

Texas Woman's University University Regulation and Procedure

Regulation and Procedure Name: Nepotism-Employment of Relatives

**Regulation and Procedure
Number: URP: 05.215**

Policy Owner: Finance and Administration

POLICY STATEMENT

This University Regulation and Procedure ("URP") establishes Texas Woman's University's ("TWU") procedures on nepotism consistent with state law and promotes fair employment practices in all TWU programs, regardless of funding source.

APPLICABILITY

This policy applies to TWU Employees.

DEFINITIONS

1. "Employee" means any individual at TWU who is hired in a full-time, part-time, or temporary capacity in a faculty or staff position, or in a position where the individual is required to be a student as a condition of employment.
2. "Relative" means a husband, wife, father, mother, son, daughter, brother, sister, grandparent, uncle, aunt, nephew, niece, cousin and their in-law and step-relative counterparts, or any other person within the second degree by affinity or the third degree by consanguinity.
3. "Relation by Affinity" (Marriage) means two persons are related to each other by affinity if they are married to each other or the spouse of one of the persons is related by consanguinity to the other person. Spouses are related to each other in the first degree by affinity. The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives. Two individuals are related to each other by affinity in the second degree if the spouse of one of the individuals is a grandparent, grandchild, sister, or brother.
4. "Relation by Consanguinity" (Descendants) means two persons are related to each other by consanguinity if one is a descendant of the other or if they share a common ancestor. An adopted child is considered to be a child of the adoptive

parent for this purpose. As the table below illustrates, a parent and child are related in the first degree, a grandparent, grandchild, sister, or brother are related in the second degree, and a great-grandparent, great-grandchild, aunt, uncle, niece, and nephew are related in the third degree.

5. "Civil Law-Degrees of Relationship"

	1st	2nd	3rd	4th
Employee and Spouse	Child	Grandchild	Great-grandchild	Great, great-grandchild
	Parent	Sister/brother	Niece/nephew	Grandniece/nephew
		Grandparent	Aunt/uncle	First cousin
			Great-grandparent	Great aunt/uncle
				Great, great-grandparent

REGULATION AND PROCEDURE

I. Employing a Relative

- A. A Relative of a member of the TWU Board of Regents may not be employed by TWU unless the individual was employed with TWU immediately before the appointment of the Regent and the employment of the Relative is continuous for at least 30 days before the appointment of the Regent. In such cases, the Regent may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the Relative if that action applies only to the Relative and is not taken regarding a class or category of Employees
- B. A Relative of a TWU Employee shall not be employed in a position where the Employee has the authority to act in any official capacity for the

selection, promotion, setting of salary, performance review, or supervision of that Relative, regardless of the source of funds for payment of the salary.

- C. This URP also applies to individuals hired as private contractors to perform work for TWU.

II. Relationship After Employment

If two Employees marry and the employment of the married persons violates this URP, one of the married Employees must leave their employment with TWU no later than ninety (90) days after the date of the marriage. An Employee who vacates a position under this provision may apply for and be offered employment in another position of TWU.

III. Disclosure of Relationships

- A. An Employee shall promptly notify his or her supervisor in writing when they have knowledge of a situation in which they will be required to act in an official capacity for the selection, promotion, setting of salary, performance review, or supervision of a Relative.

- B. Disclosure Required for Purchasing Personnel

- 1. State agency purchasing personnel must disclose certain family relationships with business entities receiving certain State agency contracts. Before a State agency may award a major contract for the purchase of goods or services to a business entity, each of the State agency's purchasing personnel working on the contract must disclose in writing to the administrative head of the State agency any relationship the purchasing personnel is aware about that the employee has with an employee, a partner, a major stockholder, a paid consultant with a contract with the business entity the value of which exceeds \$25,000, or other owner of the business entity that is within a degree described by Texas Government Code section 573.002.

- 2. The form for use by purchasing personnel of a State agency to disclose information regarding certain relationships with, and direct or indirect pecuniary interests in any party to a major contract with the State agency prior to the award of a major contract, was developed by the State Auditor and can be found on the State Auditor's website.

IV. Penalties

- A. An individual who is hired or appointed in violation of this URP will be removed from his or her position.
- B. Personnel actions taken in violation of this URP are void and may result in disciplinary action against the Employee taking the action.
- C. Actions taken in violation of this URP may also result in criminal penalties under Section 573.084 of the Texas Government Code.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

REFERENCES

TEX. GOV'T CODE CH. 573

FORMS AND TOOLS

[State Auditor's Nepotism Form](#)

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