

SECTION: 4. PERSONNEL

SUBJECT: Employment of Relatives

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**Background:** To establish policy regarding the hiring, supervision and instruction of individuals and/or contractors whose familial relationship with an existing employee may create conflicts of interest.

**Point of Contact:** Human Resource Services (HRS)

**Other LCSC offices directly involved with implementation of this policy, or significantly affected by the policy:** Academic Affairs, Student Affairs, Administrative Services

**Date of approval by LCSC authority:** August 14, 2017

**Date of State Board Approval:** N/A

**Date of Most Recent Review:** 08/2017

**Summary of Major Changes incorporated in this revision to the policy:** Updated definition of immediate family member; Added statement that family members may not work in same reporting line; Presidential approval must be obtained if hiring a family member.

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1. EMPLOYMENT OF RELATIVES

- A. Lewis-Clark State College seeks to employ and retain the best qualified individuals for faculty, administration and staff positions. The College does not discriminate against employees or applicants on the basis of their marital status; to whom they are married; to whom they are related. (For the purpose of this policy, a person related by family or marriage means: a person with whom an employee has a current or former familial relationship, including a parent, step-parent, child, step-child, son-in-law or daughter-in-law, brother, sister, spouse, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, brother-in-law or sister-in-law, in a guardianship capacity, or persons living in the same household or same relationships by marriage.)

2. POLICY STATEMENT

- A. It is the College's objective to hire and recruit the most qualified individuals to be members of the campus community. However, the protection of the individual as well as the College requires certain safeguards against conflicts of interest, whether real or perceived. This policy intends to reinforce the College's commitment to practices which create and maintain an academic environment free of conflicts, constructive working relationships and practices that are fairly applied to all.
- B. For purposes of this policy, the term "employment" does not include volunteer activities in which an employee's family members may choose to participate on campus (i.e. NAIA World Series; Art Under the Elms; etc.)

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- C. Per the Rules of the Division of Human Resources 15.04.01.025, <https://adminrules.idaho.gov/rules/current/15/0401.pdf> no employee shall work under the immediate supervision of his or her spouse or an immediate family member.

3. EMPLOYMENT OF PERSONS RELATED BY FAMILY OR MARRIAGE

- A. No employee may appoint, employ, vote for, or unduly influence the appointment or employment of any person(s) related by family or marriage (as defined by the policy) to any position, employment, or duty at the College.
- B. No employees should initiate or participate in institutional decisions (such as appointment, retention, evaluation, promotion, salary, or leave of absence) having a direct effect on their spouse or immediate family member.
- C. The College permits the employment of qualified persons related by family or marriage to a current employee so long as all of the following criteria are met:
- (1) The current employee and the person related by family or marriage are not employed within the same reporting line.
  - (2) The current employee has not in any way been involved in the hiring of the qualified person related by family or marriage.
  - (3) Based upon an independent review by HRS, and in the College's sole opinion, the person related by family or marriage is deemed qualified for the position.
  - (4) Such employment does not create any actual conflict of interest; and
  - (5) The current employee is not in a position to affect the assignment of duties, work responsibilities, salary, hours, performance evaluations, career progress, benefits, or other terms and conditions of employment of the person related by family or marriage.
- D. The College recognizes, however, that there may be special circumstances or unique cases where the indirect supervision of one family member by another within the same department may be warranted. The following information should be submitted in writing to the appropriate Vice President or President for Direct Reporting Units prior to the appointment of the employee:
- (1) Justification for hiring a relative.
  - (2) Qualifications of the individual.
  - (3) Steps taken to identify unrelated applicants for the position.
  - (4) Procedures established to avoid nepotism (approving timecards, evaluations, promotions, etc.).

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**Such appointments may be made only with specific approval from the President.**

- E. Family members shall not be placed in situations which would violate the intent of this policy.
- F. Employees who marry while employed, or become part of the same household are treated in accordance with these guidelines. That is, if in the sole opinion of the College, a conflict arises as a result of the relationship, the College may take immediate action to address the conflict in accordance with this policy and the Consensual Relations Policy as applicable.
- G. In the event that the familial or marital relationship ends, the College will address the conflict in accordance with the Consensual Relationship Policy.