



## County of Cortland County

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### Cortland County

#### Policy and Procedures Nepotism

**1. Purpose:**

This policy is designed to guard against employment relations from which nepotism or charges of nepotism might arise, to assure reliability and appearance of fairness in the best interest of the County, to assure and maintain accountability and to avoid the potential for employment related conflicts of interest.

**2. Policy:**

It is the policy of the Cortland County not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or familial status. Notwithstanding this policy, no person shall be appointed or employed in any position in the County if such appointment or employment would cause the employee to come under the supervision of a relative, either directly or through a chain of authority. Further, no person shall hold a position where they would be responsible for auditing or evaluating the work of a relative.

**3. Application:**

This policy applies to all categories of employment, including full and part time, temporary, casual or seasonal appointments within all Departments/divisions of the County. This section does not prohibit the appointment, in the competitive service, of a individual if (1) the individual is within reach for selection from an appropriate certified eligibility list and (2) an equally qualified alternative selection cannot be made from the certified eligibility list.

**4. Definitions:**

1. Relative: Includes individuals who are related by blood, marriage or adoption including the following: parent, child, spouse,

brother, sister, grandparent, grandchild, adopted or foster child, in-laws and step relationships.

2. Supervision: Shall mean any employee, regardless of job description or title, having authority (or practical power) in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend this action, if, in the connection with the foregoing, the exercise of this authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

**5. Procedure:**

1. The County shall employ no person in any position that places such person under supervision of another employee to whom such person is a relative. Exceptions may be approved, by the County Administrator, for employment that would be for the benefit of the County.
2. Whenever a department head proposes, as an exception to the County's policy, to employ a person or to continue the employment of a person in a position that would fall under the administrative supervision of anyone to whom the person is related in any manner specified in paragraph 1, such supervisor shall prepare a written request for approval of each appointment or continuation. This request, which shall include an alternative procedure for supervision, shall be submitted to his or her immediate supervisor for review and recommendation, through each higher supervisory level, to the County Administrator, for approval. Exceptions will only be permitted where there are unique circumstances and there is a benefit to the County.
3. When two existing employees marry, and a determination has been made that the potential for creating adverse impact as described above exists, the department head in conjunction with the Personnel Officer, shall make reasonable efforts to minimize problems of supervision, or safety, security or morale through reassignment of duties, relocation of transfer. The proposed plan for accommodation shall be submitted to the County Administrator for approval.
4. The County Administrator, in consultation with the County Attorney and the Chairman of the Legislature, shall have the final authority and responsibility for determining if a potential for adverse impact exists or does not exist, and deciding whether to approve the appointment or promotion of the applicant or employee.

**6. Effective Date:**

This policy shall become effective upon adoption by the County Legislature and applies to all future appointments and promotions of employees of Cortland County.

**Reference:** Resolution No. 385-03 adopted August 12, 2003.  
Revised 2-13-15