

VII – 2.10 UMCES POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY (NEPOTISM)

Approved by the President September 7, 2023

I. PURPOSE AND SCOPE

This Policy is established as the formal implementation of University System of Maryland (USM) Policy VII – 2.10 Policy on Employment of Members of the Same Family (Nepotism). This policy and accompanying procedures apply to all UMCES faculty and staff.

II. DEFINITIONS

A. “Family member” means:

1. The employee’s spouse or domestic partner;
2. Children or step-children of the employee, spouse, or domestic partner;
3. Parent or parent-in-law of the employee, spouse, or domestic partner;
4. Sibling or sibling-in-law of the employee, spouse, or domestic partner;
5. Grandparents or grandchildren of employee or the employee’s spouse;
6. Aunts and uncles of the employee, spouse, or domestic partner;
7. Nephews and nieces of the employee, spouse, or domestic partner;
8. The spouses of the children or step-children of the employee, spouse, or domestic partner; or
9. Members of the same household.

B. “Domestic Partner” means a relationship between two individuals who:

1. Are at least eighteen (18) years old;
2. Are not related to each other by blood or marriage within four degrees of consanguinity under civil law rule;
3. Are not married or in a civil union or domestic partnership with another individual; and
4. Agree to be in a relationship of mutual interdependence in which each individual contributes to the maintenance and support of the other individual and the relationship, even if both individuals are not required to contribute equally to the relationship.

C. “Supervisor/subordinate relationship” means: a relationship in which one family member reports to another family member, or one family member otherwise participates directly in making personnel decisions regarding another family member.

III. GENERAL

Members of the same family are eligible for employment at UMCES. However, a supervisor-subordinate relationship shall not exist between family members nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion.

IV. FAMILY MEMBERS RECOMMENDED TO WORK FOR THE SAME SUPERVISOR

When members of the same family are recommended to work for the same supervisor, the arrangement must be approved in advance by the Institution's President or designee. No appointment of a family member may be made without such prior approval. This paragraph applies to work on research grants, including subcontract situations when a family member is employed by another USM institution.

V. DEVELOPMENT OF A SUPERVISOR/SUBORDINATE RELATIONSHIP AFTER EMPLOYMENT AT UMCES

- A. If a supervisor/subordinate relationship between family members develops during employment, the family members must notify the Assistant Vice President of Human Resources (AVPHR) immediately. The institution must take action to ensure that the supervisor/subordinate relationship ends; such action may include transfer, reassignment or removal of one or more family members.
- B. If actions to avoid a supervisor/subordinate relationship between family members are not feasible, the next highest administrative supervisor of the employees may request an exception to the prohibition against such employment. The request shall be made in writing to the President, or, as appropriate, the Chancellor or the Board of Regents, and shall address:
 - 1. The unique circumstances that prevent actions to avoid a supervisor/subordinate relationship among the family member employees;
 - 2. The specialized qualifications of the family member employees or other factors that demonstrate why their continued employment is in the best interest of the institution despite the supervisor/subordinate relationship; and
 - 3. Proposed measures to restrict participation of the supervising family member in any personnel actions affecting the subordinate family member, including specific alternative procedures for the ongoing supervision and evaluation of the family member.
- C. Family members may not be employed in a supervisor/subordinate relationship without the approval of such a request by the President or, as appropriate, the Chancellor or Board of Regents.

VI. FAMILIAL RELATIONSHIP IN RESEARCH PROJECTS

Familial relationships are not uncommon or necessarily inappropriate within academic research. However, such relationships can create a real or perceived conflict of interest between the parties. To prevent any harm to personal, professional, or institutional reputation, UMCES researchers who wish to work with family members must complete a

mitigation plan. The mitigation plan must be approved by the President or designee prior to the start of work on the project.

Examples of when this plan is required include:

- A. Two UMCES employees working together where one is the Principal Investigator (PI) of the project;
- B. An UMCES PI requesting a portion of the award be subcontracted to another USM institution where a family member will be performing the subcontracted work;
- C. Any UMCES employee involved in a research project where part of the work is subcontracted to a business or other entity in which a family member is involved.

Additional guidance regarding familial relationships in research may be found through the UMCES Office of Research Administration and Advancement.