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Responsible University Office:
Human Resources

Responsible University Administrator:
Vice Chancellor or Business and Finance

Policy Contact:
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UNK Nepotism in Employment Policy

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Scope

This policy is applicable to all UNK staff and faculty.

Policy Statement

1. Except as authorized in section 2, below, an official or employee in the University of Nebraska at Kearney shall not engage in nepotism and no employee shall hire or supervise a family member.

For the purposes of this policy:

(a) Family member means an individual who is the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage, or adoption, of a University official or employee;

(b) Nepotism means the act of hiring, promoting, or advancing a family member in the University or recommending the hiring, promotion, or advancement of a family member in the University, including initial appointment and transfer to other positions in the University; and

(c) Supervisor means an individual having authority, in the interest of the University, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline employees, responsibility to direct them or to adjust their grievances, or effectively to recommend any such action, if the exercise of such authority is not merely of a routine or clerical nature but requires the use of independent judgment.

In addition to the other penalties provided by law, any University employee violating the provisions above may be subject to disciplinary action.

2. Under normal operating circumstances there will be no exceptions to this policy. Should the situation warrant, an exception request to this policy may be submitted to the Chancellor. If approved the exception will be submitted to the President of the University of Nebraska for filing with the State of Nebraska Accountability and Disclosure Commission.

3. In the event of an approved exception, UNK requires recusal (the relinquishment of the supervisory role) when supervisory or evaluative relationships exist between members of the UNK community and family members. This includes, but is not limited to, persons in the following professional relationships: academic administrators and faculty; faculty and students; tenured and non-tenured faculty; graduate assistants and students; supervisors and the employees they supervise; and student or employee and administrator, advisor, counselor, or other staff member who has supervisory responsibility for that student or employee. Recusal must occur regardless of the status of the individuals involved.

Reason for Policy

To provide guidance regarding the employment of family members within the University of Nebraska at Kearney.

Procedures

Under normal operating circumstances there will be no exceptions to the UNK Nepotism policy.

Should the situation warrant, an exception request to the policy may be submitted for consideration by the UNK Chancellor as follows:

1. As soon as a UNK employee becomes aware of a situation involving themselves that will violate the UNK nepotism policy, he/she must bring it to the attention of his/her direct supervisor and administrator.

2. The direct supervisor and department administrator will work with the Director of Human Resources, who will, in collaboration with the Chief Compliance Officer, decide on an acceptable course of action.

3. If it is decided that an overriding business necessity exists that may warrant exception to the Nepotism policy, the department must complete the *Nepotism in Employment Form* noting the specifics of the situation and how the department will ensure a professional environment is maintained and conflicts of interest do not arise. It is the responsibility of the employee or department seeking or recommending the hiring, promotion, or advancement of a family member to request the exception before the action takes place.

4. Approvals of department and unit leaders and the Human Resources Director are required prior to presentation to the Chancellor for review and approval/disapproval. The Chancellor shall act as soon as practicable.

5. Notification of approval/disapproval will be provided to the department by Director of Human Resources.

6. Departments shall not take any action until the Chancellor has rendered a final decision.

7. If approved by the Chancellor, the original signed exception request for academic positions will be submitted to and maintained by the Dean of the College making the request; and for staff positions approved exception requests will be submitted to and maintained by the Human Resources Director.

Definitions

Additional Contacts

<i>Subject</i>	<i>Contact</i>	<i>Phone</i>	<i>Email</i>
HR Director	Scott Benson	308-865-8431	Bensonsa1@unk.edu

Forms

Nepotism in Employment Form – contact HR for a copy of this form.

Related Information

University of Nebraska Board of Regents Bylaws section 3.2.2.
§49-14.101.01 of the Revised Statutes of Nebraska

History

Initial draft to formalize campus policy in alignment with RBL 3.2.2 and provisions of §49-14.101.01 of the Revised Statutes of Nebraska 8-20-2018

Minor revisions were made on 12/12/2022