

**Chapter: Conditions of Employment**  
**Title: Nepotism and Relationships Between Employees**

**Effective Date: 12/1/11**  
**Page: 1 of 2**  
**New**

ACA Standard(s): N/A

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(a) **Policy.**

The Texas Juvenile Justice Department will implement procedures to avoid the adverse effects of nepotism and relationships between employees.

(b) **Definitions.**

Except as noted below, see the PRS Glossary for definitions of certain terms used in this policy.

**Family Member** -- for purposes of this policy, a family member is an employee's parent, child (natural, adopted, or legal guardianship), spouse, domestic partner, brother, sister, grandparent, grandchild, or step-relationship within the preceding categories. If an employee claims a spouse via a common-law marriage for any reason, such as for health insurance or any other benefit entitlement, the nepotism prohibitions will apply.

(c) **General Provisions.**

- (1) Two employees are in the same chain of command if one supervises the other, either directly or through intermediate supervisors. Persons are not employed in the same chain of command merely by having a supervisor in common, so long as one is not supervising the other.
- (2) A hiring authority or human resources administrator (HRA) must obtain clarification from the employment supervisor in Central Office Human Resources if he/she is uncertain whether selection of an applicant or a relationship between current employees would violate the provisions in this policy.
- (3) In addition to the specific prohibitions set forth in this policy, a department or division head may obtain approval from the director of human resources to impose further restrictions on the employment of family members in certain sensitive positions or within a department/division (e.g., due to the small size of the department/division or the duties of particular positions).

(d) **Procedures.**

(1) **Prohibitions.**

- (A) Without specific written authorization from the executive director or designee, family members may not be:
  - (i) employed in key personnel positions assigned to the same facility or department;
  - (ii) employed at a facility in any position if the superintendent or assistant superintendent is a family member;
  - (iii) employed in the same chain of command;
  - (iv) employed in or regularly assigned to positions requiring significant or routine interaction between the family members regarding agency business; or
  - (v) employed or regularly assigned to work as coworkers in the same dorm or work area.

Note: For teachers, teacher aides, and diagnosticians, a work area is the same classroom. Such education staff who are family members may be assigned to the same facility, but not to the same classroom.

- (B) Juvenile Correctional Officers (JCOs) who are family members may not be **regularly** assigned to the same dorm on the same shift. Assignment of JCOs who are family members to the same dorm on different shifts should also be avoided. If no other practical assignment options are available, a supervisor may temporarily assign the family members to the same dorm on the same shift. However, one of the family members must immediately be assigned to another dorm or shift as soon as another practical assignment option becomes available.

Note: JCOs who are family members may work on the same shift, on different dorms, and report to the same immediate supervisor.

- (C) Dating and romantic relationships between persons in the same chain of command are prohibited because the potential for favoritism is similar to when family members are in the same chain of command.

(2) **Reporting Requirements.**

When a prohibited relationship exists, the involved employees have a duty to report the relationship to the appropriate HRA. One of the employees must seek a transfer out of the chain of command. If the employees cannot agree upon who will transfer, management will make the decision based on agency needs.

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