

 Rainy River District Social Services Administration Board	<b>SECTION:</b> Human Resources
	<b>POLICY TITLE:</b> Nepotism
<b>ORIGINAL DATE:</b> December 16, 2004	<b>POLICY AREA:</b> Recruitment and Selection
<b>REVISION DATE:</b> December 17, 2015	<b>POLICY NO:</b> HR-2.1
<b>NEXT REVIEW DATE:</b> December, 2019	<b>APPROVED BY:</b> Board Res. #100/15

## Purpose

The Rainy River District Social Services Administration Board (RRDSSAB) recognizes that family relationships should not unduly or unfairly restrict an individual's opportunities to pursue employment in the Rainy River District Social Services Administration Board (RRDSSAB).

The purpose of this policy is to ensure that employment-related decisions concerning existing or potential employees are free from any real or apparent improper influence based on familial relationships and to maintain public confidence in the integrity of the RRDSSAB's hiring and employment practices. In particular this policy is intended to:

1. Prevent a conflict of interest, or the appearance of such a conflict, that may arise through the hiring or employment of family members; and
2. Prevent the exercise of any improper influence based on familial relationships, or the appearance of such influence, in the RRDSSAB's employment practices.

## Definitions

**"Relative"** is defined as a spouse, common-law or same-sex partner, parent, grandparent, grandchild, aunt, uncle, niece, nephew, child, sibling, in-laws, legal dependent, or variation on such relationships, as determined by the Rainy River District Social Services Administration Board, to be subject to this policy.

**"Real Conflict of Interest"** means a situation in which the person's ability to remain impartial is actually undermined.

**"Apparent Conflict of Interest"** means a situation in which a reasonable person would think the person's ability to remain impartial is undermined or where such situation may develop into a real conflict of interest.

**"Direct Reporting Relationship"** means a relationship in which an employee or elected/appointed official has, with respect to an employee, authority to:

- a) approve or deny increments, overtime or negotiate salary level;
- b) conduct performance appraisals;
- c) administer discipline; or
- d) direct work assignments.

## **Policy**

The RRDSSAB will not discriminate on the basis of prohibited grounds set forth in the *Ontario Human Rights Code*, when selecting employees and may hire relatives\* of current employees or Board members.

When conducting the selection process, all relevant RRDSSAB policies and procedures and the current negotiated *Staff/Collective Agreements* will apply. Family relationships should not form the basis of an employment decision within the RRDSSAB. As a consequence, employment will be prohibited where family members would be:

- a) directly supervised by, or a direct subordinate to one another; or
- b) given preferential treatment in being recruited and/or selected for vacancies; or
- c) appointed to a position where job responsibilities would be incompatible (real or apparent conflict) with positions occupied by family members.

## **Procedure**

1. The RRDSSAB will not discriminate against a relative\* of a current employee or board member, and will consider a relative for temporary or permanent employment with the RRDSSAB provided they:
  - a) have made application for employment through the proper process;
  - b) have been considered in accordance with established recruitment and selection policies and procedures; and
  - c) possess the necessary qualifications and are considered to be the most suitable candidate.
2. If a relative\* of a current employee or board member is being considered for a position, in accordance with *Ontario Human Rights Code*, the following restrictions will apply:

- a) The candidate must fulfill the criteria outlined in *Section 1 (a) (b) (c)* of this policy;
  - b) The candidate will not be in a direct reporting relationship, either in a subordinate or supervisory role to his/her relative;
  - c) The employer will document that this policy was followed and identify which exception was used;
  - d) The employee or Board member, must declare in writing, any real or perceived conflict of interest and cannot participate in any part of the recruitment or selection process, where the candidate is considered a relative\*; and/or
  - e) It does not jeopardize proper financial and operational controls of the organization.
4. An employee, elected or appointed representative of the Board will not participate in any part of the Selection Process nor make any offer of employment, where a relative is being considered for employment or an internal employment opportunity or job posting. A member of any recruitment or selections team will declare a familial relationship, as defined under Relative above, as soon as they become aware that a relative has applied for a position for which the RRDSSAB is recruiting. All such relationships are to be brought to the attention of the CAO or designate as soon as they are known to exist.
5. Employees who marry or become “relatives” as defined in this policy, may continue employment as long as there is not:
- a) a direct supervisor/subordinate relationship between such employees; or
  - b) a real or apparent conflict of interest.
6. If throughout employment with the RRDSSAB, circumstances change resulting in a direct relationship, the employee(s) involved will immediately notify their respective supervisor/manager(s) in writing, and the RRDSSAB will ensure a change in reporting relationship. If the RRDSSAB is unable to change the reporting relationship or provide for a job transfer or the employee is unable to find alternate employment, then a decision will be made, by the CAO in consultation with Human Resources.
7. A member of the Board cannot be an employee of the Board, per the *District Social Services Administration Board Act*.