

University of Kentucky
Management Plan Related to Nepotism
12/03/13

Newly approved Governing Regulation Part I, Governing Regulation Part X and HR Policy and Procedure #19.0 related to Nepotism

GOAL: The goal of the Management Plan is to avoid the perception as well as the reality of unfair influence, either detrimental or beneficial as a result of the relative being employed within the supervisory chain of command of a higher level relative.

The Management Plan should be prepared by the first neutral supervisor in the supervisory chain of command or the Assigned Administrator. Two organizational charts of the immediate area including all relevant student employees, staff and faculty shall be included. The first chart should display the supervisory relationship that would exist if the two individuals were not related (pre-management plan). The second chart should display the proposed future supervisory relationships (post-management plan).

The Management Plan shall be reviewed by the President or appropriate senior administrator in advance of hiring the relative and must be approved by Human Resources (for staff). For faculty hires, the Management Plan must be approved by the Office of Faculty Advancement. In addition, the Management Plan shall be initially signed by both relatives and reviewed at least annually and signed upon every annual review of the Plan.

All employees (faculty and staff) in the unit shall be notified of the hiring of the relative and the Management Plan in place to avoid the advantage or disadvantage of either relative or others employed in the unit. This notification shall occur annually, as appropriate. Any concerns or complaints related to actual or perceived nepotism should be reported to UK Human Resources or the Office of Faculty Advancement for review and investigation.

Both relatives shall be provided the following relevant UK regulations:

1. GR, Part I – The University of Kentucky, Section D, Ethical Principles and Code of Conduct
2. GR, Part IX, Regulations Affecting Employment, Section A, Merit as the Basis for Appointments
3. HR Policy and Procedure #19.0, Nepotism

HIRING & SELECTION:

- If a relative as defined by Governing Regulations (GR) Part I and Part X and HR Policy & Procedure (HR P&P) #19.0 is in the applicant pool for a vacant position in which the hiring of that relative in that unit (college/department) will result in his/her relative being employed in the supervisory chain of command for that position, the protocol outlined below shall be followed.
- If the Hiring Official is a neutral party and not the higher level relative (as defined by HR P&P #19.0), s/he will serve as the primary decision-maker in the hiring and selection for the vacant position; however, an Interview Panel shall be established to provide input into the hiring decision.
- If the hiring official is the relative in the higher level position, then the first neutral supervisor up the chain of command shall serve as the hiring official and an Interview Panel shall be established to provide input into the hiring decision.
- The Interview Panel shall consist of at least one employee from the hiring unit (if available) in which the vacancy exists. The remaining members of the panel will include others from related fields/backgrounds, but must be in positions outside the hiring unit. The Panel normally consists of three to six members and at least half the number of panel members must be from outside the hiring unit.
- UK HR Employment will provide an orientation for the interview panel as well as support to the hiring official through the creation of interview guides, using behavioral-based interviewing strategies and data integration for the Interview Panel (licensed from Development Dimensions International).
- Professional reference checks shall be completed by the panel members and shared with the remaining panel members as well as with the hiring official. The hiring official shall share this information up the chain of command and with other appropriate senior administrator(s), as appropriate.
- If the relative is, in fact identified as the top candidate for the position, an "Assigned Administrator" will be named by the President, EVP or Provost to act as the senior administrator to approve the final hiring decision and to serve in that capacity in the following employment situations listed below.
- The Salary Recommendation will be completed and all standard policies, protocols and practices shall be followed; no exceptions will be made in determining the pay rate for the newly hired relative. The Salary Recommendation must be signed by the Vice President for HR or Associate Provost of Academic Enhancement, as well as the Assigned Administrator.
- If the relative is not selected for the position, then the hiring process will continue as usual. Retaliation by the higher level relative directed toward the hiring official or any member of the Interview Panel due to the relative not being selected is prohibited and if occurs, shall be reported to UK Human Resources or Associate Provost of Academic Enhancement.

COMPENSATION: All pay decisions impacting the lower level relative shall be approved by HR Compensation or Associate Provost of Academic Enhancement and the Assigned Administrator. These include, but are not limited to pay changes as a result of merit increases, promotions, lateral transfers and/or demotions (voluntary or involuntary), market adjustments, one-time payments and overload assignments.

WORK ASSIGNMENTS & DUTIES:

- All work assignments and duties will be directed by the immediate supervisor in alignment with the current Job Analysis Questionnaire (JAQ) with no direct or undue influence from the higher level relative.
- Any questions/concerns related to work assignments and duties (including scheduled work hours, shift assignments, overtime pay opportunities, paid and unpaid leave approvals, training opportunities, business travel, etc.) may be directed up the normal chain of command; however, prior to reaching the higher level relative, the "Assigned Administrator" will oversee and approve all decisions related to this area.

ANNUAL EVALUATION:

- The annual performance evaluation (PE), including midyear reviews shall be completed by the supervisor if s/he is not the relative; however, the Assigned Administrator must review and approve all performance evaluations. Details and specific examples of high level as well as low level performance must be documented in the PE to justify the scores.
- The Assigned Administrator may request the ability to view all PE scores within that unit in order to avoid preferential treatment as well as the lower level employed relative being disadvantaged inappropriately.

PROMOTIONS/LATERALS/DEMOTIONS: A relative within a unit wherein his/her relative is in a higher level position and level of authority may be considered for promotions, as well as lateral transfers and demotions; however, the same protocol shall be followed as outlined in the "Hiring & Selection" section (above).

PERFORMANCE ISSUES:

- A relative employed in a unit where s/he has a higher level relative in the supervisory chain of command may in fact be an exceptional performer, as well as a moderate or even poor performer. In the case of performance issues of concern,

the hiring official (if not the relative) shall work in conjunction with HR Employee Relations or the Office of Academic Enhancement to address such issues related to job performance. In addition, the Assigned Administrator will be kept apprised of these issues and shall approve any formal action to be taken as outlined in HR P&P #62.0, Corrective Action. This includes any corrective action as low level as a documented coaching session to as severe as a termination of employment.

- The relative of the employee in the higher level position within the unit shall exert no influence on the corrective action determined to be appropriate nor will s/he be included in any steps of the grievance process as outlined in HR P&P # 7.0, Grievances.