A&M University.
 - Standard Administrative Procedure (SAP) 07.05.99.M0.01
Nepotism
 - System Policy 07.05 Nepotism
 - Disclosure of Employment of Relatives Process (Nepotism)

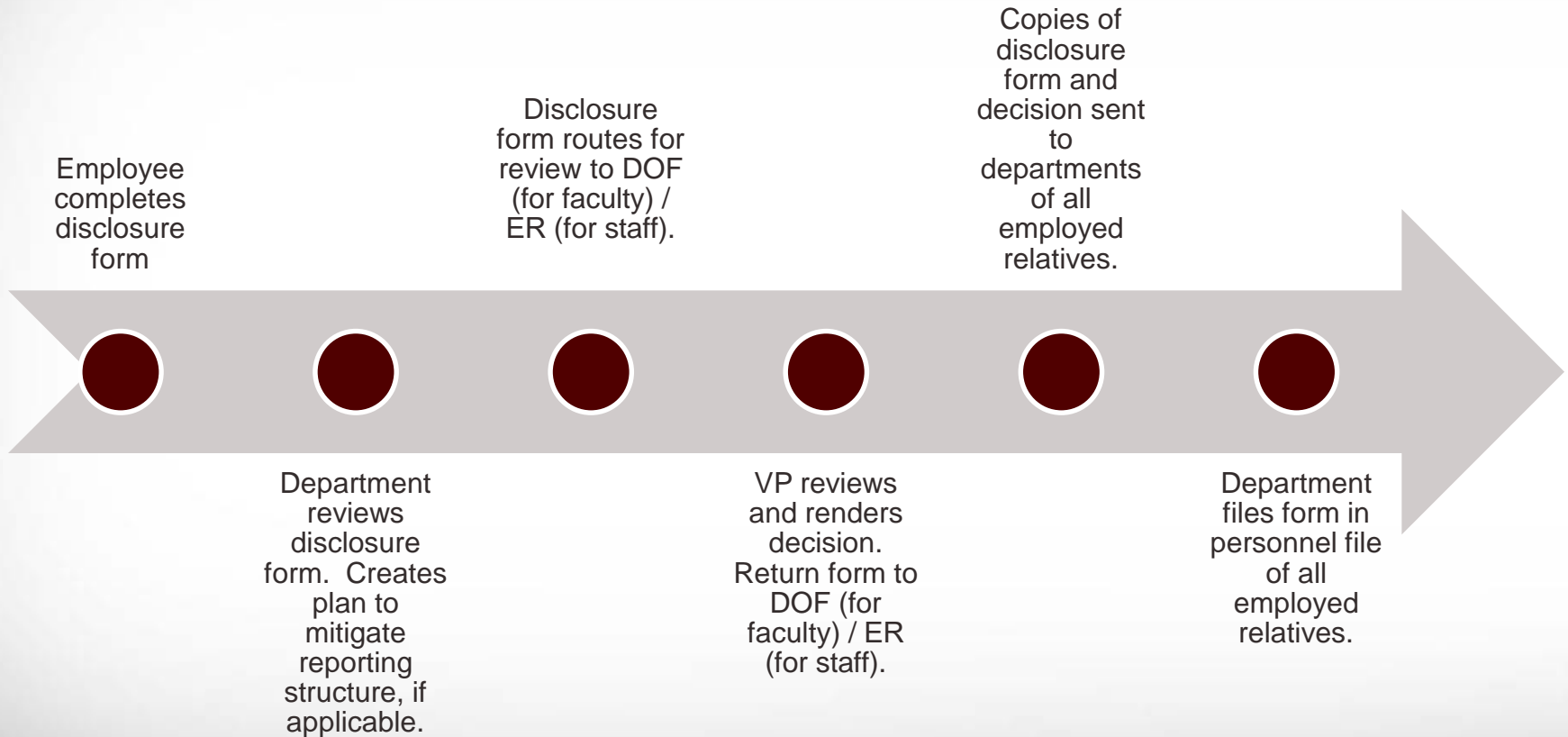


Reporting a Relative

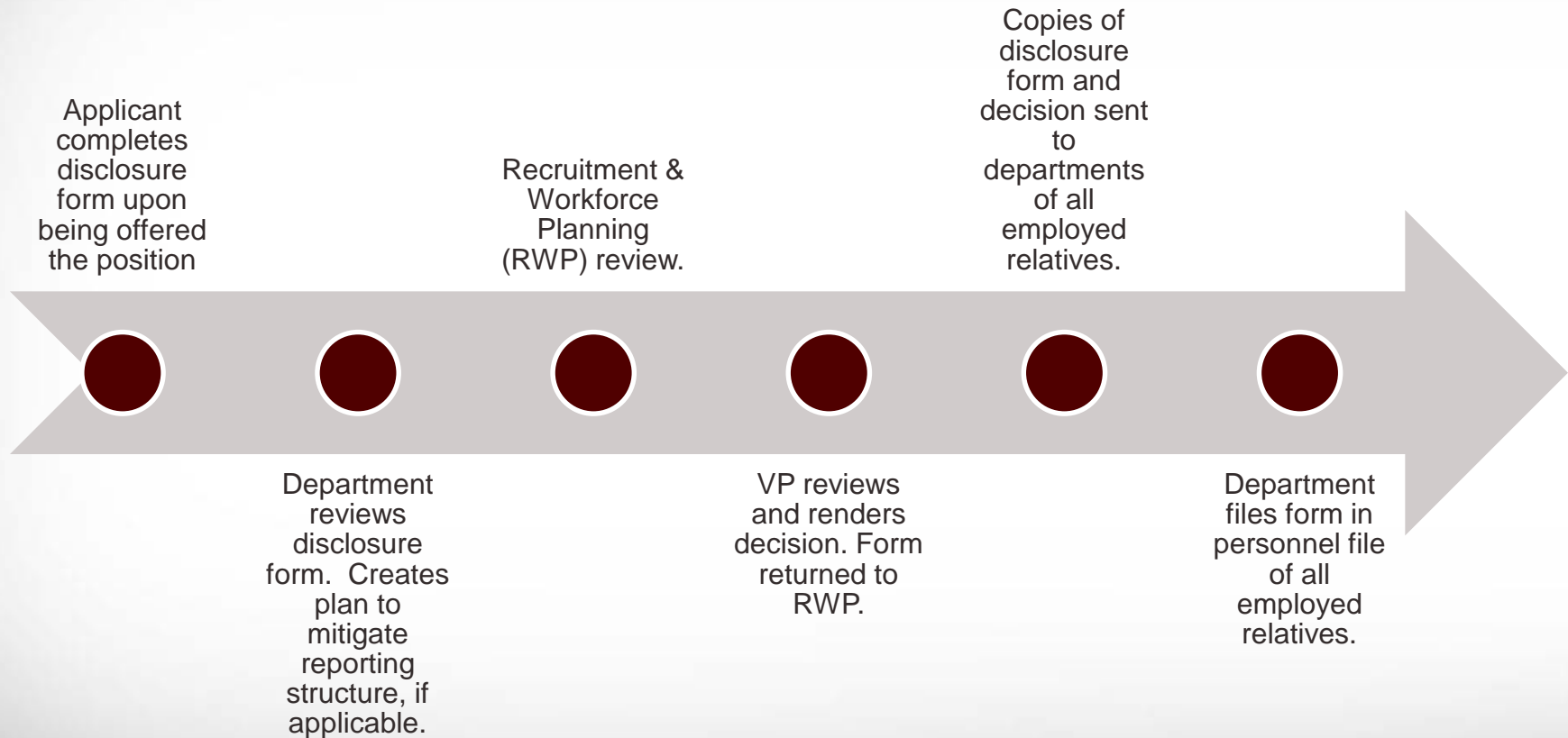
- Applicants must report the employment of a covered relative when:
 - They have been offered the position
 - A covered relative has been hired
 - They have a new relative to report (ex. marriage)
- Everyone should report all covered relatives at this time so that information is retained in the new Laserfiche system.



