

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES Administrative Order 13-01 TO: ALL DGS EMPLOYEES SUBJECT: Department of General Services Nepotism Policy	DATE ISSUED: February 22, 2013
	EXPIRES: Until Rescinded
	REFER ENCES: Personnel Operations Manual (DGS)
	SUPERSEDES: AO 04-12; AO 99-02; AO 96-05

PURPOSE This Administrative Order amends AO 04-12 regarding the department's nepotism policy.

POLICY The Department of General Services (DGS) is committed to fair and impartial employee selection, supervision, evaluation and advancement. It is the policy of DGS that employees will not use their authority or the influence of their position to secure the authorization of employment or benefit (including a promotion or preferential treatment) for a person closely related by blood, marriage, or other significant relationship as defined below. This policy is intended to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace. It also seeks to avoid the perception of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and conflicts of interest.

Except as provided for in "Exceptions" below, persons closely related by blood, marriage or other significant relationship may not:

1. Work in the same chain of command where one is in a position that directly or indirectly supervises the other.
 2. Be a part of any hiring, promotional or other beneficial or adverse decision regarding each other.
 3. Work on any personnel transactions involving each other.
 4. Audit or critique each other's work.
 5. Be assigned responsibilities or decision-making roles that would place them in a reasonably foreseeable actual or perceived conflict of interest.
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**RELATION-
SHIPS
COVERED**

1. "Closely related by blood or marriage" means, but is not necessarily limited to, a spouse (including registered domestic partners recognized by state law), children (whether dependent or independent), parents, grandparents, grandchildren, siblings, aunts, uncles, nieces, nephews, first cousins, in-laws, step-children, step-parents, step-grandparents, step-siblings, step-aunts, step-uncles; it also includes other persons related by blood or marriage who reside in the same household.
2. "Significant relationship" means:
 - a. Persons living together as a spousal or family unit when not legally married or registered domestic partners.
 - b. Persons living together in a romantic relationship, but not necessarily as a spousal or family unit, when not legally married or registered domestic partners.
 - c. Persons not living together but in a romantic relationship.

**IMPLEMEN-
TATION**

Should a situation arise in which persons closely related by blood, marriage, or other significant relationship are in positions prohibited under "Policy" above, every effort will be made to reassign one or both persons to another position(s) within DGS that will not result in a prohibition specified under "Policy." However, any such reassignment will occur in accordance with all applicable state employment laws and collective bargaining agreements.

EXCEPTIONS

When persons closely related by blood, marriage, or other significant relationship are in situations prohibited under "Policy," the requirement under "Implementation" to reassign one or both of those persons (within the permissible boundaries of employment law and collective bargaining agreements) will not be mandatorily invoked, as long as the situation arose from one of the causes listed below. Nevertheless, DGS may work with the persons to seek voluntary reassignments or other actions that would mitigate any actual or perceived conflict of interest. Exemptions from the requirement "Implementation" include:

1. A person closely related by blood, marriage or significant relationship obtains employment with DGS as the result of bumping, displacement, recall, or some other non-discretionary personnel action.

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**EXCEPTIONS
(Cont.)**

2. A person closely related by blood, marriage or significant relationship is employed by DGS prior to the appointment by the Governor of a person closely related by blood, marriage or significant relationship to a position within DGS.
3. A person working on personnel transactions that include those of a person closely related by blood, marriage or significant relationship is handling only matters that affect the related person in the same manner as other employees of DGS in the same job classification or position.

**QUESTIONS/
CONTACTS**

Should you have any questions concerning the department's nepotism policy, please contact the Constructive Intervention Unit in the Office of Human Resources.

SIGNATURE

(Original with signature on file)

Fred Klass
Director