

# KANSAS ADJUTANT GENERAL'S DEPARTMENT

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## MEMORANDUM FOR ALL STATE EMPLOYEES

FROM: TAG-SHRO

SUBJECT: Nepotism & Workplace Relationships  
TAG Policy No. 034-02

EFFECTIVE DATE: November 1, 2016

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**POLICY STATEMENT:** Employees of the Adjutant General's Department shall not advocate or participate in the hire or discipline of family or household members. Supervisors and managers shall not supervise immediate family or household members on a permanent basis without the express approval of the Adjutant General.

### **DEFINITIONS:**

**Family Member.** For the purpose of this policy, a Family Member refers to associations with individuals by blood, adoption, marriage and/or co-habitation and are defined as an Employee's:

- Spouse, partner, fiancé;
- Parent, son, daughter, brother, sister, or guardian
- Grandparent, grandchildren, aunts, uncles, nieces, or nephews
- Foster parent, foster children
- Step-parents, step-children
- Parent in-law, son or daughter in-law, brother or sister in-law

**Household Member.** A person having legal residence in or living in an employee's place of residence is a Household Member.

**Immediate Family Member.** An employee's spouse, partner, parent, son, daughter, brother or sister is an immediate family member.

**Nepotism Relationship.** A nepotism relationship is a work relationship in which an employee performs in either of the following situations:

- Supervises an immediate family member or house hold member.
- Supervised by an immediate family member or household member.

**Partner.** A person with whom one co-habits or maintains a family-like relationship, other than a spouse, is a Partner.

**Supervisor.** A person in a position with the authority to advocate or recommend a change in the employment status, including conducting performance reviews for an employee, is a Supervisor.

**Workplace Relationships.** The voluntary interdependence between two people in the workplace that is intended to facilitate social-emotional goals and may involve varying types and degrees of companionship, and mutual assistance is a Workplace Relationship.

## **PROCESS GUIDELINES:**

### **Supervisory Relationships**

When the relationship between two employees changes whereby they become Family or Household Members, with one supervising the work of the other, one of the employees must vacate his or her position in the organizational unit unless otherwise approved by the Adjutant General.

Employees in an existing or impending nepotism relationship that is not approved by the Adjutant General have the following options:

- Voluntarily resign their position.
- Request a transfer or demotion to another position within the Agency which is vacant and for which they are qualified.

An employee shall not be transferred, promoted, or demoted to any position which would result in a nepotism relationship without the approval of the Adjutant General.

No Applicant shall be offered employment if such employment creates a nepotism relationship.

Nothing in State law prohibits the employment of relatives in the same Agency provided such employment does not create a Nepotism Relationship.

### **Workplace Relationships**

When the relationship between two employees becomes disruptive, effects the morale and/or safety of employees, interferes with the work of other employees, and/or the fair and impartial supervision and evaluation of employees, or otherwise interferes with or adversely affects the business of Agency, the Adjutant General may direct, through the State Human Resource Director, the transfer or demotion of one of the employees to a vacant position outside the affected work unit or division if such a transfer or demotion is in the best interest of the Agency.

### **Consequences for Violating Policy**

Employees shall be subject to disciplinary action, up to and including termination, for the following:

- Knowingly failing to inform the Supervisor or Human Resources of current or pending changes in family or household relationships in order to retain their current job or obtain a position for themselves, family or household members.
- Knowingly withholding information about changes in relationships which could result in prohibited working relationships or employment practices.

- Refusing to transfer or resign from a position due to a current or pending nepotism relationship.
- Refusing to accept a transfer or demotion to a vacant position due to the effects of a personal or workplace relationship.

### **Responsibilities**

No employee, supervisor, or manager shall participate in the discipline of any family or household member or advocate, participate in, influence, or cause the hiring of a family or household member.

Employees shall notify the State Human Resource Director of existing or impending changes in nepotism relationships or workplace relationships that are directly affecting the work of the Agency.

### **AUTHORATIVE REFERENCES:**

07/26/1993 - K.A.R. 1-9-21. Nepotism

07/01/1998 - KSA 46-246a. Nepotism

06/10/2005 – National Guard Bureau, “Policy regarding Employment of Relatives (Nepotism)