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Sponsor:	<i>Mark Sprada: SVP, CHIEF HR OFFICER</i>
Section:	<i>HR-Employee Relations & Employee Engagement</i>
Manuals:	<i>Human Resources</i>

HR-008-022 Anti-Nepotism and Employment of Relatives

I. **Purpose:** The purpose of this Policy is to provide guidelines to employees and supervisors regarding the employment, appointment, transfer, promotion, assignment, and supervision of relatives or other persons who have significant personal relationships with Broward Health personnel. Broward Health provides equal employment and advancement opportunity to all qualified individuals regardless of whether the applicant or employee is, or is not, related to or has a significant personal relationship Broward Health personnel. It is the goal of Broward Health to avoid creating or enabling circumstances in the work environment that may give rise to the appearance or possibility of favoritism, conflicts of interests, or management disruptions.

This Policy applies to the appointment, employment, promotion, advancement, supervision, assignment, and evaluation of all Broward Health workforce members (including those providing services through a temporary staffing arrangement or contract).

II. **Definitions:** For purposes of this Policy, the below terms shall have the following meanings associated with them wherever they appear in this Policy, regardless of whether they are capitalized, unless (a) the context in which they are used clearly requires a different meaning; or (b) a different definition is prescribed for a particular section of this Policy. Words not defined shall be given their common and ordinary meaning unless the context in which they are used requires otherwise.

- A. **Conflict of Interest:** A situation that has the potential to undermine the decision-making of an individual because of the possibility of a conflict between the individual's personal interest and a professional duty.
- B. **Line of authority:** Any position having supervisory authority within the direct chain of command or supervision.
- C. **Broward Health Leader:** An employee of Broward Health who is vested with the authority by appointment, law, rule, or regulation, or to whom the authority has been delegated to appoint, employ, promote, evaluate, remediate or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment at Broward Health.
- D. **Related/Relative/Family Member** - includes employees related to another Broward Health employee by blood, marriage or legal action (i.e. adoption). Examples include but are not limited to spouses, parents, children, siblings, in-laws, stepparents, step-siblings, step-children, step-grandchildren. The term also includes domestic partners.

- E. **Significant personal relationships:** employees involved in a romantic/intimate relationship or share a common residence with another Broward Health employee. Examples covered under this definition are employees who are dating, have shared custody of a child, are roommates/cohabitants, or may even include a former spouse.

III. Policy:

- A. Broward Health is a family-oriented organization and welcomes the employment of relatives and domestic partners. Individuals with significant personal relationships with Broward Health employees or relatives of employees may be hired, transferred etc. provided they will not:
- occupy a position in the same line of authority of the Relative or significant personal relationship
 - occupy a position that influences the terms and conditions of employment for that relative or significant personal relationship.
- B. In accordance with Section 112.3135, Fla. Stat., Broward Health leaders may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in Broward Health, any individual who is a relative of the Broward Health leader or with whom they have a significant personal relationship. This should be brought to the attention of the Regional HR team so that a case-by-case review can be conducted.
- C. A Broward Health employee shall not supervise or be supervised by a Relative or individual with whom they have a significant personal relationship. For purposes of this Policy, supervision of such individuals includes having the ability to influence the employee's terms and conditions of employment situation in matters such as hiring, promotion, evaluation, determination of salary, and working conditions.
- D. Examples of prohibited employment relationships involving Related employees or individuals with significant personal relationships include, but are not limited to, instances in which an individual:
- works in a department or organizational unit led by a Relative or individual with significant personal relationships as defined above;
 - is assigned to serve in the "lead" or "charge" position during the same shift and organizational unit as a Relative or individual with significant personal relationships;
 - serves as the preceptor for a Relative or individual with significant personal relationship, or signs-off on their clinical competencies;
 - approves a Relative's or individual with significant personal relationship's schedule, work assignments, time cards, or payroll;
 - provides performance-related feedback to a Relative or individual with significant personal relationships or audits their work or organizational unit;
 - investigates or oversees an investigation involving a Relative or individual with significant personal relationships;
 - participates in a peer interview panel involving a Relative or individual with significant personal relationships.

