

## NEPOTISM

### Background

While the Division recognizes that current and potential staff members cannot be discriminated against on the basis of marital status or family status, the Division believes that its employment practices must demonstrate freedom from any conflict of interest, real or potential, that may result from marital status or family status.

### Definitions

Family status means the status of being related to another person by blood, marriage or adoption.

Marital status means the status of being married, single, widowed, divorced, separated or living with a person in a conjugal relationship outside marriage.

### Procedures

1. Employees of the Division shall not directly supervise, or be directly supervised by, another person to whom they are related because of family status or marital status.
  - 1.1 Direct supervision refers to those circumstances where one employee is the immediate and direct supervisor of another employee as defined in Administrative Procedure 450 Appendix –Organization Chart for Line of Authority.
  - 1.2 Employees having a family or marital relationship shall be permitted to work in the same school, office or department if one employee is not the direct supervisor of the other(s).
2. Employees and School Council representatives of the Division shall declare any conflict of interest with regard to employment practices.
  - 2.1 An employee or a School Council representative shall be disqualified from any interview team described in Administrative Procedure 400 – Personnel Selection when a conflict of interest has been identified.
3. When a change in family status or marital status creates a conflict of interest, an alternative place of work within the Division will be arranged for either member in the relationship.
  - 3.1 When deciding who shall be placed in an alternative work location within the Division, both employees shall be party to the decision. If the two employees and the Director of the department cannot come to an agreement, the decision of the Superintendent shall be final.
  - 3.2 In any case, where alternative employment cannot be offered, one (1) of the employees shall be required to resign.
  - 3.3 In the application of clauses 3.1 and 3.2, it shall be the general rule that the employee occupying the supervisory position will remain in the position.

4. In exceptional circumstances, an exemption may be granted, by the Superintendent, from the provisions of this Administrative Procedure.

4.1 In the rare circumstance where it is not possible to fill a position with someone other than a person who has a family or marital relationship with the direct supervisor, the Superintendent may appoint that person to the position.

Reference: Section 60, 61, 113 School Act  
Alberta Human Rights Act  
Child, Youth and Family Enhancement Act  
Freedom of Information and Protection of Privacy Act  
Canadian Human Rights Act  
Canadian Multiculturalism Act  
Charter of Rights and Freedoms

Approved: November 2005  
Amended: March 21, 2018; July 1, 2018