

5.11 Nepotism Policy

Intent

The employer will strive to ensure that fair hiring practices are always utilized by the organization. To ensure that our organization and its hiring processes are free of any conflict of interest, we have adopted this policy to ensure that nepotism does not occur.

Scope

This policy applies to the employer, its employees and potential candidates for employment always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

This policy has been developed to incorporate the legislative requirements of Alberta, British Columbia and Ontario and shall be updated accordingly should the employer expand its operations into additional provinces.

Definitions

- Nepotism - Favoritism granted to relatives or close friends, usually in the form of hiring practices, and employment activities.
- Conflict of Interest – With respect to this policy, a conflict of interest exists when an individual can gain a special advantage due to being a relative or close friend of another employee, or conversely, where the employer is at risk because two or more employees are relatives. In the hiring and employment of relatives, conflict of interest situations include:
 1. Any influence exercised directly or indirectly by an employee in the selection and hiring process in which their friend or relative is a candidate;
 2. A direct or indirect supervisory relationship;
 3. The ability of one family member to influence or exert financial or administrative control over another;
 4. The ability of one family member to influence human resource matters including, but not limited to, performance reviews, preferred work assignments, promotions, reclassifications, disciplinary matters, special leaves, and/or access to additional hours and/or overtime; and/or
 5. Relatives that are employed in positions that establish a real or potential security, confidentiality, or financial risk to the employer.
 - Family Member - For the purposes of this policy, immediate family members shall be defined as: Wife, Husband, Mother, Step-Mother, Father, Step-Father, Brother, Step-Brother, Sister, Step-Sister, Son, Step-Son, Daughter, Step-Daughter, Nephew, Niece or any In-Laws.
 - Direct Reporting Relationship - A direct reporting relationship occurs when an employee reports directly to a friend or family member who is part of the management team.

- Indirect Reporting Relationship - An indirect reporting relationship occurs when an employee reports to a supervisor and the supervisor reports to a manager; thus, the employee indirectly reports to the manager.

Guidelines

In accordance with the Human Rights Code of Ontario, British Columbia and Alberta, the employer will not discriminate in its hiring practices on the basis that a person is a relative or close friend of a current employee. To this end, relatives and close friends of employees are eligible for employment if a direct or indirect supervisor/subordinate reporting relationship is not created between such employees.

The employer will ensure fair hiring practices by:

- Ensuring the hiring process is open and equitable, and candidates are selected in accordance with the employer's hiring-related policies;
- Accepting applications from, and considering a member of an employee's immediate family and close friends for employment if the candidate has all the requisite qualifications;
- Not directly or indirectly influencing the selection and hiring process in which their relative and/or close friend is a candidate;
- Having managers exclude themselves from any hiring process where their relative and/or close friend is a candidate;

If a real or perceived conflict of interest arises due to marriage/cohabitation, or if two or more related employees work in a situation where there is a real or perceived conflict of interest:

1. The employees will notify their manager of the situation.
2. The manager will work to assess the situation and determine whether there is a real or perceived conflict of interest. If there is a real or perceived conflict of interest, head office and/or the general manager will be informed.
3. Head office and the general manager, in consultation with the employee's immediate manager will make reasonable efforts to investigate suitable options for both employees.

If two related employees or two employees in a relationship are working in a real or perceived conflict of interest and fail to notify their manager, they may be subject to disciplinary action. If a manager has knowledge of a relationship between two employees where a real or perceived conflict of interest exists, the manager will address the concern with the employees and then notify the general manager. If the manager fails to notify the general manager, the manager may face disciplinary action.

RELEVANT DOCUMENTS

Recruitment Policy

Conflict of Interest Policy

Employee Relationship Policy