

**LSU HEALTH CARE SERVICES DIVISION
BATON ROUGE, LA**

POLICY NUMBER: 4507-19

CATEGORY: Human Resources

CONTENT: Prohibition of Nepotism

APPLICABILITY: This policy is applicable to all employees, both classified and unclassified, of the LSU Health Care Services Division Headquarters Office (HCSDA) and Lallie Kemp Medical Center (LAK)

EFFECTIVE DATE: October 25, 1995
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INQUIRIES TO: HCSD Human Resources
P.O. Box 91308
Baton Rouge, LA 70821
Telephone: 225-354-4843 Fax: 225-354-4851

Note: Approval signatures/titles are on the last page

PROHIBITION OF NEPOTISM

I. STATEMENT OF POLICY

It is the policy of the LSU Health Care Services Division (HCS D) in concert with the provisions of the uniform Code of Governmental Ethics, R.S. 42.1101 *et seq.* of April 1, 1980 (hereafter referred to as the Code), to implement policy that deters potential conflict for maintaining an operational environment where public employees and officials operate impartial, that status within public service not be used for gain of the agency official or members of their immediate family.

It shall be the policy of the HCS D that “No member of the immediate family of an agency head shall be employed in his/her agency”, nor shall the agency head participate in a transaction (employment, salary increases, terminations, etc.) involving any member of his/her immediate family. Employment relationships shall be prohibited as follows:

“No member of the *immediate family* of the Chief Executive Officer shall be employed within HCS D”;

“No member of the *immediate family* of a Hospital Administrator, Department Head, Division Director, Section Head, or Supervisor of any *organizational work unit* may be employed in the *work unit* over which he/she has direct line supervision.

“No member of the *immediate family* of a Board Member shall be employed within HCS D”;

“Exceptions may occur only when the employment of such individual qualifies for an exception as specified in the Code or as ruled upon by the Ethics Commission.”

Note: Any reference herein to Health Care Services Division (HCS D) also applies and pertains to Lallie Kemp Medical Center.

II. DEFINITIONS:

“**Agency**” – a department, office, division, agency, commission, board, committee, or other organizational unit within the HCS D business units.

“**Agency head**” - Chief Executive Officer, Hospital Administrator, Department head, Division Director, Section/Unit Chief, any direct line Supervisor of an organizational work unit within HCS D or, any member of a Board or Commission that may exercise supervision over the agency.

“Immediate family” - his/her children; spouses of his/her children; his/her brothers/half brothers and their spouses; his/her sisters/half sisters and their spouses; his/her parents; his/her spouse; and parents of his/her spouse. Immediate family shall not include step relatives.

III. **EFFECTIVE DATE:**

This policy and subsequent revisions shall become effective upon signature of the Chief Executive Officer of the LSU Health Care Services Division (HCSD).

IV. **RESPONSIBILITIES:**

- A. The HCSD Chief Executive Officer and the Hospital Administrators shall be responsible for ensuring implementation of and compliance with this policy throughout the HCSD.
- B. Division Directors, Section Chiefs or other direct line Supervisors of any organizational work unit shall be responsible for administration and adherence to this policy for all employees under their supervision.
- C. HCSD Human Resources Divisions shall be responsible for formation and update of policy; for ensuring implementation, monitoring, reviewing and for advising directors, managers, supervisors and employees regarding the application of and adherence to this policy.

V. **EXCEPTION PROVISIONS:**

Exceptions are statutorily provided in the Code and may be granted only in accordance with those provisions as determined by the Commission on Ethics for Public Employees. Any exceptions shall be based upon the effective date of the action, which created the working relationship, and/or length of service in the position occupied by the subordinate employee involved.

Reports and requests for determinations of exceptions should be directed to the Chief Executive Officer through Human Resource Administration of HCSD.

- A. Supervisory/subordinate working relationships which existed between immediate family members on the effective date of the Code of Governmental Ethics, April 1, 1980, will not be required to change, nor will the relationship hinder the normal promotional advancements in public employment for such subordinate employees.
- B. Supervisory/subordinate relationship between immediate family members that may be prohibited by the Code but that were created after April 1, 1980, must be submitted to the Chief Executive Officer in writing. The report should include a

request for determination as to whether the working relationship should be permitted to continue. In most circumstances, if the subordinate employee was employed in the position for at least one year prior to the action that places the immediate family member to the position of agency head/supervisor, the working relationship would not be affected. Nor would it hinder normal promotional advancement of the subordinate employee under the agency head/supervisor.

- C. Future actions that may result in a supervisory/subordinate relationship between immediate family members and that would ordinarily be prohibited by the Code or this policy, must have prior approval of the Chief Executive Officer. Request must include the specifics regarding the proposed action and the supervisory/subordinate relation between immediate family members that would result. Approval consideration will be given only in those cases where the subordinate employee has been in the position for at least one year prior to the employee's immediate family member becoming the agency head.

VI. **REFRAINMENT**

In any case in which an agency head supervises a member of his/her immediate family and such working relationship is permitted under the Code, the agency head shall refrain from any decisions involving the subordinate's pay, performance evaluations and promotions. These transactions must be referred to a higher level direct line Supervisor for decision or approval.

VII. **SEVERANCE OF SUPERVISOR/SUBORDINATE RELATIONSHIP**

Should any supervisor/subordinate relationship have to be severed under the provisions of the Code (as determined by the Commission on Ethics for Public Employees), it shall be accomplished as follows:

- A. In accordance with an order or directive from the Commission on Ethics for Public Employees specifying how the relationship shall be terminated; or
- B. The last employee appointed which created the impermissible working relationship must be assigned to a different work unit or otherwise removed from his/her position, unless by mutual consent, the other party agrees to be moved.

VIII. **VIOLATION/CONSEQUENCES**

- A. Willful violations of this policy may result in disciplinary action up to and including dismissal.
- B. Separate action may be administered by the Commission on Ethics for Public Employees.

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HCSO Human Resources Director
Manager: Townsend, Kathy
HCSO Human Resources Director
Author(s): Wicker, Claire M.
PROJECT COORDINATOR
Approver(s): Buie, Lanette
HCSO Deputy Chief Executive Officer
Townsend, Kathy
HCSO Human Resources Director


Digital Signatures:

Currently Signed

Approver:
Townsend, Kathy
HCSO Human Resources Director


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Approver:
Buie, Lanette
HCSO Deputy Chief Executive
Officer


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