

RESOLUTION NO. R-10-33

REVISIONS TO SECTION 2.4 OF GRANT COUNTY EMPLOYEE MANUAL (FEBRUARY 2005)

WHEREAS, the Grant County Board of Commissioners ("Commission") desires to revise section 2.4 of the current Grant County Employee Manual (February 2005) to clarify and further define the county's policy on nepotism and close personal relationships; and

WHEREAS, Grant County does not strictly prohibit the employment of relatives, and the county does not wish to become involved in the consensual relationships between co-workers that do not affect the workplace. However, Grant County must take precautions to insure that employees are not, and do not appear to be improperly influenced by the existence of close personal relationships; and

WHEREAS, the Commission recognizes that administrators, managers and supervisors must create an atmosphere of fairness and equality among their staff and avoid real, or perceived, undue influence due to close personal relationships; and

WHEREAS, the Commission recognizes that within our public safety departments, safety of both our employees and the public is an interest that must be protected, and that close personal relationships could jeopardize that interest.

NOW THEREFORE, BE IT HEREBY RESOLVED, that in light of the interests described herein, the Commission adopts the following revisions to the current Grant County Employee Manual (February 2005), which will replace section 2.4 in its entirety:

2.4.A EMPLOYMENT (revised August 12, 2010)

It is, and shall continue to be, the policy of the County that all persons are entitled to equal employment opportunity regardless of race, color, sex, religion, age, national origin, disability, veteran status, sexual orientation or marital status. Employment, promotion and advancement opportunities are provided in a non-discriminatory manner.

Candidates for regular, full-time employment must have reached their eighteenth birthday. However, persons who have reached their sixteenth birthday may be considered for employment within the limits of State and Federal laws.

2.4.B NEPOTISM AND CLOSE PERSONAL RELATIONSHIP POLICY (revised August 12, 2010)

Nepotism Generally. Grant County does not strictly prohibit the employment of relatives, and the county does not wish to become involved in the consensual relationships between co-workers that do not affect the workplace. However, Grant County must take precautions to insure that employees are not, and do not appear to be improperly influenced by the existence of close personal relationships. In addition, the county must take the necessary precautions to insure that sections 10-1-10 and 10-1-11 NMSA 1978, are not violated.

Grant County construes “close personal relationship” broadly, including but not limited the following: spouses, domestic partners, fiances, children, step children, step siblings, grandchildren, great grandchildren, siblings, parents, brothers-in-law, sisters-in-law, mothers-in-law, fathers-in-law, great grandparents, grandparents, aunts, uncles, nieces, nephews, cousins, and romantic and/or sexual relationships, and any other close relationships that reasonably might be perceived as potentially compromising the employee’s ability to make independent, unbiased decisions on behalf of Grant County.

Nepotism and Supervisors. Administrators, managers and supervisors must create an atmosphere of fairness and equality among their staff and avoid real, or perceived, undue influence due to close personal relationships.

Under no circumstances shall any county employee directly supervise or otherwise have authority over decisions regarding the hiring, retention, promotion, disciplining, scheduling, or compensation of another employee with whom they have a close personal relationship. The head of a county department, whether an employee or an elected official, may not avoid this policy by delegating supervisory duties. Accordingly, someone who has a close personal relationship with a department head shall not be employed in that department.

Nepotism and Public Safety Departments. In county departments involving public safety, including the Sheriff’s Office and the Grant County Detention Center, an employee may not work on the same shift as another employee with whom he or she has a close personal relationship. Where the close personal relationship exists or develops between employees holding the same rank, the employee with less seniority will be discharged unless he or she can be moved to another shift, another building, or another department, as determined by the department head or administrator. Where a close personal relationship exists or develops between employees with different ranks, the employee holding the higher rank will be discharged from employment unless the higher ranking employee can be moved to another shift, another building, or another department, as determined by the department head or administrator.

The Nepotism and Close Personal Relationship policy applies to all present and future close personal relationships. Current employees who are in violation of this policy at the time of its implementation will not be discharged from employment for such violation. Rather, current employees who are in violation of this policy at the time of its implementation will be subject to the alternatives described herein.

DONE this 12th day of August 2010, in Silver City, New Mexico.

BOARD OF GRANT COUNTY COMMISSIONERS:



MARY ANN SEDILLO, CHAIRPERSON




JOVITA GONZALES, MEMBER



CHRISTY MILLER, MEMBER



ATTEST:



ROBERT ZAMARRIPA,
GRANT COUNTY CLERK