STANDARD ADMINISTRATIVE PROCEDURE

07.05.99.M0.01 Nepotism
Approved July 19, 2019
Next scheduled review: July 19, 2024

SAP Statement

This procedure is intended to create a process for ensuring compliance with System Policy 07.05 Nepotism.

Definitions

Covered Relative – individuals related to each other within the third degree by consanguinity (blood) or the second degree by affinity (marriage). A listing of these relatives is provided in the Degrees of Relationship Listing in the Appendix of System Policy 07.05 Nepotism.

Employee – all personnel employed by Texas A&M University including faculty, staff, graduate assistants, and student workers who receive compensation in either a full- or part-time capacity.

Official Procedure

1. GENERAL

1.1 Applicants and employees shall disclose covered relatives that are employed by Texas A&M University. Employees shall promptly disclose any changes or updates to covered relatives.

1.2 An employee’s consensual relationship with an individual who is not the employee’s spouse is addressed by System Regulation 07.05.01, Consensual Relationships, rather than this SAP.

1.3 System Policy 07.05, Nepotism Section 2.2 (b) allows the President or his designee to authorize the hiring of an employee’s covered relative including a determination that the supervision complies with the policy or for currently employed covered relatives that the supervision complies with the policy. The President has delegated these responsibilities to the Vice Presidents of each department or their designee(s). If the Vice President is related to the applicant or employee seeking approval,
approval must be obtained from the President. If the President is related to the applicant or employee seeking approval, approval must be obtained from the Chancellor.

2. APPLICANT REVIEW PROCEDURES

2.1 An applicant shall disclose covered relative(s) by submitting a Disclosure of Employment of Relatives form to Recruitment and Workforce Planning (RWP). If the position is not posted through RWP, such as a student worker position, the Disclosure of Employment of Relatives form should be submitted to Organizational Consulting and Resolution Management (OCRM).

2.2 After an offer of employment has been accepted, the hiring manager will review the reporting structure and interactions of disclosed covered relatives, if applicable, to ensure compliance with System Policy 07.05, Nepotism Section 2.2. If a covered relative has responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other’s employment, an alternative reporting structure is developed that complies with System Policy 07.05, Nepotism Section 2.2.1.

2.3 A disclosure of a covered relative(s) employed at the university by an applicant having accepted an offer of employment, whether or not an alternative reporting structure is developed, is routed for review through RWP to the Vice President, President, or Chancellor, as specified in Section 1.3 for final approval and authorization. The Vice President, President, or Chancellor will provide a written decision within five business days to RWP.

3. EMPLOYEE REVIEW PROCEDURES

3.1 An employee shall disclose covered relative(s) by submitting a Disclosure of Employment of Relatives form to the HR Liaison in their college or division.

3.2 When an employee discloses a covered relative(s) is employed at the university, the department will review the reporting structure and interactions of disclosed covered relatives to ensure compliance with System Policy 07.05, Nepotism Section 2.2. If either covered relative has responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other’s employment, an alternative reporting structure is developed that complies with System Policy 07.05, Nepotism Section 2.2.1.

3.3 All disclosures of covered relatives employed at the university, whether or not an alternative reporting structure is developed, are routed for review through Dean of Faculties (DOF) for faculty and Organizational Consulting and Resolution Management (OCRM) for staff to the Vice President, President, or Chancellor, as specified in Section 1.3 for final approval and authorization. The Vice President, President, or Chancellor will provide a written decision within five business days to DOF or OCRM, as applicable.
4. EMPLOYMENT ACTIONS REVIEW PROCEDURES

4.1 Employment actions, such as, internal promotions, transfers, demotions, restructuring, and reduction in force, are reviewed by DOF for faculty. Staff internal promotions, transfers, demotions, and reclassifications are reviewed by Classification and Compensation. Staff restructuring and reduction in force are reviewed by OCRM.

4.2 If the requested employment action results in a covered relative having responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other’s employment, the department develops an alternative reporting structure that complies with System Policy 07.05, Nepotism Section 2.2.1. Additional considerations include determining what impact the employment action would have on an alternative reporting structure currently in place. This would not prohibit the employment action; however, the alternative reporting structure should be reviewed and, if applicable, updated.

4.3 If the requested employment action results in the creation or modification of an alternative reporting structure, a memorandum detailing the requested employment action, the covered relatives involved, and the alternative reporting structure is routed to the Vice President, President, or Chancellor, as specified in Section 1.3 for final approval and authorization. The Vice President, President, or Chancellor will provide a written decision within five business days to DOF, Classification and Compensation, or OCRM, as applicable.

5. REPORTING POTENTIAL CONFLICTS OF INTEREST

5.1 An employee shall promptly report in writing to his or her supervisor any situation involving a covered relative or any other family member that could create the appearance of a conflict of interest for the employee in his or her official capacity.

5.2 Nepotism on Sponsored Projects is addressed separately as a financial conflict of interest under University Rule 15.01.03.M1.

