

**Suggested policy format and content. RTPA specific policies should be developed in consultation with RTPA Legal Counsel, Board of Directors and appropriate regulatory agencies.**

## **4. Employment of Relatives and Spouses/Domestic Partners**

The employment of relatives, including but not limited to spouses, in the same department, division, office, or line of supervisory authority can cause serious problems in the workplace that adversely affect productivity, morale, confidentiality, safety, and security, and can create conflicts of interest. Employment of relatives can cause problems such as real or perceived favoritism; scheduling conflicts; personal conflicts and hostility in the work place; claims of partiality in providing or awarding favorable working conditions, promotions, transfers, or assignments; or the compromise or suspected compromise of confidential or privileged information or records.

Current RTPA employees are strictly prohibited from participating in, or influencing or attempting to influence, the selection process or the employment, promotion, or transfer of any relative or their spouse. RTPA reserves the right to take prompt action to prevent the attempt of any relative or spouse to influence an employment decision involving a relative or spouse. The intent of this policy is that it shall also apply in situations where non-employees of RTPA carrying out work on RTPA projects, and who are relatives of RTPA employees, also will not work in a direct, supervisory relationship with each other, or be in the same line of authority or supervision.

### **Employment of Relatives Other than Spouses and Domestic Partners**

For purposes of this policy, the term “relative” refers to persons other than spouses and domestic partners who are related by blood or marriage, or whose relationship is similar to that of persons who are related by blood or marriage (i.e., an adopted child or stepparent). This policy affects relatives of currently employed RTPA employees who are candidates for hire by RTPA as employees, and relatives who are currently employed by RTPA and who are candidates for promotion or transfer to the same division or line of authority at RTPA.

Hiring, promotion, and transfer of relatives may occur at RTPA only if:

- The individuals concerned will not work in a direct, supervisory relationship with each other, or be in the same line of authority or supervision;
- The individuals hired, promoted, or transferred will not work in the same division or under the authority of the same supervisor;
- The employment, promotion, or transfer will not cause any potential conflicts or disruption to RTPA operations; and
- The employment, promotion, or transfer will not pose any potential articulable problems or conflicts involving supervision, security, safety, confidentiality, performance, or morale.

## Employment of Spouses and Domestic Partners

The employment of spouses and domestic partners in the same department, division, or office can involve potential conflicts of interest that are greater for married persons than for other persons. Additionally, the placement of one spouse under the direct supervision of the other frequently leads to problems involving supervision, confidentiality, or morale. The employment of spouses and domestic partners shall be governed by the rules set forth in this section.

- A. No employment decision, including but not limited to transfers or promotions, shall be based upon whether an individual has a spouse or domestic partner presently employed by RTPA, except in accordance with the following criteria:

For business reasons of supervision, safety, security, or morale, RTPA may refuse to place one's spouse or domestic partner under the direct supervision of the other spouse or domestic partner.

For business reasons of supervision, security, or morale, RTPA may refuse to place a spouse or domestic partner in the same department or division if the work involves potential conflicts of interest or other hazards greater for married or domestic partner couples than for other persons.

- B. For co-employees who marry or establish a domestic partnership, RTPA shall make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security, or morale.

Present employees of RTPA who marry or establish a domestic partnership or who become related by marriage or establish a domestic partnership must immediately notify their supervisors. If employees who marry or who become related by marriage or domestic partnership do work in a direct supervisory relationship with one another or do cause an actual conflict or difficulty concerning supervision, security, safety, or morale, RTPA will attempt to reassign one of the employees to another position for which he/she is qualified, if such a position is available and no other accommodation is reasonable or practicable.

Any decision not to employ, promote, or transfer the spouse or domestic partner of an employee shall be made on a case-by-case basis by the Executive Director, taking into account all of the known facts and circumstances regarding the particular position and the duties and the relationship of the position and duties performed by the employed spouse or domestic partner.