**Utah Department of
Government Operations**

Nepotism
DGO Policy Internal 13

Effective Date:April 13, 2023
Revised Date:
Sunset/Next Review Due: April 13, 2025
Approved By: Marilee Richins, Deputy Director, Department of Government Operations
References/Authority: Utah Code Chapters 52-3, 67-16 ;Utah Administrative Code, Division of Human Resource Management (DHRM) Rule R477-2-8; Governor Herbert's Executive Order EO 002 2014: Establishing an Ethics Policy for Executive Branch Employees:

1 PURPOSE

The purpose of this policy is to provide guidance on Utah Code Chapter 52-3, State of Utah Prohibiting Employment of Relatives Act, and Utah Code Chapter 67-16, Utah Public Officers' and Employees' Ethics Act, and set forth the Department of Government Operation's (DGO) policy regarding the employment/hiring of relatives or household members.

2 GUIDING PRINCIPLES

DGO strives to achieve its mission and vision by fostering employee, customer, and public trust and confidence in the department, by maintaining appropriate relationships between coworkers, and by establishing highly professional, respectful standards and work ethics.

Trust and confidence increase when DGO supervisors and leadership avoid situations that may create the appearance of favoritism such as nepotism.

DGO is an equal opportunity employer that hires individuals based on their qualifications and ability to do the job that is to be filled. DGO does not employ individuals in positions where they would supervise or be supervised by a relative.

This policy applies to all DGO employees.

3 POLICY

3.1 Definitions

DGO means the Utah Department of Government Operations

Household Member means a person who resides in the same residence as the employee.

Relative means an employee's father, mother, husband, wife, son, daughter, foster child, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law, grandchildren, grandparents, spouse's grandparent, step-children, step-parent, step-grandparents, step-grandchildren, step-sisters, and step-brothers, household member, and any individual claimed as a dependent for tax purposes or whose financial or physical care is the employee's responsibility.

3.2 Employment of Relatives

A. This policy applies to all DGO positions for new hires, rehires, transfers, promotions, reassignments, and other employee movement.

B. DGO will consider an employee's relative for employment if the applicant applies for and possesses the qualifications required for a particular DGO position.

    a. A relative may not be hired, transferred, promoted, or reassigned within DGO if the employment or move would:

        i. Create a relationship with a relative anywhere in the reporting structure that would compromise or appear to compromise the chain of command, result in the appearance of partiality or favoritism, or otherwise create a real or potential conflict of interest or business disruption.

        ii. Result in the employment of an individual who is a relative of a member of the Executive Director's Office or a member of the hiring division's senior management team.

C. All candidates for DGO positions, including current DGO employees, are required to complete the [DGO Nepotism Disclosure Form](#) prior to interview, offer, or appointment.

D. Before offering or appointing a candidate for a DGO position, the hiring manager shall provide a copy of the preferred candidate's DGO Nepotism Disclosure Form to the DHRM representative assisting with the recruitment process:

    a. If appointing the applicant would not violate section 3.2.B.a. of this policy, the hiring manager may offer the position to the applicant.

b. If the information provided on the form indicates that appointing the applicant might create one of the situations prohibited by section 3.2.B.a. of this policy, the hiring manager may not offer the position to the applicant unless the DGO Executive Director approves an exception permitted by Subsection 52-3-1(2)(b) in writing.

E. Before transferring or reassigning a current DGO employee to another DGO position, DGO management shall confirm, in consultation with the DGO Human Resources Office, that the transfer or reassignment would not create a situation prohibited by section 3.2.B.a. of this policy.

F. All DGO employees who are or become aware that one of their relatives is also employed by DGO must complete a DGO Nepotism Disclosure Form and submit it to their supervisor and the DGO Human Resources Office.

G. DGO Nepotism Disclosure forms shall be maintained in the employee's personnel record.

H. When a change of circumstances, such as marriage or cohabitation, would lead to a violation of this policy, the DGO Executive Director or designee may take action to remove or mitigate conflicts.

I. Any DGO employee who fails to comply with this policy or withholds or provides false information regarding employment of relatives may be disciplined.

J. EXCEPTIONS

    a. The DGO Executive Director or designee may grant an exception to this policy if the exception is permitted by Subsection 52-3-1(2)(b) and the Executive Director or designee determines that granting an exception is:
        i. in DGO's best interests; and
        ii. steps can be taken that will avoid a negative impact on operations.
    b. To request an exception:
        i. A written request for an exception along with justification must be submitted to the Executive Director or designee.
            1. A complete written disclosure of the relationship must be included in the request and will be placed in the employee's personnel record if the exception is approved.

    c. After reviewing the request and consulting with the DGO Human Resources Office, the Executive Director or designee will issue a written decision approving or denying the request.
        i. A complete copy of the Executive Director or designee's decision will be placed in the employee's personnel record.

Utah Department of Government Operations

Amendment/Change Log

<Policy Name> Amendment/Change Log					
Date	Section/ Heading	Change/Edit	Additional Information (if needed)	Change Approved By	Change Approval Date