

Nepotism & Consensual Romantic Relationships

UMSL Supervisor Development | November 8, 2023



Relationships and Work

- Relationships outside of work may impact the workplace
- Policies exist to address actual or perceived favoritism and bias
- Supervisors, as representatives of the university, must:
 - Be aware of these policies
 - Seek help from HR
 - Help to mitigate risks

Nepotism Policy

- Missouri Constitution Article VII, Section 6: “Any public officer or employee in this state who by virtue of his office or employment names or appoints to public office or employment any relative within the fourth degree, by consanguinity or affinity, shall thereby forfeit his office or employment.”
- CRR 320.040 Nepotism prohibits any University employee from
 - Hiring or appointing a relative; or
 - Being the “administrative superior” of a relative
- Covered relatives include the any “individual who is related by blood or marriage within the fourth degree of consanguinity or affinity”

Nepotism Process

- There are no exceptions to the prohibition against hiring or appointing relatives
- If an employee becomes aware of being in an “administrative superior” position to a relative, they should disclose to their immediate supervisor and cooperate in being removed from activities that would constitute a policy violation
- Violations may be reported to the Integrity & Accountability Hotline or Human Resources office

Consensual Romantic Relationship Policy Overview

- CRR 330.065 was updated in 2021 to proactively protect against situations that may undermine the University's learning and working environment and cause conflicts of interest
- Continues to prohibit consensual romantic relationships between members of the University community when one participant has evaluative or supervisory authority over another
- Primary changes deal with:
 - Prior consensual romantic relationships
 - Faculty/staff member romantic relationships with undergraduates
 - Creation of an exception and appeals process

Primary Changes, explained

- Expands the policy to cover prior consensual romantic relationships, i.e., those that have occurred in the past but are no longer active
- Prohibits consensual romantic relationships between faculty/staff and undergraduate students, with exceptions possible
- Creates an exception process designed to allow certain relationships where the learning/working environment and potential conflicts of interest mitigated

Exception Process, Explained

Faculty, staff member, or student submits an exception request to the appropriate dean, vice chancellor, or vice president (leader)



Leader consults with the campus Chief HR Officer and determines if the relationship violates the policy and, if so, whether an exception is appropriate.



If an exception is appropriate the leader(s), in consultation with HR, develop a management plan. If not deemed appropriate, the participants can appeal to the Provost, who makes a final decision.

Reporting Violations

- Violations of the Consensual Romantic Relationship policy should be reported to the appropriate dean, vice chancellor, or vice president
- If the reporter believes someone has been subjected to sex discrimination, it should be reported to the appropriate Title IX Coordinator (UMSL's Title IX and Equity Office)

Case Study #1

Case: A supervisor needs to have a specialized task completed. Their child has the skills needed to complete the work. The supervisor hires them.

Violation? Yes. A supervisor cannot hire any relative within the fourth degree, by consanguinity and affinity.

Case Study #1B

Case: A supervisor needs to have a specialized task completed. Their child has the skills needed to complete the work. The supervisor directs a subordinate to hire and supervise the child.

Violation? Yes. The supervisor, through their subordinate, would be an Administrative Superior to their child.

Case Study #2

Case: A faculty member decides to begin dating an undergraduate student that enrolled in one of their courses last semester.

Violation? Yes. Under the new policy, relationships between faculty members and undergraduates is not permitted, except in cases where there is a long-term, committed relationship (including but not necessarily limited to marriage) predating the student's status as an undergraduate student. In this case, no exception would be appropriate.

Questions?



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