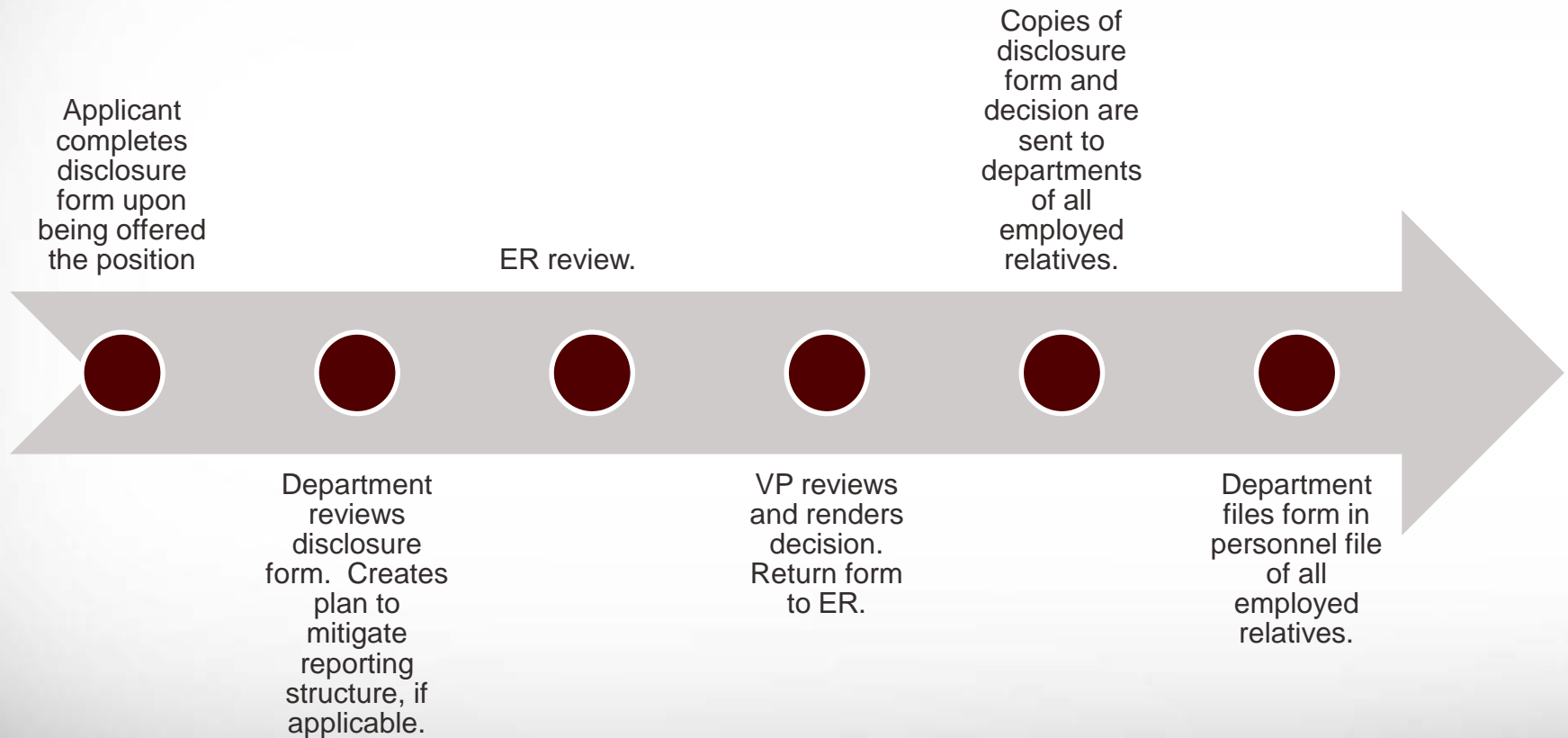
Routing of New Disclosures



Disclosure Process for Applicants Using Workday Recruitment Process



Student Worker Disclosures Or Others Hired Outside of Workday Recruitment Process



Reporting a Relative

Current employees (Faculty, Staff, Student Workers, Graduate Assistants, etc.) should be directed to the link to the disclosure form on the Employee Relations website and request form be completed if they have a covered relative.

If an employee does not have a covered relative employed at TAMU, the form should not be completed.



Process

- All individuals identified in Workday as having the HR Contact role will be sent an email when the form has been completed.
- Units should identify the main HR Contact (Liaison) who will be responsible for processing the disclosure forms.
- Assigned HR Contact (Liaison) should go into Laserfiche and click {Assign to Me}.



Reviewing the Form

1. Has all information about the disclosed relative been provided?

- If not, gather needed information: relative's name, UIN, position, department, supervisor, and relationship to employee.

