

**CITY OF BROCKTON
NEPOTISM POLICY
EFFECTIVE OCTOBER 1, 2011**

I. Introduction

It is the policy of the City of Brockton to regulate, restrict or prohibit the employment of relatives when it may have a detrimental effect on supervision and moral, and when it is necessary for proper and efficient operation and delivery of City services. This policy will follow, as a minimum, the standards as set forth in the laws of the Commonwealth of Massachusetts under Massachusetts General Laws Chapter 268A.

II. SCOPE

This policy applies to all full-time and part-time and grant-funded City employees. This policy applies to members of City boards and commissions who have direct, or indirect, authority in hiring, terminating, supervising, or evaluating City employees. Also, this policy applies to present employees who later establish a family member relationship with another City employee.

III. POLICY

The City will generally avoid the hiring, transfer, or promotion of relatives of officials or employees into situations where the possibility of favoritism or a conflict of interest exists, particularly where an employee or official occupies a supervisory position in the chain of command over the position for which the relative would be employed.

The City does not prohibit the hiring, assignment, transfer or promotion of an employee if he/she is the relative of a current employee. A relative of an employee may apply for employment with the City and will be considered if the applicant possesses all the necessary credentials and requirements of the job.

The hiring and promotion of qualified candidates for all Civil Service, both Official Service and Labor Service, within the City will be subject to Chapter 31 of the Massachusetts General Laws and all pertinent collective bargaining requirements.

Employees who become relatives with another employee after their original hire, assignment, transfer or promotion may continue employment as long as there is not an actual conflict of interest or the appearance of a conflict of interest.

IV. DEFINITIONS

- A. Immediate Family- Definition per Massachusetts General Laws Chapter 268A shall include:” the employee and his spouse, and their parents, children, brothers and sisters. For example, an official’s brother-in-law would be considered “immediate family” if he were the brother of the official’s spouse but not if he were married to the official’s sister.”
- B. Relative shall include parent (including stepparent or in-law); grandparent (including step-grandparent); child (including in-law) grandchild; brother (including in-law and step or half-brother); sister (including in-law and step or half-sister); uncle; aunt; cousin; niece; nephew; and any other person, whether related or not, who resides in the same household as the employee.

V. PROCEDURES

No City employee, board or commission member shall participate in any capacity in:

- a.) The hiring, termination, or evaluation of a family member nor advocate for his/her appointment, employment, promotion or advancement.
- b.) The creation or development of a city position for which a family member will likely apply.

Individuals who are related by blood or marriage may be permitted to work in the same department provided no direct reporting or management relationship exists. Generally an employee should not work within the "chain of command" of a relative whereby one relative's work responsibilities, salary or career progress could be influenced by the other relative.

Employees who marry while employed are treated in accordance with these guidelines. If a conflict of interest arises as a result of such marriage, one of the employees may be transferred at the earliest practicable time.

VI. DISCLOSURE

Any individual who is a finalist for a position with the City shall complete the attached Disclosure Statement to assure compliance with Massachusetts General Laws Chapter 268A and the City of Brockton's Nepotism Policy.

This policy will not be construed to deprive any person employed on October 1, 2011, the effective date of this policy, or any promotional right in normal career development nor change the existing status of any employee. However the City may modify schedules, shifts, squads or work units to eliminate any potential for conflict under this policy.

This policy supplements the requirements of Massachusetts General Laws, Chapter 268A and this policy. Accordingly, each individual must comply with the requirements of Chapter 268A and this policy.

THE CITY RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND OR TERMINATE THIS POLICY, IN WHOLE OR IN PART, AT ANY TIME.

¹ Upon the adoption of this policy, all current employees and officials shall have 30 calendar days to disclose existing familial relationships.

ACKNOWLEDGMENT OF RECEIPT OF POLICY

I acknowledge receipt of the City of Brockton's Nepotism Policy, and I have read its contents.

Employee Name (Print)

Employee Signature

Date

Witness Name (Print)

Witness Signature

EMPLOYMENT OF RELATIVES
DISCLOSURE STATEMENT

To all finalist applicants for employment with the City of Brockton:

It is the policy of the City of Brockton not to hire individuals for positions in city departments where members of their "immediate family" are also employed.

It is the policy of the City of Brockton to regulate, restrict or prohibit the employment of "relatives" when it may have a detrimental effect on supervision and moral, and when it is necessary for proper and efficient operation and delivery of City services. This policy will follow, as a minimum, the standards set forth in the laws of the Commonwealth of Massachusetts under MGL c 268A.

For purposes of this policy, "immediate family" shall be as defined in Massachusetts General Laws Chapter 268A "the employee and his spouse, and their parents, children, brothers, and sisters."

For the purposes of this policy, "relative" shall include parent (including stepparent or in-law); grandparent (including step-grandparent); child (including in-law) grandchild; brother (including in-law and step or half-brother); sister (including in-law and step or half-sister); uncle; aunt; cousin; niece; nephew; and any other person, whether related or not, who resides in the same household as the employee.

Section One, applies to the position and department for which you have applied.

Section Two, applies to any relatives currently employed by the City of Brockton.

Please complete and sign the statement as part of your being considered for employment as a finalist for a position within the City. Your signature will indicate that the information provided is true and complete to the best of your knowledge.

SECTION ONE

I hereby certify that I am **not** an immediate family member (as defined above) of any active employee within the City of Brockton _____ Department.

Name (Print)

Name (Signature)

Date

SECTION TWO

I hereby certify that I am an immediate family member (as defined above) and/or a relative of any active employee within the City of Brockton _____ Department.

NAME OF CITY EMPLOYEE

DEPARTMENT

Name (Print)

Name (Signature)

Date