

Salinas City Elementary School District

All Personnel

Regulation #4012.8

EMPLOYMENT OF RELATIVES AND PERSONS INVOLVED IN CONSENSUAL RELATIONSHIPS

The Superintendent may exempt an employee who has indirect supervisory responsibility over a relative from the provision of this section provided it is in the best interest of the district and does not result in undue disruption. The supervisor shall comply with the following guidelines.

1. The supervisor shall not participate in any action, decision or discussion involving the subordinate employee, including evaluation, supervision, and review of any grant programs or assignments.
2. The supervisor shall take reasonable precautions to avoid favoritism or conflict of interest or the appearance of favoritism or conflict of interest.
3. The supervisory and employee will avoid personal contact in the workplace other than the type of contact that is necessary to carry out work responsibilities and shall otherwise maintain appropriate professional relationships.

This section is not intended to be retroactive; its effective date shall be the date this regulation is approved by the superintendent.

Relatives may be employed at the same site, department or work location provided no family member is involved in any other family member's supervision or evaluation. However, performance issues, complaints, disharmony or disruption that relate to the family relationships may provide grounds for unsatisfactory performance ratings, discipline or involuntary transfer of one or all of the relatives.

Consensual Relationships

Consensual relationships with no formal legal status can also exist in the workplace. A consensual relationship means a romantic, sexual, or intimate relationship or cohabitation that is verified by the administration and creates the potential for a conflict of interest or favoritism.

Consensual relationships with no formal legal status can be a source of conflict, disruption, or complaint in the workplace:

1. A consensual, romantic relationship may change over time. One party to the relationship may then perceive the conduct of the other person to be unwelcome. If the relationship is terminated, it may be difficult to maintain a professional posture.

Salinas City Elementary School District

All Personnel

Regulation #4012.8

2. In the event of a sexual harassment claim, a supervisor may be precluded from asserting that the relationship was consensual. A third party may perceive the consensual relationship as garnering special benefits or privileges.
3. Employees may lose confidence in the supervisor's unbiased or objective decision making.

Accordingly, the burden to avoid the appearance of conflict, favoritism or impropriety shall be on the persons involved in the relationship.

Consensual Relationship/Supervision

When a person has direct or indirect supervisory or evaluation duties relating to a person with whom he/she is involved in a consensual relationship in the workplace, a power differential exists. Accordingly, the person in the supervisory role bears the burden of accountability for the employment relationship.

Persons involved in consensual relationships involving direct or indirect supervision shall comply with the guidelines applicable to supervision of relatives.

Performance issues, formal complaints or disruptions that relate to the consensual relationship may provide grounds for unsatisfactory performance ratings, discipline or involuntary transfer of any of the persons involved in the consensual relationship.