



Policy Title:	Nepotism and Preferential Treatment
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Policy Management Area(s):	Human Resources and Equal Opportunity

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## **SUMMARY:**

This document sets forth the Coastal Carolina University policy concerning nepotism, pursuant to Section 8-13-700 through Section 8-13-795 and regulations of the South Carolina Division of State Human Resources.

### **I. DEFINITIONS**

- A. Domestic partner – For the purpose of this policy, domestic partner is defined as an individual in a committed relationship who resides with their significant other, but is not married to or related by blood, adoption or law to the cohabitant.
- B. Family member - For purposes of this policy, family member is defined as an individual who is:
  - 1. the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, grandchild or a member of the immediate family of a public official, public member or public employee.
  - 2. The definition of member of the immediate family extends to:
    - a. a child residing in a public official's, public member's or public employee's household,

- b. an individual claimed by a public official, public member or public employee, or by their spouse, as a dependent for income tax purposes; or
  - c. a significant other of a public official, public member or public employee (refer to Significant Other definition).
- C. Favoritism/preferential treatment – For the purpose of this policy, favoritism is defined as the basing of decisions regarding hiring, selection, promotion, wages, hours or other conditions of employment on a relationship rather than on objective standards and the needs of the University.
- D. Nepotism - the act of favoring or showing preferential treatment to relatives or those with whom one shares a relationship.
- E. Public employee - a person employed by the state, a county, a municipality or a political subdivision thereof.
- F. Public member - an individual appointed to a non-compensated part-time position on a board, commission or council.
- G. Public official - an elected or appointed official of the state, a county, a municipality or a political subdivision thereof, including candidates for the office.
- H. Relationship - For the purpose of this policy, relationship is defined as a bond between individuals who have a current or former association that would make it difficult for the individual with the decision-making responsibility to be objective or that would create, to a reasonable person, the appearance that such an individual may not be objective. Examples include, but are not limited to, the following:
  - 1. relationships by blood, adoption, marriage or domestic partnerships;
  - 2. romantic and/or sexual relationships;
  - 3. personal relationships; and
  - 4. significant business relationships.
- I. Personal relationship - For the purpose of this policy, personal relationship is defined as a connection between two people that is typically based on, but is not limited to, mutual experiences, shared interests, proximity and emotional bonding.
- J. Significant other - For the purpose of this policy, includes individuals who are dating or engaged to be married but may or may not reside together.
- K. Significant business relationship - For the purpose of this policy, significant business relationship is defined as an association between two or more people entered into for commercial or common purposes.

- L. Supervisor - For purposes of this policy, supervisor is defined as any individual who has the delegated authority to hire, promote, evaluate, grade, direct, coach or mentor another person or who is in the supervisory chain of command.

## II. POLICY

- A. A public official, public member or public employee:
  - 1. may not cause the employment, appointment, promotion, transfer or advancement of a family member, domestic partner or significant other, or one with whom the public official, public member or public employee shares a relationship to a state or local office including, but not limited to, a position within the same state agency, entity or organization as the public official, public member or public employee;
  - 2. may not participate in an action relating to the discipline of the public official's, public member's or public employee's family member, domestic partner or significant other, or one with whom the public official, public member or public employee shares a relationship;
  - 3. may not evaluate the performance, supervise or terminate a family member, domestic partner or significant other, or one with whom the public official, public member or public employee shares a relationship;
  - 4. may not have budgetary authority over any funds used in employing or compensating an individual who is the public official's, public member's or public employee's family member, domestic partner or significant other, or one with whom the public official, public member or public employee shares a relationship;
  - 5. may not influence the salary or classification, directly or indirectly, of a family member, domestic partner or significant other, or one with whom the public official, public member or public employee shares a relationship;
  - 6. may not supervise or be the supervisor of, directly or indirectly, a family member, domestic partner or significant other, or one with whom the public official, public member or public employee shares a relationship; and
  - 7. may not accept any work or compensation that could be reasonably construed as a conflict of interest.

For further guidance on the perception of a conflict of interest, please contact the Office of University Counsel.

- B. Student Employment - Children of employees who are students at CCU are eligible to be hired as student employees in areas not reporting directly or indirectly to their parents. The employee parent is prohibited from requesting or encouraging, either formally or informally, that other University employees hire such children or alter the standard university pay scale for student employees.
- C. Employment of President's Cabinet Family Members  
Family members of President's Cabinet may be employed by the University only in the event,

- The President's Cabinet Family Member's position is a non-FTE, part-time, temporary position that cannot otherwise reasonably be filled by a student employee and/or an employee who is not a President's Cabinet Family Member, and
- The President's Cabinet Family Member's position is not within the same division or otherwise under the supervision or control of a Family Member, and
- All other provisions of this Policy are met.

D. Reporting Relationships

1. New hires – The President or designee must certify the hire or business affiliation (see [UNIV-HREO 446 University Affiliates](#)) that involves a family member, domestic partner or significant other, or of any individual with whom the public official, public member or public employee shares a relationship. The intent of the certification is to confirm there is no violation of this policy or state law. Certification will occur following the review of the Department Nepotism Disclosure form (submitted by department) and the Candidate/Affiliate Nepotism Disclosure form (completed by the candidate). No offer (verbal or in writing) may be made until certification is received.
2. Change in status of existing employees/affiliates – The Employee/Affiliate Nepotism Status Change Disclosure form must be filled out for all faculty, staff and affiliates whenever a nepotism-related status change occurs. Both parties involved in the nepotism status change must notify their respective supervisors of the change, and it is the responsibility of each to submit a completed Employee/Affiliate Nepotism Status Change Disclosure form to Human Resources and Equal Opportunity within ten (10) calendar days of the status change. Each case will be assessed by the President or designee to determine if there is a violation of this policy or state law. If feasible, transfers and/or reasonable accommodations may be made to prevent these violations.
3. Completed nepotism disclosure forms will be retained in Human Resources and Equal Opportunity.

E. Policy Violations

1. Disciplinary action may be taken in accordance with [FAST-HREO 222 Disciplinary Action and Termination for Cause](#), Faculty Manual or other governing policies, regulations or laws.
2. Sanctions may be imposed by the State Ethics Commission per [SC Code 8-13-780\(A\)-\(D\)](#).

F. Under this policy, favoritism/preferential treatment, the appearance of preferential treatment or any form of favoritism by public officials, public members or public employees in all aspects of employment, appointment, promotion, transfer or advancement of University employees and potential University employees is prohibited.