City Personnel Policy

HIRING OF AND EMPLOYMENT OF RELATIVES

POLICY: 203

Council approval: 03/08/2021

Pages: 2

POLICY:

It shall be the policy of the City of Council Bluffs that applicants who are relatives of current employees shall not be hired in any capacity or transferred, promoted, or voluntarily demoted to any position when such employment would place an employee in a position where direct supervisory control would be exercised over or received from a relative.

This policy is adopted for the purpose of maintaining a flexible and responsive work force by reducing the possibility of divided loyalties which could adversely affect the proper administration of the City's affairs; and to avoid the erosion of confidence resulting from favoritism and/or the appearance of favoritism in the hiring or treatment of employees.

APPLICABILITY:

All employees.

PROCEDURE:

1. **Relative.** The spouse of the applicant; persons related to the applicant to within the third degree and their spouses. Those in the following relationships to the applicant shall be deemed to be "relatives in the third degree" of the applicant for purposes of this policy:

   - Parents and stepparents, children and stepchildren
   - Siblings, step-siblings, and half-siblings
   - Grandparents and step-grandparents, grandchildren and step-grandchildren
   - Aunts and uncles, nieces and nephews, great-grandparents, great-grandchildren

   A spouse is a significant other in a marriage, civil union or common law marriage as defined by the State of Iowa;

2. **Direct Supervisory Control**. Positions shall be deemed to exercise "direct supervisory control" if the position has the primary responsibility for day to day supervision of the employee or if the position is in the direct chain of command with respect to recommending and approving disciplinary action.

3. It is recognized that there are currently employees who would find themselves in a position contrary to this policy (originally adopted 7/29/1992). For purposes of implementation and enforcement of this policy, as of the date of adoption of this policy, all such employees shall be allowed to remain in the City's employ without prejudice, but subject to such restrictions in assignment, transfer, promotion or demotion as is deemed necessary and proper by the appropriate Department Head or the Mayor.

4. This policy shall not apply when reductions in force result in employee transfers to other departments in order to preserve seniority rights pursuant to Chapter 400, Code of Iowa, or negotiated collective bargaining agreements.

5. As to applicants for civil service positions, the Human Resources Department shall cooperate with the Civil Service Commission in screening out at the earliest possible stage applicants whose hire would be prohibited by this policy. Depending upon the circumstances presented, the Civil Service Commission shall either refuse to accept applications from, refuse to test, or remove from any list an applicant who is ineligible for appointment by reason of this policy. In situations where violations of this policy can be eliminated by transfer or assignment of current employees, such employees or applicants will not be disqualified from eligibility lists. However, the Department Head may elect not to select an applicant or employee for a particular vacancy if such a transfer or assignment cannot be made.

6. As to applicants for non-civil service positions, the Human Resources Department will cooperate with individual Department Heads and the Mayor in screening out applicants whose hire would be prohibited by this policy.

7. Provisions 3 and 4 above notwithstanding, if the promotion of an internal candidate for a Department Head level position would be in conflict with this policy, the employee shall be allowed to participate in the selection process, if otherwise qualified for the position. This will allow the Mayor to determine if making an exception to this policy is in the best interest of the City. (See Personnel Policy Applicability, Policy 102-1, Exceptions.)

8. As to applicants for both civil service and non-civil service positions, the Mayor, as appointing authority, may refuse to appoint any applicant whose hire would be prohibited by this rule, regardless whether the fact of the existence of a prohibited relationship was known or should have been discovered in the screening of applicants.