



Nepotism and Preferential Treatment

LP 5.1

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Policy Owner:
Board of Trustees

Policy Administrator:
Human Resources

Affected Parties:
Faculty
Staff

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THE LANGUAGE USED IN THE LANDER POLICY FOR ADMINISTRATION AND STAFF DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND LANDER UNIVERSITY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. LANDER RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT. LANDER UNIVERSITY'S OFFICE OF HUMAN RESOURCES HAS THE AUTHORITY TO INTERPRET THE UNIVERSITY'S HUMAN RESOURCES POLICIES.

I Summary

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.

This document describes the policy concerning the employment, promotion, or discipline of family members pursuant to the South Carolina Ethics Act, South Carolina Code of Laws, [Section 8-13-700 through Section 8-13-795](#)¹, and South Carolina State Human Resources Regulations, [Section 19.701.06](#)².

II Definitions

A. Family Member

For the purpose of this policy, an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild, or (b) a member of the individual's immediate family. Immediate family is defined as follows:

1. A child residing in a candidate's, public official's, public member's, or public employee's household; or
2. A spouse of a candidate, public official, public member, or public employee; or
3. An individual claimed by the candidate, public official, public member, or public employee or the candidate's, public official's, or public employee's spouse as a dependent for income tax purposes.

B. Favoritism/Preferential Treatment

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.



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C. Nepotism

The act of a decision maker favoring or showing preferential treatment of relatives or those with whom one shares a relationship

III Guidelines

A. Employment of Family Members

1. No public official, public member, or public employee may cause the employment, appointment, promotion, transfer, or advancement of a family member, domestic partner, or significant other, or one whom the public official, public member, or public employee supervises or manages.
2. No public official, public member, or public employee may 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. No public official, public member, or public employee may 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. No public official, public member, or public employee may 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. No public official, public member, or public employee may 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. No public official, public member, or public employee may 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. No public official, public member, or public employee may accept any work or compensation that could be reasonably construed as a conflict of interest.

B. Student Employment

1. Children of employees who are students at Lander University are eligible to be hired as student employees but not in areas reporting directly or in the same area with their parents or family members as defined. The employee parent is prohibited from requesting or



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encouraging, either formally or informally, that other University employees hire such children.

C. Policy Violations

1. Disciplinary action may be taken in accordance with the University's disciplinary policy, faculty handbook, or other governing policies, regulations, or laws.
2. Sanctions may be imposed by the State Ethics Commission per SC Code 8-13-780.

D. Other

1. Employment of family members within the same office or department is discouraged.
2. The hiring supervisor is responsible for ensuring policy compliance and fairness. Department directors are responsible for monitoring changes in employee reporting relationships after initial hire to ensure compliance with this policy. Employees are responsible for immediately reporting any changes in the reporting relationship to their supervisor. The supervisor should immediately report any changes to the Office of Human Resources.
3. If any employee, after employment or change in employment, enters into one of the above
4. relationships, one of the affected individuals must seek a transfer or a change in the reporting
5. relationship to ensure that adequate safeguards are implemented. The Director of Human Resources must approve such changes.

¹ URL: <https://www.scstatehouse.gov/code/t08c013.php>

² URL: <https://www.admin.sc.gov/files/2016%20HR%20Regulations-Combined%20Website%20Version.pdf>