



**Policy Title:** HR5055 - Nepotism and Personal Relationships

**Subject Area:** Human Resources

**Responsible Official(s):** Executive Vice President and Chief Financial Officer

**Responsible Office(s):** Human Resources

## Policy Statement

The University of Memphis is committed to the highest standards of conduct and expects all members of its community to adhere to them. It is the position of the university that all employees should enjoy the same treatment during their tenure. Members of the University community must avoid conflicts of interest, situations that might be perceived of as conflicts of interest or situations that might impair objective judgement or be perceived as biased. A University employee may not directly influence decisions related to the recruitment, hiring or compensation of a person who is a relative or with whom the employee has a personal relationship.

## Definitions

**Relative** - An individual related to an employee by blood, marriage or law including, but not limited to, a spouse, child (foster and step), parent, parent-in-law, sibling (foster or step), grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member.

**Personal Relationship** - Includes a romantic/intimate relationship in which there is a strong bond between the individuals.

## Procedures

### Nepotism

To avoid a conflict of interest or an appearance of conflict of interest, the following policy shall apply to the hiring and employment of relatives:

No employees of the University who are relatives shall be placed within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work

activities of another relative; provided, however, that to the extent possible, this policy shall not be construed to prohibit two or more such relatives from working for the University.

Any employee finding themselves in violation of this policy, shall immediately report the issue to Human Resources-Employee Relations and Engagement. The violation shall be resolved by means of transfer within the University or resignation as may be necessary to remove the violation. If transfer alternatives are available, the employees shall be given the opportunity to select among the available alternatives; provided that if the employees are unable to agree upon any such alternative within sixty days, the hiring official shall take appropriate action to remove the violation in consultation with Human Resources.

In the case of employment relationships which could otherwise violate this policy but which were in effect prior to July 1, 1980, the employment of the employees shall not be affected by this policy, provided that the University takes appropriate action to ensure that employees neither initiate nor participate in University decisions involving a direct benefit (retention, promotion, salary, leave, etc.) to a relative.

### **Personal Relationships**

There are special problems in any personal relationship between individuals where one party possesses direct academic, administrative, supervisory, evaluative, counseling or extracurricular authority over the other party. Such positions include, but are not limited to, teacher and student or assistant, supervisor and employee, senior faculty and junior faculty, mentor and trainee, advisor and advisee, counselor and client, teaching assistant and student, coach and athlete, and the individuals who supervise the day-to-day student living environment and student residents.

Because of the potential for conflict of interest, exploitation, favoritism, harassment and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the teacher-student context. Therefore, the University has adopted the following policy in regard to personal relationships:

- o No University employee shall enter into or maintain any personal relationships with students or with employees over whom they exercise or, reasonably can expect to exercise, direct or indirect control in areas such as academics, administration, supervision, evaluation, counseling or extracurricular authority or influence.
- o No University employee shall exercise any direct or indirect control in the areas of academics, administration, supervision, evaluation, counseling or extracurricular authority over any student or employee with whom that employee had previously been involved in a personal relationship.

Any employee, including faculty, who is currently in a personal relationship or becomes involved in a personal relationship that might be covered by terms of this policy, must disclose

the relationship immediately to Human Resources-Employee Relations and Engagement so that any and all steps are taken to comply with this policy. The matter may be resolved by assigning a different supervisor to the employee or student; resignation from the student's academic committees or transfer of the student; or by terminating the relationship at least while the student is in a faculty member's class.

This policy is applicable only to consensual personal relationships. Non-consensual relationships are governed by the University's sexual harassment and misconduct policies and should be reported to the Office for Institutional Equity.

### **Self-Reporting**

- **Faculty and Staff** – A University employee shall notify his or her supervisor immediately in writing of a situation in which the employee is in a position to exercise authority, either direct or indirect, over a relative or an individual with whom the employee presently has or previously had a personal relationship. If during the course of employment, a familial or personal relationship develops or occurs that was not present at the time of hire, the person in the supervisory position must notify their direct supervisor immediately so that steps can be taken to mitigate the conflict.
- **Students** – Students may notify the Dean of Students if they have been placed in a situation where they are subject to the authority of a faculty or staff member who is a relative or with whom they have or have had a personal relationship.

### **Complaints**

- **Reporting Violations of Policy** – Any employee or student who becomes aware of a situation which they, in good faith, believe is a violation of this policy may report the relevant relationship to Human Resources for investigation and resolution. Further, those with management or supervisory responsibilities bear an affirmative responsibility for sustaining a positive workplace and should take immediate steps to report any relationship that he or she believes may violate this policy.

### **Non-Discrimination and Anti-Retaliation**

The University shall apply the foregoing in a non-discriminating manner, and shall ensure that the implementation of this policy does not adversely affect employees of one sex over those of the opposite sex. No employee or student shall be retaliated against for making any complaint regarding a violation of this policy.

**Last Revision Update Log: 12/13/2024**

HR5050 – Revised January 9, 2023

HR5050 – Supersedes UM1797 March 22, 2018

UM1797 – Revised September 6, 2017  
UM1797 – Issued May 26, 2016