E. The Human Resource Department may permit peer to peer Related employees or individuals with significant personal relationships to work under the supervision of the same supervisor in accordance with the guidelines set out in this Policy. However, Broward Health reserves the right to monitor and alter such assignments to ensure that it does not rise to the appearance or possibility of favoritism, conflicts of interests. Such relationships must be disclosed to the Regional Human Resources Officer for evaluation and approval.

F. No employment relationship will be allowed to be maintained, regardless of the positions involved, if such relationship creates a disruption or potential disruption in the work environment,

an adverse impact on productivity or performance, or is prohibited by any legal or regulatory mandate.

G. A Relative or individual with a significant personal relationship with a Regional Chief shall not be appointed, employed, transferred, or assigned to the same region or facility over which that Regional Chief exercises jurisdiction or control.

H. Employment must be evaluated on a case by case basis if a member of the employee's immediate family or the individual with a close significant relationship serves:

- on any system-wide Committee
- Or has Corporate or system-wide oversight which has authority to impact terms and conditions of employment.

IV. Procedure:

- A. This Policy shall apply to any employment recommendations or decisions, including but not limited to hiring, assignments, transfers, promotions, demotions, and any similar personnel actions.
- B. Regional Human Resources Departments are responsible for ensuring that all applicants being considered for employment and current employees are informed of the requirements of this Policy. This will be accomplished through the provision of a copy of the policy when new hires complete HR paperwork, regional orientations, and annually via the organization's mechanism of choice (i.e. healthstream at time of evaluation or annual compliance conflict of interest disclosures).
- C. Current employees or candidates for employment are required to notify their Regional Human Resources Department if they have a relationship governed by this Policy. Supervisors must inform the Human Resources Department of any known or anticipated relationships that may be covered by this Policy. Supervisors are responsible for monitoring changes in employee reporting relationships after initial hire to ensure compliance with this Policy.
- D. The Regional Human Resources Department, in collaboration with the VP/HR or Employee Relations Department should evaluate and resolve any conflicting employment relationships. In certain circumstances the Corporate Compliance Department may be involved to consult on the matter.
- E. In instances where there are conflicting employment relationships, adjustments may be made to the duties assigned to one or both impacted parties or by modification of the administrative relationship between their positions, or both. Such adjustments may be made whenever reasonable but are not acceptable if they will have a significant adverse effect on the employee's job performance evaluations or on the effective operations of the department, division or unit.
- F. In administering this policy, no personnel adjustment or employment decision will be based on **race, color, religion, sex, national origin, age**, or any other characteristic protected by federal, state or local laws.
- G. Broward Health reserves the right to exercise appropriate managerial judgment to take such actions as may be necessary to achieve the intent of this Policy.
- H. Broward Health understands that family relationships may change throughout employment. People may date and marry over the course of employment. A new form must be submitted whenever a change or additional relationship occurs. Submissions should be made within thirty

days of the occurrence of the change.

*Employment of Related employees or individuals with a significant personal relationship previously approved by the Human Resources Department prior to the initial implementation date of this Policy, will not require additional approval, so long as the relationship is not in violation of any federal, state, local law or regulation. However, changes in the status of the Related employees, the nature of their relationship, or job responsibilities will require approval pursuant to this Policy.

V. Related Policies: EEO - Anti Harassment policy

VI. Regulation/Standards: Florida Statutes § 112.3135, Restriction on Employment of Relatives

VII. References

VIII. Interpretation and Administration: Interpretation and administration of this policy is the responsibility of the Regional Chief Human Resources Officers, in collaboration with the VP Human Resources and Director of Employee Relations. Systemwide interpretation and application of this policy is the responsibility of the Senior Vice President/ Chief Human Resources Officer.

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
	Mark Sprada: SVP, CHIEF HR OFFICER [LW]	06/2022
	Letitia Woods: VP, HUMAN RESOURCES OPERATIONS	06/2022
	Faith-Simone Hunte: DIR, EMP. REL. & IMMIGRATION	06/2022