
System Procedure 4.10.1 Nepotism

Part 1. Purpose and applicability

The purpose of this procedure is to implement Board Policy 4.10, Nepotism, and to provide a process that allows members of the same family or household to be employed by the Minnesota State Colleges and Universities and its institutions without placing them in a real or apparent conflict of interest under Minnesota Statutes section 43A.38, the Code of Ethics for Employees in the Executive Branch. Employees and applicants for employment shall not be denied employment opportunities because of their status as a family or household member of another employee.

This procedure applies to all employees of Minnesota State Colleges and Universities, including student employees and work study employees, except as provided in this procedure. Employees covered by the Agreement between the Minnesota State Employees Union, AFSCME and the State of Minnesota, are subject to the provisions of *MnSCU Supplement Part 1, All MnSCU, Part 13 Conflicts*, of the Agreement.

Part 2. Definitions

For purposes of this procedure, “family or household member” means the employee’s spouse, child or stepchild, ward of the employee or employee’s spouse, parent of the employee or employee’s spouse, brother or sister of the employee or employee’s spouse, grandparent or grandchild of the employee or employee’s spouse, nephew or niece of the employee or employee’s spouse, brother-in-law or sister-in-law of the employee or employee’s spouse, or other members of the employee’s household whether or not related by blood or marriage.

Part 3. General

Subpart A. Nepotism prohibited. Members of the same family or household are eligible for employment in the System. Except as provided in this procedure, a direct supervisory relationship shall not exist between family or household members, nor shall one member of a family or household assume the role of investigator, or decision-maker with respect to i) processing complaints or allegations against, or ii) making decisions on personnel matters, concerning the continued employment or promotion of, a family or household member. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Subpart B. Exceptions. In exceptional circumstances, a direct supervisory relationship may exist between employees who are family or household members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved or the lack of other available appropriate supervisory personnel. Any exception must be approved by the president or chancellor, and all employment decisions affecting the subordinate employee, such as selection, hiring, discipline, investigation, performance review, compensation, or furlough, must be

System Procedure 4.10.1 Nepotism

assigned to other supervisory personnel. Exceptions involving a president and president's family or household member must be approved by the chancellor.

Part 4. Change in relationship between employees

The supervisor or manager involved in a relationship covered by this procedure shall notify the chief human resources officer for the college, university, or Office of the Chancellor when a change occurs affecting application of this procedure. This includes employees in a supervisor and subordinate relationship who become family or household members, or the development of a supervisor and subordinate relationship between family or household members after employment. The college, university, or Office of the Chancellor shall make suitable arrangements for transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Part 3, Subpart B of this procedure. Transfers under this provision will be consistent with the provisions of applicable collective bargaining agreements or personnel plans.

Part 5. Documentation

Colleges, universities and the Office of the Chancellor shall document any exceptions granted under this procedure on forms provided by the Office of the Chancellor. All such documentation shall be kept in the Human Resources Office.

Part 6. Effective date

This procedure will become effective upon approval by the Chancellor except for relationships which are already in existence at the time of approval. Those existing relationships will be covered effective July 1, 2006.