

**VII - 2.10 – POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY
(NEPOTISM)**

(Approved by the Board of Regents, February 28, 1992; AMENDED December 12, 2008;
Amended October 9, 2015)

I. PURPOSE AND APPLICABILITY

To establish a policy for employees of the University System of Maryland (USM) which permits members of the same family to be employed in the USM while promoting fairness and preventing conflicts of interest. This policy applies to all USM Staff and Faculty.

II. DEFINITIONS

A. “Family member” means:

1. The employee’s spouse, children or step-children;
2. A parent of the employee or the employee’s spouse;
3. A brother or sister of the employee or the employee’s spouse;
4. Grandparents or grandchildren of employee or the employee’s spouse;
5. Aunts and uncles of the employee or the employee’s spouse;
6. Nephews and nieces of the employee or the employee’s spouse;
7. Sons-in-law and daughters-in-law of the employee or the employee’s 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.

III. GENERAL

Members of the same family are eligible for employment in the USM. 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.

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 must be approved in advance by the Institution’s President or designee. No appointment of a family member may be made without such prior approval.

V. DEVELOPMENT OF A SUPERVISOR/SUBORDINATE RELATIONSHIP AFTER EMPLOYMENT

USM Bylaws, Policies and Procedures of the Board of Regents

- A. If a supervisor/subordinate relationship between family members develops during employment, the family members must notify the institution's Chief Human Resources Officer (CHRO) immediately. The institution must take action to ensure that the supervisor/subordinate relationship ends ; 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, or, as appropriate, the Chancellor or the 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 requests by the President or, as appropriate, the Chancellor or Board of Regents.

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

IMPLEMENTATION PROCEDURES

Each President shall identify his/her designee(s) as appropriate for this policy, develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to his/her institutional community, and post it on its institutional website.