2. Does the disclosed relative meet the definition of “covered relative”?

- If not, note in the comments that this is not a covered relative. Then, submit the form as normal and ER will close the process. No further action required.



Covered Relatives

Relatives by Consanguinity (Blood)

- Parent
- Child
- Sibling
- Grandparent
- Grandchild
- Great-grandparent
- Great-grandchild
- Aunt (sister of parent)
- Uncle (brother of parent)
- Nephew (son of sibling)
- Niece (daughter of sibling)

An adopted child is treated as the natural child of the adoptive parents.



Covered Relatives

Relatives by Affinity (Marriage)

- Spouse
- Spouse's child
- Spouse's parent
- Spouse's sibling
- Spouse's grandparent
- Spouse's grandchild
- Parent's spouse
- Child's spouse
- Sibling's spouse
- Grandparent's spouse
- Grandchild's spouse

The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage **UNLESS** a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives.



Consensual Relationships

- An employee's consensual relationship with an individual who is not the employee's spouse is not to be disclosed through the disclosure form.
- This addressed by system Regulation 07.05.01 *Consensual Relationships*, rather than 07.05 *Nepotism*.



Reviewing the Form

- Does one covered relative have direct or indirect authority over the other?
 - If yes, request supervisor / manager to develop plan to mitigate.
 - Record plan on the disclosure form.



What is prohibited?

- Covered relatives must not have direct or indirect supervision of the other or authority over any term or condition of the other's employment, including salary or wages, change in status, or discipline including dismissal.



Example: Supervisory Relationships

- A vice president's covered relative is employed by a department within the vice president's division.
 - A primary supervisory relationship that complies with the policy is for the relative's primary supervisor to be another vice president.
 - A secondary supervisory relationship that complies with this policy is for the relative's primary supervisor, the employee's department head, to report to another vice president, as a secondary supervisor, for all matters concerning the relative's employment.



Example: Supervisory Relationships

- A dean's covered relative is employed by a department within the dean's college.
 - A primary supervisory relationship that complies with the policy is for the relative's primary supervisor to be a dean in another college.
 - A secondary supervisory relationship that complies with this policy is for the relative's primary supervisor, the employee's department head, to report to a dean in a different college, as a secondary supervisor, for all matters concerning the relative's employment.



Example: Supervisory Relationships

- A department head's covered relative is employed by the same department.
 - A primary supervisory relationship that complies with the policy is for the relative's primary supervisor to be a department head from another department.
 - A secondary supervisory relationship that complies with this policy is for the relative's primary supervisor, the assistant department head, to report to another department head, as a secondary supervisor, for all matters concerning the relative's employment.



Reviewing the Form

- Verify the appropriate department head's information is correct in Laserfiche.
- Submit the form.
 - If the department head's information is not correct, the HR Contact (Liaison) should record the appropriate department head's UIN for routing and review of the form.



Process

- The form will route to the department head for review and signature.
- The form will be reviewed by Recruitment & Workforce Planning/ ER / DOF.
 - If additional work is needed, it will be returned to you.
 - If no further work is needed, it will be forwarded to your Vice President for review and signature.



Process

- If the employment and mitigation plan (if applicable) are approved, you will receive an email directing you to download the completed form.
- Place the completed form in the employee's personnel file.



Process

- The HR Contact (Liaison) team of the disclosed covered relative will also receive an email directing them to download the completed form and place it in the relative's personnel file.
 - This form does not authorize the employment of the disclosed relative. The relative needs to complete a disclosure form for approval of their employment.

