

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 4	General Personnel Policies	Effective:	November 2000
Section 4.5	Employment Administration	Revised:	December 2001
Policy 4.5.15	Appointment of Relatives (Nepotism)	Responsibility:	Vice President for Human Resources

APPOINTMENT OF RELATIVES (NEPOTISM)

Policy

Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee subject to applicable statutes and subject also to the provisions of the Board of Regents' *Rules and Regulations*. The Board of Regents' *Rules and Regulations* prohibit the following:

1. The employment in any capacity of a relative as defined herein of a member of the Board of Regents.
2. The employment of an individual's relative in a capacity where either would supervise the other or in any way act on the appointment, salary, or promotion of the other.

Departments must submit a memo to Human Resources describing any possible nepotism. The Vice President for Human Resources will ensure that personnel transactions are in compliance with this policy and assist with the processing of any exceptions.

Applicability

This policy applies to all faculty, administrative and professional (A&P), and classified employees of the Health Science Center and all applicants for employment.

Relatives of Members of the Board of Regents

1. In accordance with the prohibition of Article 5996a, *Vernon's Texas Civil Statutes*, no person related to any member of the Board of Regents within the second degree by marriage (affinity) or within the third degree by blood (consanguinity) shall be eligible for appointment to any office, position, employment, or duty with The University of Texas System or the Health Science Center when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind.
2. Article 5996a does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of thirty (30) days prior to the appointment of the member

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of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions; provided that when such person is reappointed or continued in employment the member of the Board of Regents who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the reappointment, continuation of employment, change in status, compensation, or dismissal of such person, if such action applies only to such person and not to a bona fide class or category of employees.

3. Those persons related within the prohibited degrees are indicated below.
4. The prohibition of Article 5996a applies to all programs administered under the Board of Regents and may not be waived.

**Relatives of
Health Science
Center Employees**

1. Even though the appointment of a person would not be prohibited by Article 5996a, no officer, official, or employee of the Health Science Center may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by marriage or the third degree by blood regardless of the source of funds for payment of salary.
2. If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next higher administrative supervisor. It shall also be the responsibility of the higher administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval to the Vice President for Human Resources in the case of classified employees or the President in the case of faculty or non-classified employees.
3. If the appointment, reappointment, or promotion of a person

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places him or her in an administrative or supervisory position with responsibility to approve, recommend, or otherwise act with regard to the appointment, promotion, or salary of a person who is related within the degree prohibited by Article 5996a, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next higher administrator or supervisor at the Health Science Center.

4. It shall be the responsibility of the administrator or supervisor to make a written review of the work performance of such person at least annually and to submit such review to the next higher administrator or supervisor at the Health Science Center.
5. The provisions above shall apply to situations where two employees of the Health Science Center marry and one spouse is the administrative supervisor of the other.
6. All situations covered above shall be reported annually through the institution's docket or with the annual operating budget.

Prohibited First Degree of Kinship

1. Blood (consanguinity)—employee and employee's:
 - a. father
 - b. mother
 - c. brother
 - d. sister
 - e. son
 - f. daughter
2. Marriage (affinity)—spouse and spouse's:
 - a. father
 - b. mother

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- c. brother
 - d. sister
 - e. son
 - f. daughter
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Prohibited Second Degree of Kinship

1. Blood (Consanguinity)—employee and employee's:
 - a. grandfather
 - b. grandmother
 - c. uncle
 - d. aunt
 - e. nephew
 - f. niece
 - g. first cousin
 - h. grandson
 - i. granddaughter
2. Marriage (affinity)—spouse and spouse's:
 - a. grandfather
 - b. grandmother
 - c. uncle
 - d. aunt
 - e. nephew

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- f. niece
 - g. first cousin
 - h. grandson
 - i. granddaughter
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Prohibited Third Degree of Kinship

- 1. Blood (consanguinity):
 - a. great grandfather
 - b. great grandmother
 - c. great uncle
 - d. great aunt
 - e. great nephew
 - f. great niece
 - g. second cousin
 - h. great grandson
 - i. great granddaughter
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