

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 141.01

DATE: 01 August 2020

SUBJECT: NEPOTISM

POLICY DIRECTIVE

PURPOSE:

To ensure that employees are treated in a consistent and impartial manner and to prohibit any employee from attempting to influence the terms and conditions of employment of any person due to their familial and/or interpersonal relationship.

REFERENCE:

158CSR6 Title 158 Legislative Rule of the West Virginia Ethic Commission.

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instruction on the subject including DOC Policy Directive 141.01, dated 01 July 2006; DJS Policy 157.00, dated 01 April 2012; and RJA Policy 3051, dated 13 August 2013.

APPLICABILITY:

All facilities and work units within the Division of Corrections and Rehabilitation. This Policy is available for general distribution.

DEFINITIONS:

Employee: Any employee (including temporary and probationary employees) of the Division of Corrections and Rehabilitation working at a correctional facility or other work unit. For the purposes of this policy, this does not include contractors and their employees or volunteers.

Nepotism: Favoritism shown, or patronage granted in employment or working conditions by a public employee to relatives or persons with whom the public employee resides.

Relative: For the purpose of this Policy, includes spouse, mother, father, sister, brother, son, daughter, grandmother, grandfather, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.

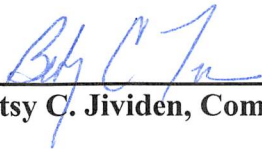
POLICY:

- I. The Ethics Act prohibits public employees from knowingly and intentionally using their office or the prestige of their office for their own private gain or the private gain of another person. Nepotism is one form of the use of office for private gain.
- II. The Division of Corrections and Rehabilitation does not condone nepotism. Therefore, the DCR shall follow and enforce the below-noted stipulations.
 - A. A public employee may not influence or attempt to influence the employment or working conditions of a relative or a person with whom he or she resides.
 - B. A public agency including its officials and employees, must administer the employment and working conditions of a relative of a public employee or a public official or a person with whom the public official or employee resides in an impartial manner.
 - C. To the extent possible, a public employee may not participate in decisions affecting the employment and working conditions of his or her relative or a person with whom he or she resides. If he or she is one of several people with authority to make these decisions, others with authority shall make the decisions.
 - D. A public employee may not directly supervise a relative or a person with whom he or she resides. This prohibition includes reviewing, auditing or evaluating work or taking part in discussions or making recommendations concerning employment, assignments, compensation, bonuses, benefits, discipline or related matters. This prohibition does not extend to matters effecting a class of five or more similarly situated employees.
- III. A romantic relationship between supervisor and subordinate in a direct reporting relationship is the seed of nepotism and, as such, is prohibited. Romantic fraternization includes, but it not limited to dating; romantic emails; adult subject jokes, cartoons, emails and internet sites; and participating in a romantic/intimate relationship.
- IV. In the event an employee is in violation of this policy through marriage, adoption, promotion, etc. the situation shall be resolved within thirty (30) calendar days through transfer, reassignment, resignation, etc. of one of the involved employees or by other accommodation that protects the interests of the public.

ATTACHMENT(S):

None.

APPROVED SIGNATURE: _____


Betsy C. Jividen, Commissioner


Date