6. RECORDS

The Disclosure of Employment of Relatives form, reports of potential conflicts of interest, and memorandums will be kept electronically as directed by the Vice President of Human Resources and Organizational Effectiveness and in both the employee’s and the relative’s official personnel files in accordance with SAP 33.99.99.M0.01 Official Personnel File and SAP 61.99.01.M0.01 Records Management.

Related Statutes, Policies, or Requirements
Tex. Gov’t Code Ch. 573

System Policy 07.05, Nepotism

System Regulation 07.05.01, Consensual Relationships

University SAP 33.99.99.M0.01, Official Personnel File

University SAP 61.99.01.M0.01, Records Management

__________________________________________________________________________

Forms

__________________________________________________________________________

Disclosure of Employment of Relatives Form (below)

__________________________________________________________________________

Contact Office

__________________________________________________________________________

Organizational Consulting and Resolution Management
(979) 862-4027
Disclosure of Employment of Relatives

Privacy Notice: State law requires that you be informed that you are entitled to: (1) request to be informed about the information collected about yourself on this form (with a few exceptions as provided by law); (2) receive and review that information; and (3) have the information corrected at no charge. To request this information, contact open-records@tamu.edu or (979) 862-4571.

INSTRUCTIONS: It is the responsibility of each applicant and employee to disclose relatives that are employed at Texas A&M University including those at the Health Science Center and branch campuses in Galveston and Qatar. This form is to assure compliance with System Policy 07.05 Nepotism.

For the purpose of this form, “relative” is defined as a parent, child, sibling, grandparent, grandchild, great-grandparent, great-grandchild, aunt, uncle, nephew, niece, spouse, your spouse’s child, parent, sibling, grandparent, or grandchild, or the spouse of your parent, child, sibling, grandparent, or grandchild. The end of a marriage by divorce or the death of a spouse ends the relationship created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives.

<table>
<thead>
<tr>
<th>Applicant / Employee Name</th>
<th>Date</th>
</tr>
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Position applying for / Employee Job Title | UIN, if employee

Section A – Disclosure of Relative(s)

List name(s), relationship(s), position(s), department/location(s) employed, and supervisor(s). (Attach additional sheets if required). If the employment of you and your relative(s) has previously been authorized in writing, attach a copy of the authorization with this form.

Section B

- I acknowledge that an electronic, facsimile or copy of this document shall have the same validity, force, and effect as the original.
- I acknowledge that I am required to notify update this form or submit a new form if any of this information changes.

In accordance with System Policy 07.05 Nepotism, I hereby certify that all information provided by me on this form is true, complete, and correct to the best of my understanding.

Employee Signature __________________________________________________________________________ Date ____________

As an Equal Opportunity/Affirmative Action Employer, Texas A&M University does not discriminate on any basis prohibited by applicable law including race, color, religion, sex, national origin, disability, age, citizenship status, or veteran’s status in recruitment, employment, promotion, compensation, benefits or training.

APPLICANTS NEED HELP?
Recruitment & Workforce Planning
Phone (979) 845-5154
jobs@tamu.edu

EMPLOYEES NEED HELP?
OCRM
Phone (979) 862-4027
ocrm@tamu.edu
Instructions

Department Actions: Verify all requested information has been provided. If information is missing, gather that information from the employee in an interactive process. If a relative has responsibility for direct or indirect supervision of another relative or authority over any term or condition including salary or wages of the other's employment, develop a plan to mitigate.

Forward the signed form to:
For Applicants: Talent Management (TM) at jobs@tamu.edu
For Faculty Employees: Dean of Faculties (DOF) at dof@tamu.edu
For Staff Employees: Organizational Consulting & Resolution Management (OCRM) at ocrm@tamu.edu

Provide pertinent information about relative(s) not originally provided. Summarize any changes to job duties or normal reporting structures, i.e., primary and/or secondary supervisory relationships, if applicable.

☐ Approved  ☐ Not Approved

Department / Unit Head Signature Date

Route to Appropriate TAMU Reviewer:
DOF, OCRM, and TM Actions: Review disclosure of relative(s), summary of changes, if applicable, and previously granted employment authorizations for relative(s), if applicable, to verify compliance with System Policy 07.05 Nepotism. If not approved, return form to department. If approved, indicate what department is sending the form and forward the signed form as specified in 07.05.99.M1.01 Nepotism.

☐ Approved  ☐ Approved with Changes (see comments)  ☐ Not Approved

Comments:

Signature of Reviewer/ DOF/OCRM/TM Date

Route to Appropriate Final Approver:

☐ Approved  ☐ Not Approved

Comments:

Signature/ Vice President/President/Chancellor or Designee

Print Name & Title Date

Route back to appropriate party: DOF, OCRM, and TM Actions: Notify the departments of all relatives of the decision. This form is retained in both the employee’s and the covered relative’s official personnel files as specified in System Policy 07.05 Nepotism in accordance with SAP 33.99.99.M0.01 Official Personnel File and 61.99.01.M0.01 Records Management.