

APPROVED BY THE JEFFERSON COUNTY COMMISSION

Date: 12/3/2020

Item# 6630 Resolution: 1280 Minute Book: 174, Page(s) 717

DocuSigned by:

Millie Diliberto

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AMENDMENT TO
ADMINISTRATIVE ORDER
OF THE
JEFFERSON COUNTY COMMISSION
08-3

PURSUANT to the authority vested in the Jefferson County Commission by law, the following Administrative Order is hereby issued:

PURPOSE

To establish a policy and procedure for the Jefferson County Commission to prevent nepotism in the workplace which is deemed to be detrimental to the good order and efficient operation of government and at the same time ensuring that qualified persons have an equal opportunity to obtain and serve in merit system and non-merit system positions alike by establishing anti-nepotism provisions that apply County-wide.

JEFFERSON COUNTY COMMISSION
ANTI-NEPOTISM POLICY

WHEREAS, employment selection, evaluation, promotion and compensation of County personnel should be based solely upon an individual's merit; and

WHEREAS, favoritism based on personal or family relationships between employees conflicts with the principle of employment based on merit; and

WHEREAS, Jefferson County is an Equal Employment Opportunity Employer and wishes to avoid such favoritism and can do so most effectively by establishment of general restrictions against the occurrences of personal or family relationships in the workplace; and

WHEREAS, a general policy concerning the employment of related persons, applicable to all personnel practices within Jefferson County is necessary and desirable.

NOW THEREFORE, the Jefferson County Commission herewith adopts the following Anti-Nepotism Policy concerning the concurrent employment of related persons:

A. Basic Principles

County employees and applicants are evaluated on the basis of individual merit, without consideration of race, color, age, disability, sex, religion, national origin, or any

other factors unrelated to qualifications and performance, the following restrictions are initiated to avoid the possibility of favoritism based on personal or family relationships and shall be adhered to by all County personnel.

1. Related persons shall not serve concurrently within the same department in any case where one related person holds a position having responsibility for the direct supervision of the other related person.
2. With regard to proposed employment decisions which would result in concurrent employment of related persons within the same department (or other comparable capacity), a person related to an incumbent employee may not be selected if qualifications of other prospective employees for the available position demonstrably exceeds those of the related person.
3. With respect to the concurrent employment of related persons within the same department (or other comparable capacity), neither related person shall be allowed to participate in the evaluation of the other related person.
4. With respect to department heads of the Jefferson County Commission, a person may not serve as a department head of any department if there exists within that department any person with any (Alabama) legally recognized degree of kinship to any department head.
5. No person may be considered for employment in any department within Jefferson County wherein such person is related in any (Alabama) legally recognized degree of kinship to the department head in which he or she is seeking employment.
6. With respect to deputy county managers, a person may not serve as a deputy county manager of any department if there exists within any department which he or she oversees any person where any (Alabama) legally recognized degree of kinship exists between the deputy county manager and any employee within the department which he or she oversees.

B. Definition of “Related Persons”

The following relationships are sufficiently immediate to implore restrictions against concurrent service of related persons:

1. Parent and child.
2. Brother and sister.
3. Grandparent and grandchild.
4. Aunt/uncle and niece/nephew.
5. First cousin.
6. Stepparent and stepchild.

7. Stepbrother and stepsister.
8. Husband and wife.
9. Parent-in-law and children-in-law.
10. Brother-in-law and sister-in-law.
11. Guardian and ward.
12. Any of the above relationships created by adoption.
13. Persons involved in amatory relationships, meaning relationships without the benefit of marriage; two persons engaged in a sexual union or romantic courtship.

C. Newly Formed Relationships

In the event a relationship is created by employees during their employment that violates this policy, one of the persons affected must accept a comparable reassignment, if one is available, or be terminated. In the event an employee creates a relationship that violates this policy and affects the employment of an employee who is not a part of the relationship, it is incumbent upon the employee who created the violation to seek an available reassignment or be terminated.

D. Policy Intent

This policy is not intended to preclude relatives from obtaining employment at the Jefferson County Commission, but rather to **avoid** favoritism by influencing actions such as, but not limited to, hiring, supervision, promotion and/or evaluation of prospective and existing relatives employed by the County.

Examples of various prohibited actions set forth herein are not all actions that could result in a violation of this policy and are simply itemized for clarity and should not be construed as an all inclusive list. Any questions or comments regarding the policy should be addressed to:

Equity & Inclusion Division
Human Resources Department
Suite A600
716 Richard Arrington Jr. Blvd. North
Birmingham, Alabama 35203

E. Effective Date

The provisions of this policy shall be applicable prospectively only, to appointments made after the adoption of this policy.

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