

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

POLICY NUMBER: 4507-23

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 (LKMC)

EFFECTIVE DATE: October 25, 1995
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Reviewed: August 23, 2021
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Reviewed: August 15, 2023

INQUIRIES TO: HCSD Human Resources
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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 (HCSO) 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 HCSO 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 HCSO”;

“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 HCSO”;

“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 (HCSO) also applies and pertains to Lallie Kemp Medical Center (LKMC).

II. DEFINITIONS

“**Agency**” – a department, office, division, agency, commission, board, committee, or other organizational unit within the HCSO 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 HCSO 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 approval and signature of the HCSD Chief Executive Officer (CEO) or Designee.

IV. RESPONSIBILITIES

- A. The HCSD Chief Executive Officer/Designee and the Hospital Administrator 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 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.
- D. Employees are responsible for requesting an interpretation and/or exception from the Louisiana Ethics Administration Program

V. EXCEPTION PROVISIONS

Exceptions are statutorily provided in the Code and may be granted only in accordance with those provisions as determined by the Louisiana Ethics Administration Program.

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.

Requests for determinations of exceptions and/or interpretations should be requested by the employee in writing, and directed to the Louisiana Ethics Administration Program. Official responses of determinations shall be provided to Appointing Authority, as applicable.

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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