



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

MEMORANDUM
CSC No. 2017 - 01

GINA M. ROCCANOVA
PRESIDENT

KATE FAVETTI
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

F. X. CROWLEY
COMMISSIONER

SCOTT R. HELDFOND
COMMISSIONER

MICHAEL L. BROWN
EXECUTIVE OFFICER

DATE: February 8, 2017

TO: Department Heads
Departmental Personnel Officers
Employee Organization Representatives,

FROM: Michael L. Brown, Executive Officer
Civil Service Commission

SUBJECT: Policy on Family and Romantic Relationships at Work

At the Regular Civil Service Commission meeting of February 6, 2017, the Commissioners adopted the attached policy regarding Family and Romantic Relationships at Work. It is important to note that this policy will affect all employees of the City and County of San Francisco, including elected officials, interns and volunteers.

The policy encompasses requirements that already exist by virtue of the Charter, Employee Handbook, and Campaign and Governmental Conduct Code. The policy specifically expands the romantic and family relationship reporting requirements to avoid the perception of favoritism or nepotism. The policy clarifies that direct supervision of a related person (as defined in the policy to include both relatives and romantic relationships) is not allowed, and that indirect supervision of related persons may only be allowed if a management plan is in place to address potential conflicts of interest.

The Department of Human Resources (DHR) will be involved in the next phase of mass training for Human Resource professionals within Departments, Department Heads, managers, supervisors and employees. In addition, DHR will serve as a resource for Human Resource professionals who are resolving potential conflicts.

If you have specific questions or concerns regarding the policy, please feel free to contact our office.

CIVIL SERVICE COMMISSION

MICHAEL L. BROWN
Executive Officer



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February 8, 2017

City and County of San Francisco Civil Service Commission Policy Regarding Family and Romantic Relationships at Work (Adopted By the Civil Service Commission on February 6, 2017)

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I. Purpose

The City and County of San Francisco (City) Civil Service Commission is committed to maintaining a professional work environment free of conflicts of interest, nepotism, and favoritism. A workplace where employees maintain clear boundaries between family, personal, and work relationships leads to an environment that:

- Is fair, equitable, and safe;
- Promotes high employee morale; and
- Ensures trust in the City's merit-based employment system.

With over 30,000 employees, it is not surprising that members of the same family and people in romantic relationships may work for the City. In general, these relationships do not pose workplace problems. The purpose of this policy is to explain when family and romantic relationships may cause problems, or the appearance of problems, related to nepotism, favoritism, or conflicts of interest at work. This policy also establishes standards and disclosure requirements to prevent those problems from occurring.

Nepotism occurs when family members favor other family members in employment decisions. Nepotism does not align with the City's policy and practice of making employment decisions based solely on City needs, merit-based processes, and individual qualifications, skills, knowledge, abilities, and performance.

Romantic relationships between supervisors and subordinate employees may raise issues of conflict of interest, abuse of authority, or favoritism. These relationships also have the potential to adversely impact other employees. Moreover, the real or perceived power imbalance that may exist between a supervisor and a subordinate may raise questions about mutual consent.

People in both family and romantic relationships are referred to as "related persons" (defined in Section III below) solely for purposes of this policy.

II. Applicability

This policy applies to all City officers, elected officials, employees (including permanent civil service, exempt, temporary, full and part time, and provisional), interns, and volunteers. These individuals are referred to collectively as “employees” solely for purposes of this policy.

III. Definitions

Employment decisions: Refers to the full array of decisions and actions that involve City employees and their employment, including, but not limited to, decisions related to hiring, supervision, promotion, compensation, work hours, assignment of duties, performance evaluation, discipline, termination, and decisions involving other terms and conditions of employment such as those listed in Section IV below.

Related person(s):

(A) A family member, whether by blood, adoption, marriage, or domestic partnership, including:

- Spouse;
- Domestic partner;
- Child;
- Parent;
- Grandparent/Grandchild;
- Aunt/Uncle;
- Sibling;
- First cousin;
- Niece/Nephew; and
- Any corresponding in-law, step, or foster relation

(B) A consensual romantic relationship occurring within the last two years. This includes, but is not limited to sexual, dating, engagement, or other intimate relationships.

Direct supervision: One employee directing the work of another employee. This includes temporary and project-based assignments.

Indirect supervision: One employee is responsible for the work of another employee through the organizational structure or chain of command. This includes temporary and project-based assignments.

IV. Policy

Employees may not make, participate in making, or influence any employment decision involving a related person. This includes, but is not limited to:

- Hiring, promoting, transferring, or re-assignment;
- Serving on a hiring panel;
- Developing, administering, or rating a civil service exam;
- Initiating an administrative investigation or discipline;
- Assigning work;
- Preparing, conducting, or contributing information to a performance appraisal;
- Approving overtime or any other compensated time;
- Approving vacation, sick, or other leave time;
- Granting or denying permission to attend a conference or other work-related event;
and
- Approving reimbursement for work-related expenses.

Employees are prohibited from directly supervising related persons.

It is best practice that employees do not indirectly supervise related persons. Exceptions to this policy for indirect supervision may be made on a case by case basis as set forth in Section V.2 below.

Nothing in this policy prohibits an employee from acting as a personal reference or providing a letter of reference for a related person seeking appointment to a position in any City department, board, commission, or agency, other than the employee's department, board, commission, or agency, or to a position under the control of any such department, board, commission, or agency.

This policy does not prohibit a supervisor from making an employment decision that impacts an entire unit or group of employees that includes a related person.

V. Reporting and Compliance Procedures

1. Direct supervision of related persons must be promptly reported by both employees to their departmental personnel officer or human resources manager. Since employees cannot directly supervise related persons, the departmental personnel officer or human resources manager shall remove the conflict.
2. Indirect supervision of related persons must be promptly reported by both employees to their departmental personnel officer or human resources manager to assess the implications for the workplace, and to ensure that employment decisions are made appropriately.

- a. If, for operational reasons, the departmental personnel officer or human resources manager cannot remove the conflict, he or she shall formulate a management plan to address the indirect supervisory relationship while minimizing impact on the employees involved.
 - b. At a minimum, all management plans must address reporting relationships, supervision, and evaluation to ensure a supervisor does not participate in employment decisions regarding a related person, as prohibited by this policy.
3. Individuals who become related persons during City employment and while in a direct or indirect supervision situation must promptly disclose the relationship following the process set forth in Section V.1 and 2 above.
4. A department head prohibited under this policy from making, participating in, or influencing employment decisions involving related persons shall delegate in writing the authority to make employment decisions regarding such related persons to another employee within the department.
5. All employees are prohibited from retaliating against anyone who reports a potential violation of this policy.

VI. Investigations and Penalties

All employees must cooperate with any investigation into possible violations of this policy. Violations may include, but are not limited to:

- Failing to report, or actively concealing, a relationship that falls within this policy; or
- Retaliating against another employee who has made a report under this policy.

Violations of this policy may lead to discipline, up to and including termination.

Employee questions about this policy should be directed to the departmental personnel officer or human resources manager.

The City's policies on appropriate workplace conduct and sexual harassment are posted on the Department of Human Resources website at www.sfdhr.org. The requirements set forth in this policy are in addition to those set forth in San Francisco Campaign and Governmental Conduct Code section 3.212 (Decisions Involving Family Members).

CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer