



FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

Title: Nepotism – Employment of Relatives Procedures

Related Policy: FDJJ – 1003.06

I. DEFINITIONS

Human Resources (HR) Liaison – Unit/facility/region contact person for personnel matters.

Nepotism – A public official appointing, employing, promoting, or advancing or the advocating for appointment of a relative in a position in the agency in which the official is serving or over which the official exercises jurisdiction or control.

Public Official – Any employee of FDJJ, who has the authority by law, rule, or delegation to appoint, employ, promote, or advance individuals or to recommend such personnel actions within the Department.

Relative of an Employee – Any person, who is related to an official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

Selected Exempt Service Manager – An employee in the Selected Exempt Service position of Superintendent, Chief, Administrator, or above.

II. STANDARDS/PROCEDURES

A. Process:

1. All employees of FDJJ shall be subject to this policy. Employees, who become relatives during the course of their employment with FDJJ, shall be subject to this policy.
2. A public official shall not appoint, employ, promote or advance, or advocate for such personnel action, any individual who is his/her relative, in or to positions in the FDJJ over which the official exercises jurisdiction or control.
3. Relatives employed within the FDJJ shall have no supervisor/subordinate or next level supervisor/subordinate role where either would or may exercise jurisdiction or control over the other as part of their employment with the agency.
4. No personnel action may be taken that would result in the employment of more than one relative working in the same organizational unit.
5. Any functional operational component which is separately defined by unit title and recognized as such, or is designated as such by the Assistant Secretary, Deputy Secretary, or Chief of Staff is an organizational unit.

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6. Employees shall immediately advise their supervisor when a relative is hired within the organizational unit where they are employed.
7. Upon receipt of information regarding the employment of relatives within the same branch, the immediate supervisor shall notify, in writing, the appropriate Selected Exempt Service Manager.
8. The supervisor prior to hiring shall submit a written request for opinion of whether the employment of relatives violate the Department’s nepotism policy to the Office of the General Counsel, with a copy to their next level supervisor.
9. The Office of General Counsel shall receive, review and research the letter of request for opinion on the nepotism concern to determine whether there is a conflict of interest, or violation of law or policy.
10. The Office of General Counsel shall issue a written opinion to the appropriate supervisor, with a copy to the next level supervisor and the Bureau of Human Resources.
11. The supervisor shall review the Office of General Counsel response.
12. If there is no conflict of interest, violation of law or policy, they shall inform the appropriate supervisor that no further action is necessary.
13. If the Office of General Counsel indicates there appears to be a conflict of interest, violation of law or violation of this policy, the supervisor must initiate and complete the appropriate personnel documents to organizationally move one of the employees to another unit if possible.
14. The supervisor shall provide the employee with at least two weeks written notice of any personnel action.
15. The supervisor shall forward appropriate personnel documents to effect the personnel action or organizational move through their HR Liaison to the Bureau of Human Resources.
16. Employees shall be subject to an involuntary personnel action if a conflict of interest or a violation of law or policy is determined.
17. Employees may choose to resign, instead of being relocated.
18. Employees/Managers shall be subject to disciplinary action, up to and including dismissal for a violation of this policy.

I. RESPONSIBILITY AND DUTIES

A. Employees:

1. Shall notify his or her immediate supervisor of any nepotism concern, as defined in this policy.

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B. Supervisors:

1. Shall notify, in writing, the next level Selected Exempt Service Manager upon receipt of information regarding the employment of relatives within the same organizational unit.
2. Shall notify and request an opinion from the Office of General Counsel of whether the employment of the relatives violates the Department's nepotism policy.
3. Shall review the determination response from the Office of General Counsel. If the Office of General Counsel indicates there appears to be a conflict of interest or violation of law or violation of this policy, initiate and complete appropriate personnel documents to move one of the employees under a different supervisor.
4. Shall forward a copy of any personnel action with a copy of the Office of General Counsel determination through their HR Liaison to the Bureau of Human Resources.

C. Selected Exempt Service Manager:

1. Shall receive a copy of notification from the supervisor(s) regarding the employment of relatives within the same organizational unit.

D. HR Liaison:

1. Shall ensure the necessary personnel action is completed and the appropriate documentation is forwarded to HR.

E. Office of General Counsel:

1. Shall review the written request for opinion regarding the employment of relatives and advise the appropriate supervisor(s) if the employment of the relatives appears to result in a conflict of interest or violation of law.

II. ATTACHMENTS N/A