

VII 2.10 POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY

(Approved by the Board of Regents, February 28, 1992; AMENDED December 12, 2008)

- I. Purpose and Applicability. To establish a policy for employees of the University System of Maryland which permits members of the same family to be employed in the University System of Maryland while promoting fairness and preventing conflicts of interest.
- II. General. Members of the same family are eligible for employment in the University System of Maryland. However, a supervisor/subordinate relationship shall not exist between family members, nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion, except in accordance with the exception process described in Section V of this Policy.
- III. Definitions for purposes of this policy.

(A) "Family member" means spouse, children, parent of employee or spouse, brother, sister of employee or spouse, grandparents or grandchildren of employee or spouse, aunts and uncles of employee or spouse, nephews and nieces of employee or spouse, brothers in law and sisters in law of employee or spouse, sons-in-law and daughters-in-law of employee or spouse.

(B) "Supervisor/subordinate relationship" means a relationship in which one family member reports to another family member, or one family member otherwise participates directly in making personnel decisions regarding another family member.

IV. Family Members Recommended to Work for the Same Supervisor.

When members of the same family are recommended to work for the same supervisor, the arrangement shall be approved in advance by the institution chief executive officer or designee. No appointment of a family member may be made without such prior approval.

V. Development of a Supervisor/Subordinate Relationship after Employment.

(A) If a supervisor/subordinate relationship between family members develops during employment, family members must notify the institution director of Human Resources/Personnel immediately. The institution must take action to ensure that the supervisor subordinate relationship does not exist; such action may include transfer, reassignment or removal of one or more family members.

(B) If actions to avoid a supervisor/subordinate relationship between family members are not feasible, the next highest administrative supervisor of the employees may request an exception to the prohibition against such employment. The request shall be made in writing to the president of the institution, or, as appropriate, the chancellor or board of regents, and shall address:

- (1) The unique circumstances that prevent actions to avoid a supervisor/subordinate relationship among the family member employees;
- (2) The specialized qualifications of the family member employees or other factors that demonstrate why their continued employment is in the best interest of the institution despite the supervisor/subordinate relationship; and
- (3) Proposed measures to restrict participation of the supervising family member in any personnel actions affecting the subordinate family member, including specific alternative procedures for the ongoing supervision and evaluation of the family member.

(C) Family members may not be employed in a supervisor/subordinate relationship without the approval of such a request by the institution president or, as appropriate, the chancellor or board of regents.

VI. This policy does not apply to appointments and promotions made, or to family relationships which existed, prior to the original effective date of this policy, February 28, 1992.

Implementation Procedures:

Each Chief Executive Officer shall develop procedures as necessary and shall submit a copy to the Chancellor.

Replacement for:

BOR III -17.00, Policy on Employment of Members of the Same Family.

UM Personnel Policies and Rules for Classified Employees, Section II, Nepotism, page II -5.

BOR II-5.00, Policy on Faculty Employment of Members of the Same Family.