

**STATE OF MAINE**  
**POLICY AGAINST NEPOTISM IN EMPLOYMENT ACTIONS**

**I. Policy Statement**

The State of Maine is committed to providing all job applicants with fair and impartial consideration in employment. This Policy is intended to ensure that the workplace is free from favoritism, perceptions of favoritism, conflicts of interest, discrimination, and the appearance of impropriety.

**II. Definitions**

“Affinity” means a relationship by marriage or domestic partnership.

“Consanguinity” means a relationship by blood.

“Decision Maker” means an employee, usually a supervisor/manager, who has input into an Employment Action.

“Employment Actions” include, but are not limited to, recruitment, testing, hiring, promotion, compensation, benefits, layoffs, job assignments, employee development opportunities, and discipline.

“Family Relation” means a relationship within the Fourth Degree (4<sup>th</sup> Degree).

“Degree” means the degrees of relationship by Affinity or Consanguinity. The degree is the total number of steps, counting one for each generation and one for each Affinity from the employee. For example, an employee’s sibling is a second degree of relationship because you count back one generation from the employee to the parents and then count forward one for the employee’s sibling. A non-exhaustive list of covered relationships is attached to this Policy.

“Subordinate-Supervisor Relationship” means the workplace relationship of the organizational structure between an employee and their immediate supervisor.

**III. Nepotism in Hiring and Promotions**

No employee may be a Decision Maker for the hiring and/or promotion of an applicant if a Family Relation of that employee is a candidate for the position and/or promotion.

#### **IV. Nepotism in Employment Actions**

In all situations, except for the prohibition in Section III of this Policy, Subordinate-Supervisor Relationships that include family members should be guided by consideration of sound management practice. Departments are recommended to avoid family members having a subordinate-supervisor relationship with each other as often as possible. However, it is understood that may not be possible in all situations.

When a Department cannot avoid having family members with a subordinate-supervisor relationship, the supervisor or manager must always take reasonable steps to avoid a conflict of interest or the appearance of a conflict of interest. This means that employment decisions that impact just the subordinate family member (e.g. performance reviews, compensation, benefits, discipline, and development opportunities where employees are selected to the exclusion of other employees within the same unit or classification) must be delegated to another appropriate supervisor. However, a supervisor/manager is not required to delegate responsibility for decisions that impact multiple employees, even if some of the employees impacted are family relations (e.g. development opportunities provided to all employees within the same unit or classification, work assignments for a unit or team, or authorizing voluntary overtime).

Nothing in this Section will be interpreted to limit or alter the prohibition in hiring and termination as described in Section III.

#### **V. Disclosure Required**

Employees must disclose to human resources if:

1. The employee is a Decision Maker in the hiring or promotion process and if an applicant for that position is a Family Relation;
2. Employees who have a Subordinate-Supervisor Relationship with another employee who is a Family Relation; and
3. Employees who have supervisory or managerial authority over a Family Relation, but do not have a Subordinate-Supervisor Relationship with that employee, must disclose the relationship to HR.

#### **VI. Effective Date**

The effective date of this policy is July 1, 2024.