

	<b>STANDARD OPERATING PROCEDURE</b> <small>State Form 39870(R/S-06)</small>	Reference Number <b>HMR-001</b>
	Subject <b>Relatives – Duty Assignments of</b>	
	Special Instructions <b>Replaces HMR-001 dated March 1, 2015</b>	Effective Date <b>April 23, 2024</b>

## **I. PURPOSE**

Establish guidelines in compliance with IC 4-2-6-16 (Nepotism) for the assignment of Department employees (who are related).

## **II. POLICY**

Department employees who have supervisory or command authority shall not be placed in the direct chain of command of any employee who is related to them. Furthermore, supervisors or commanders who have relatives on the Department shall not exert any actual or implied authority, over any subordinate supervisor or commander, to the benefit of an employee who is related to them.

## **III. DEFINITIONS\***

\*NOTE - (All definitions contained in this SOP apply exclusively to this SOP and its contents.)

A. **DIRECT LINE OF SUPERVISION** (for the purposes of this SOP to be referred to as the chain of command) – A position in which the superior affects, or has the authority to affect, the terms and conditions of the subordinate's employment, including making decisions about work assignments, compensation, grievances, advancements, or performance evaluation.

B. **EMPLOYEE** – An individual who is employed by an agency on a full-time, a part-time, a temporary, an intermittent, or an hourly basis. The term includes an individual who contracts with an agency for personal services.

C. **EXISTING JOB ASSIGNMENTS (Grandfather Clause)** – Job assignments that existed as of July 1, 2012 that were in compliance with the previous law shall be allowed to continue.

D. **NEPOTISM** – Patronage bestowed on or favoritism shown to an individual on the basis of a family relationship.

E. **RELATIVE** – May include a spouse; a parent, stepparent; a child, step child, or adopted child; a brother, sister, stepbrother, step sister, half-brother or half-sister; a niece or nephew; an aunt or uncle; or a daughter in-law or son-in-law.

F. **SUPERVISORS/COMMANDERS** – Employees (sworn or professional staff) with authorized authority to issue orders and/or supervise subordinate employees. The term supervisor shall be used throughout this SOP and will incorporate all applicable positions.

## **IV. PROCEDURE**

A. Existing Job Assignments:

1. Job assignments in effect as of July 1, 2012 are permitted to continue without change (or are grandfathered) so long as those assignments were in compliance with the previous law.

2. Any changes to the grandfathered job assignment (e.g. a position with a new job description within the same command or a lateral with the same job description into a new command) will be subject to IC 4-2-6-16 and the guidelines outlined in this procedure.

B. Supervisors who have the authority to hire personnel shall not hire relatives.

C. Supervisory personnel shall not be placed in the direct chain-of-command of a subordinate employee.

D. Any promotion, or change to a job assignment, that would otherwise place a supervisor in the direct chain of command of a relative shall require the supervisor to sign a written acknowledgment that they will abide by the [Acknowledgement of Nepotism Law and Waiver of Supervisor Authority Over Relative](#) and the guidelines listed below:

1. All decisions in which the superior affects, or has the authority to affect, the terms and conditions of the subordinate's employment, including making decisions about work assignments, compensation, grievances, advancements, or performance evaluation shall be processed through the normal chain-of-command until it reaches the affected supervisor.

2. All such decisions shall then be deferred to the next level of supervisor in the chain-of- command.

E. Supervisory personnel shall not exercise any implied or actual authority over other subordinate supervisors in order to provide any type of benefit to a related employee.

F. Any personnel having concerns about potential or actual violations of this policy may contact the Legal Office outside of the normal chain-of-command.

G. The appointing authority of the Department may not hire a relative.

H. This procedure is to be used in conjunction with all relevant state laws and Department regulations, rules, policies, and procedures.