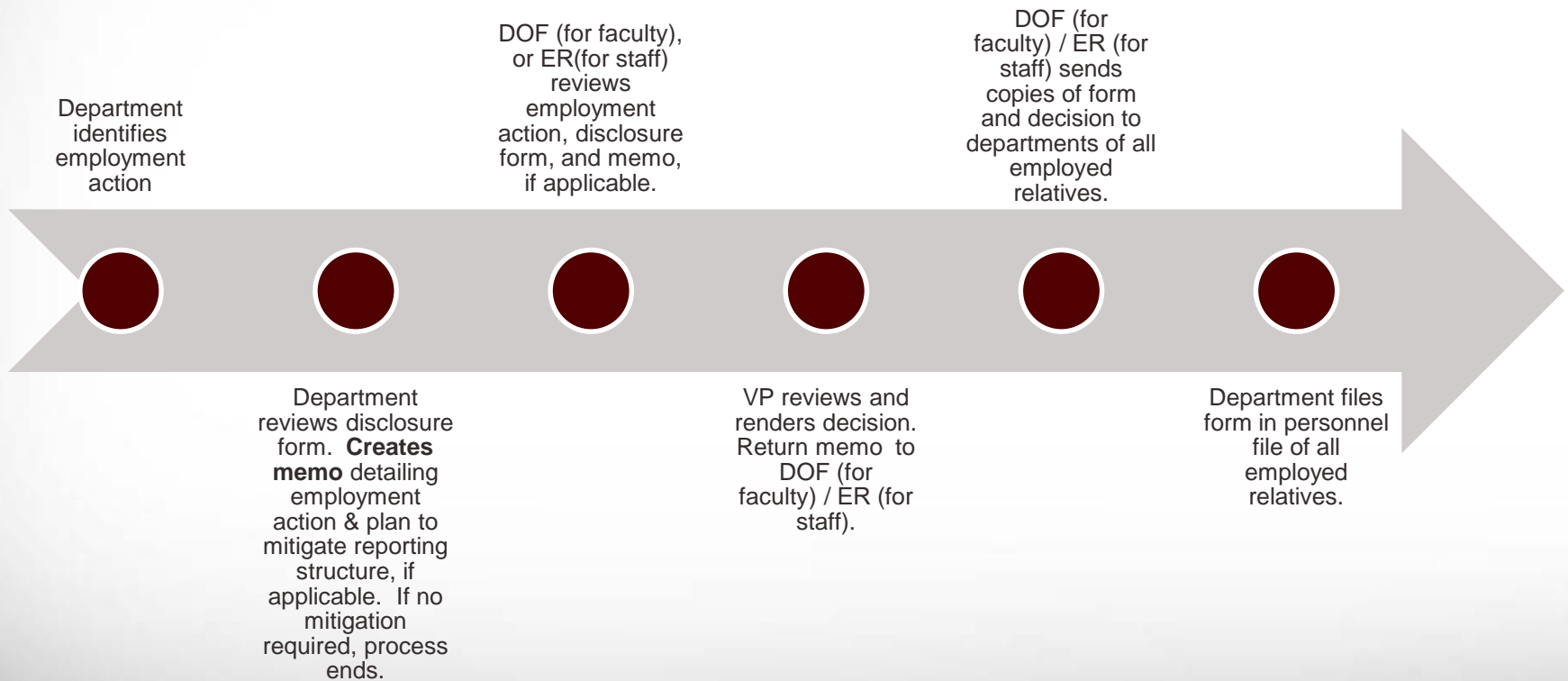


Employment Actions

- Employment actions for faculty, such as, internal promotions, transfers, demotions, restructuring, and reduction in force, are reviewed by DOF.
- Employment actions for staff including internal promotions, transfers, demotions, and reclassifications are reviewed by HROE Classification and Compensation (CC).
- Staff restructuring and reduction in force are reviewed by Employee Relations.



Employment Actions



Employment Actions

- When you receive a request for an employment action,
 - Does the action result 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?
 - If so, then notify supervisor / manager of need for mitigation plan.

Employment Actions

- When you receive a request for an employment action,
 - Is the employee part of an active mitigation plan for themselves or another employee?
 - If so, review the plan with the supervisor / manager to determine if there is an impact. If so, develop new plan.
 - Create a memo requesting authorization of the new plan.
 - *The memo should be reviewed by:*
 - » If faculty – DOF
 - » If staff
 - Class & Comp for internal promotions, transfers, demotions, and reclassifications
 - Employee Relations for restructuring, RIF, etc.



Employment Actions

- 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 or designee(s), President, or Chancellor, as specified in Section 1.3 for final approval and authorization.
- The Vice President or designee(s), President, or Chancellor will provide a written decision within five business days to DOF, Classification and Compensation, or ER, as applicable.



Final Thoughts:

- It is the employee's responsibility to report if a covered relative works for Texas A&M University.
- A covered relative must not have supervisory authority over the other.
- All disclosures of a covered relative must be approved by the employee's Vice President.



Employee Relations

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<https://employees.tamu.edu/employee-relations>



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