



## POLICY

**Title:** Nepotism

### Policy Statement

The University of Vermont is committed to appointing and promoting all university faculty, staff and student employees based on job-related qualifications.

### Reason for the Policy

The purpose of this policy is to avoid favoritism, the appearance of or potential for favoritism, and conflicts of interest and loyalty often associated with nepotism. Nepotism is inconsistent with the University's longstanding policy of making employment decisions and other business decisions based solely on University needs and individual qualifications, skills, ability and performance.

### Applicability of the Policy

This policy covers University employees and volunteers. This policy applies to instances of nepotism that existed before the enactment of this policy. Any existing relationships or situations must be disclosed immediately, evaluated, and managed as provided in this policy.

### Definitions

**Business Decisions:** Decisions related to the full spectrum of University commercial activities and business related (e.g., buying, hiring, selling, contracting, licensing, leasing) or otherwise involving the expenditure of University funds or the use of University resources.

**Employment Decisions:** The full spectrum of employment or volunteer related actions, including but not limited to decisions related to hiring, supervision, direction of work, assignment of work, assignment of resources, promotion, reclassification, compensation, work/volunteer hours, performance evaluation, approval of leave requests, approval of expense requests, discipline or termination of employment, and all other terms and conditions of employment or volunteer related actions.

**Family Member:** The University employee's: (i) spouse, domestic partner, or romantic partner; (ii) child, parent, grandparent, sibling, grandchild, aunt or uncle, niece or nephew, whether by blood, adoption, marriage or domestic partnership, or (iii) household member or the household member's spouse or domestic partner, or romantic partner.

**Nepotism:** Favoritism applied, without regard to merit, through authority or influence by someone in a position of power, toward family members or others for whom the

employee is legally responsible. Favoritism is shown by giving preferential treatment in any employment action by family members as defined in this policy.

## Procedures

No University employee or any volunteer may make, participate in, or attempt to influence employment decisions or business decisions involving a family member or pressure or cause others to do so. Therefore, there can be no direct reporting or supervisory relationship between family members, and all employment decisions involving a family member must be made by someone else. In the event of unforeseen circumstances where a University employee/volunteer would, in the normal course of decision-making, be in a position to make or participate in an employment decision for a family member, they must recuse themselves from that decision.

### **Management Plan**

If an individual is to be assigned to a position that is under the supervision or control of a family member who has or may have a direct effect on the individual's progress or performance, a management plan must be devised and approved by the head of the organizational unit and Human Resource Services. The management plan must reassign the reporting relationship so that no individual is under the supervision or control of a family member. A management plan decision form can be found here (forthcoming).

A management plan is also required when an individual already assigned to a position becomes a family member of a supervisor, subordinate, or someone who works for the same immediate supervisor.

The purpose of the management plan is to outline supervision and evaluation procedures that will mitigate possible conflicts of interest. The management plan must address reporting relationships, supervision, and evaluation that will ensure that there will be no decision making based upon relationships between family members regarding employment decisions or regarding any approvals required for the expenditure of University funds or the use of University resources. The plan should address the management of the approval and review process to preclude any potential appearance of nepotism, conflict of interest, or conflict of commitment.

The fundamental goal of the management plan is to mitigate actual and perceived favoritism and conflicts of interest and loyalty by establishing appropriate processes for employment decisions or volunteer related actions. Depending on the employment classification (e.g., staff or faculty) of the individual with whom the employee or volunteer has a relationship, a management plan should be devised by, as appropriate, the unit's academic affairs administrator, business manager, or human resources representative, and must be approved by the head of the organizational unit and Human Resource Services. If the relationship involves the head of an organizational unit, the management plan must be reviewed and approved by the organizational leader to whom that unit leader reports.

At a minimum, management plans must: (i) address reporting relationships, supervision, and evaluation in a way that will assure that there will be no participation in employment decisions or volunteer related actions as prohibited by this policy and (ii) establish a review and approval process for expenditures to sufficiently mitigate or preclude favoritism or the appearance of favoritism. To ensure continuity and appropriateness, periodic review and, as needed, revision of the approved management plan should occur at least annually and also whenever there is a change in reporting relationships.

This policy does not prohibit (but does not encourage) the University from simultaneously employing family members or engaging in commercial activities with the family members of employees. For example, family members are permitted to work in the same University department or unit so long as the family members comply with the requirements outlined above (e.g., there is no direct reporting or supervisory relationship between the family members and all employment decisions are made by others).

This policy does not prohibit collaboration between Family Members on the same grant for research purposes. In this situation, a management plan may be needed to detail the roles of each Family Member on the grant and address the process for decision-making on grant related budget allocations.

### **Audit Team**

A member of any audit team must recuse themselves from an audit involving a family member.

### **Procedures**

#### **Employee Self-Disclosure**

Employees and volunteers must self-report in writing to the head of their organizational unit before they make, participate in, or attempt to influence (or cause others to make, participate in, or attempt to influence) decisions covered by this policy. If the relationship involves the leader of an organizational unit, the report must be made in writing to the next most senior leader to whom the employee reports.

This policy is in addition to the University's [Conflict of Interest and Conflict of Commitment Policy](#). If a University employee's family member is also employed by the University, volunteers at the University, or engages in commercial or business activities with the University, and the employee is required by policy to fill out an annual conflict of interest disclosure form, the relationship should be disclosed in the form. If the employee is not otherwise required to fill out an annual conflict of interest disclosure form, the relationship should be disclosed to the employee's manager, supervisor, Chair or Dean as outlined in UVM's [Conflict of Interest and Conflict of Commitment Policy](#).

Applicants for any position at UVM must disclose currently employed family members in their job application. Legitimate issues may arise and thus must be disclosed and managed under this policy with regard to: (i) persons who may have attributes of family members but who do not fit the definition of family member provided above; or (ii) situations where the employee or volunteer is directly or indirectly involved in the University's non-employment engagement or potential engagement (e.g., as a contractor) of a family member.

#### **Complaints**

Concerns and complaints may also be reported to the University's [Ethics and Compliance Reporting and Help Line](#) ("the HelpLine") a centralized and confidential web/phone reporting system for students, faculty, and staff. The reporting system is available 24/7 for people to file reports either online or by telephone. Anyone wishing to file a report is encouraged to do so via the [HelpLine website](#) or by phone at 1-877-310-0413.

Violations of this policy may result in discipline up to and including termination of employment.

## Contacts

<b>Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):</b>	
<b>Title(s)/Department(s):</b>	<b>Contact Information:</b>
LER Professional	<a href="#">List of Representatives</a>

## Forms/Flowcharts/Diagrams

None

## Related Documents/Policies

- [Conflict of Interest and Conflict of Commitment Policy](#)

## Regulatory References/Citations

None

## Training/Education

Training will be provided on an as-needed basis as determined by the Approval Authority or the Responsible Official.

## About this Policy

<b>Responsible Official:</b>	Vice President for Finance and Administration	<b>Approval Authority:</b>	President
<b>Policy Number:</b>	V. 4.33.1	<b>Effective Date:</b>	February 5, 2021
<b>Revision History:</b>	None		