

NEPOTISM AND RELATED CONFLICTS OF INTEREST

~~The University recognizes that potential conflicts of interest may exist when members of the same immediate family are employed by the University, particularly in the same department, unit or division.~~

I. Purpose

The purpose of this policy is to implement state law and establish University guidelines regarding nepotism and the avoidance of actual or apparent conflicts of interests arising from the employment and supervision of family members and others with close personal relationships.

II. Nepotism

Consistent with Ark. Code Ann. § 25-16-1002, no employees who are related shall be placed within the same direct line of supervision whereby one (1) relative is a supervisory employee and responsible for supervising the job performance or work activities of another relative.

A. Supervision shall include:

(i.) Authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline; or

(ii.) The responsibility to direct, to adjust grievances, or to effectively recommend an action if the exercise of authority is not of a merely routine or clerical nature but requires the use of independent judgment.

B. Relative shall be defined as a husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece.

III. Conflicts of Interest

Further, to avoid actual or apparent conflicts of interest which may result from such employment, immediate family members ~~should~~shall not supervise or participate in decisions to hire, retain, promote, evaluate, or determine the salary of the other.

A. For purposes of this policy, an immediate family member shall mean ~~an employees spouse~~ those listed in I.B, as well as an employee's domestic partner, a person with whom an employee is in a romantic relationship, children of an

~~employee's or his or her spouse domestic partner, and brothers, sisters, uncles, aunts, nieces, nephews, or parents, whether by blood or marriage, of the employee or his or her relatives of an employee's spouse or domestic partner. To the extent permissible under State law, any exceptions shall be approved by the CEO of the campus, division, or unit; in a case involving the CEO, any exception shall be approved by the President.~~

~~It is the responsibility of the President, each Chancellor, the Vice President for Agriculture, the Director of the Criminal Justice Institute, and the Director of the Arkansas Archeological Survey to assure that one immediate family member shall not have direction or supervision of the other and shall not participate in decisions to hire, retain, promote or determine the salary of the other. Exceptions to this policy may be made in writing with justification by the President, each Chancellor, the Vice President for Agriculture, the Director of the Criminal Justice Institute or the Director of the Arkansas Archeological Survey. Exceptions involving immediate family members of a Chancellor, the Vice President for Agriculture, the Director of the Criminal Justice Institute or the Director of the Arkansas Archeological Survey shall be made by the President.~~

- ~~B. Former spouses or domestic partners with continuing contractual or financial obligations to each other shall abide by the same restrictions as those currently in such a relationship.~~
- ~~C. Campuses, divisions, and units shall address situations covered under this policy through their respective conflict of interest policies.~~

~~This policy is supplementary to any provisions of applicable law.~~

Revised
June 9, 2000 (Revised)
November 20, 1971