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| Employee Nepotism and Fraternization | Related Policies: |
| <i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i> | |
| Applicable Arkansas Statutes: | |
| CALEA Standard: | |
| Date Implemented: | Review Date: |

- I. **Purpose:** The purpose for this directive is to establish policy on personal relationships between Department employees which give rise to an actual or perceived potential conflict of interest with professional responsibilities and/or which create the potential for an adverse impact on Department operations, safety, efficiency, and morale.
 - A. As an organization that is heavily dependent upon its human resources, the Department has a vital interest in the maintenance of harmonious, efficient, and productive working relationships between its employees. Personal relationships that cause unrest, lend themselves to the perception of favoritism, adversely affect morale, or otherwise disrupt the good working order of the Department are undesirable.

- II. **Policy:** It is the policy of this department to ensure that its employees carry out their duties with impartiality and fairness so that public and organizational confidence in the actions of our employees is maintained. Additionally, this department is committed to the principle that the most qualified candidates will be selected for promotions, assignments, and specialized positions. While this department recognizes the rights of employees to become involved in personal relationships with their co-workers, public trust, workplace safety, departmental operations, and morale require that employees avoid the appearance of or actual conflict of interest between their professional responsibilities and any involvement in a romantic or sexual relationship with other employees. In order to promote efficient operation of the department and avoid misunderstandings, complaints of favoritism, sexual harassment, gender-based discrimination, and other problems of supervision, safety, department operations, and employee morale, all employees are instructed to avoid situations that give rise to an actual or perceived conflict. Employees who are related to or who are engaged in a romantic relationship with candidates for hiring selection, promotion or assignment to specialized positions, must ensure that all reasonable precautions are taken to avert any undue influence in the selection process or even the appearance of impropriety in the process.

III. Definitions

- A. **Family relationship:** A relationship resulting from family ancestry or marriage. For this policy this includes spouse, parent (including foster, step, and in-law); children (including adoptive, foster, or step); brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; or any other relative living in the same household as the employee or another individual related by blood, marriage, or quasi-marriage in the same household as a Departmental employee. Relative includes a significant other or domestic partner.
- B. **Personal relationship:** For purpose of this policy, personal relationship is a relationship involving employees who are dating, engaged in a romantic relationship or cohabitating.
- C. **Supervisor:** An employee who has authority, direct or indirect, over another employee by virtue of their rank or job classification.
- D. **Subordinate:** An employee who is answerable to another employee based on their rank or job classification.
- E. **Dating:** One or more social meetings between employees under circumstances reasonably intended to lead to a romantic relationship.

IV. Procedure

A. Hiring, promotion and assignment to specialized positions:

- i. Employees who are related to or involved in a romantic relationship with a candidate for hiring selection, promotion or assignment to specialized positions shall not be involved in the selection process. The department shall not depart from the procedures embodied in the department's personnel policies for any reason other than one specifically approved by the Chief of Police or their designee.
- ii. Should an employee related to or involved in a romantic relationship be required to participate in any of these selection processes due to an absence of available alternatives, the final selection decision is subject to approval of the Chief of Police of Police or their designee.
- iii. **Supervisory procedures:** An employee generally shall not directly supervise a relative or another employee where a personal relationship exists. It will be incumbent upon the subordinate to select assignments that will not put them under the supervision or management of a relative or someone with whom they have a personal relationship.
- iv. **Working conditions:** Relatives or employees who are engaged in a romantic relationship shall not be assigned to the same shift or unit without specific approval of the Chief of Police or their designee.
- v. **Duty to notify**
 - a. In the event that an employee becomes involved in a romantic relationship with another Department employee, he or she shall notify his or her supervisor in person as soon as possible. Employees who find themselves working in close proximity to a relative or another employee with whom they have a personal relationship shall notify their supervisor of the circumstances.

- b.** If a supervisor and a subordinate marry or cohabitate, the Chief of Police of Police or their designee will review the working relationship of the two employees and determine if it creates a potential conflict of interest or an adverse impact on supervision, safety, operations or morale. The Chief of Police or designee will make reasonable efforts to transfer, reassign, or otherwise resolve the situation so that one of the employees is placed in a position where the conflict potential no longer exists. Prior to any reassignment, the Department will receive input from the involved employees.
- c.** The Chief of Police or designee shall take appropriate steps to ensure that involved employees' working conditions are modified to eliminate potential conflicts of interest and adverse workplace performance problems.
- d.** The Chief of Police's designee shall prepare a written report regarding the situation and his/her resolutions. This report shall be transmitted to the Chief of Police.
- e.** Failure by an employee to report personal relationships to the supervisor compromises the integrity of the Department's chain of command, disrupts the work environment, causes decline in morale and can reduce productivity. Any failure to report relationships as required by this policy shall constitute misconduct and may subject an employee to disciplinary action.