

**RESOLUTION NO. 3874**

**A RESOLUTION REVISING CITY OF MILES CITY PERSONNEL POLICIES REGARDING NEPOTISM**

*WHEREAS*, the City of Miles City has established certain personnel policies for officers and employees of the City of Miles City, which are set forth in the City of Miles City Personnel Manual;

*AND WHEREAS*, such policies include a policy entitled "Nepotism;"

*AND WHEREAS*, the City Council finds that certain revisions to such policy as recommended by the Human Resources Committee is in the best interest of the City and should be adopted;

**NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:**

1. That the policy entitled "Nepotism," attached hereto as Exhibit "A," is hereby adopted by the City Council of the City of Miles City.
2. Such changes to the policy shall become effective immediately upon the passage of this resolution, and shall replace the existing policy entitled "Nepotism" in the City of Miles City Personnel Manual.


**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 22<sup>nd</sup> DAY OF DECEMBER, 2015.**

  
\_\_\_\_\_  
C.A. Grenz, Mayor

ATTEST:

  
\_\_\_\_\_  
Lorrie Pearce, City Clerk

Exhibit "A"

	<b>CITY OF MILES CITY</b>	Effective Date:	
	<b>PERSONNEL POLICY</b>	Last Revised:	
<b>Nepotism</b>			

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

**PURPOSE**

To establish policy for the employment of immediate relatives in order to assure the reality and appearance of fairness in the best interest of the City of Miles City.

**POLICY**

All personnel matters carried out by the City of Miles City shall be administered on the basis of merit and through regular management procedures except:

- No one participating actively in the appointment or hiring of a position, (i.e., City Councilmembers, the Mayor, Department Directors, etc.) shall appoint any person related or connected by consanguinity within the 4<sup>th</sup> degree or by affinity within the 2<sup>nd</sup> degree.
- No one may be appointed or hired to a position within a City Department if related or connected by consanguinity within the 4<sup>th</sup> degree or by affinity within the 2<sup>nd</sup> degree to any person sitting on a board or commission representing or advising that department.
- No elected official or supervisor in a department may participate in the disciplinary process or other personnel or administrative action pertaining to any existing employee who is a relative of such elected official or supervisor, as the case may be. Such elected official or supervisor shall abstain from participation in such personnel or administrative action as it applies to such relative. In instances of a supervisor who is related to the employee, all authority shall be vested in the next higher level of supervisor or department head, or in the absence thereof, in the mayor. In instances where the mayor is related to the employee, all authority of the mayor as it pertains to the employee shall be vested in the employee's department head, who shall be independent and free from the control of the mayor in exercising such authority.

## DEFINITIONS

**CONSANGUINITY:** Means blood relation.

- Degrees are determined as:
  1. A parent or child is 1<sup>st</sup> degree
  2. A grandparent, grandchild, brother or sister are 2<sup>nd</sup> degree
  3. An uncle, aunt, nephew, niece and great-grandparent or great grandchild are 3<sup>rd</sup> degree
  4. A first cousin, a great uncle or aunt, and great-great grandparents and grandchildren are 4<sup>th</sup> degree

**AFFINITY:** Means relationship by marriage.

- Degrees are determined as:
  1. Husband and wife are 1<sup>st</sup> degree
  2. Brothers, sisters, fathers, mothers-in-law and fathers-in-law are 2<sup>nd</sup> degree

## CLOSING

Employment of relatives in the same area of an organization may cause conflict and problems effecting employee morale or could result in perceived favoritism and claims of partiality. The City will monitor and address any potential issues when direct supervision of employees involves consanguinity or affinity. The City may refuse to assign or reassign related employees when conflicts have occurred or are likely, or when the work environment may be strained.