

Appointment of Relatives (Nepotism Rule)

Responsible Officer: Vice President for Human Resources

Sponsoring Department: Human Resources

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Errors or changes to: aim@uta.edu

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I. Purpose

The purpose of this policy is to set forth guidelines for the appointment of relatives, and to ensure that personnel actions are in compliance with established rules and regulations.

II. Policy

Texas Government Code, Chapter 573, prohibits public officials from appointing any individual to a position that is to be directly or indirectly compensated from public funds or fees of office if the individual is related to the public official within the second degree by affinity or within the third degree by consanguinity.

III. Appointment of Relatives

A. Relatives of Employees

Even though the appointment of a person would not be prohibited by the Texas Government Code, no employee of The University of Texas at Arlington may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such employee if related within the second degree by affinity or within the third degree by consanguinity, regardless of the source of funds for the payment of salary. This provision also includes individuals hired as private contractors.

B. Supervision

If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the specified degree, all subsequent actions with regard to the evaluation, reappointment, promotion or

salary shall be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and to submit each review for approval or disapproval by the Vice President for Human Resources in the case of classified employees or the President in the case of faculty or non-classified employees.

C. Promotion

If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend, or otherwise act regard to reappointment, promotion, or salary of a person who is related to them within the above degree specified, all subsequent actions regarding the evaluation, reappointment, promotion, or salary of such person shall be made by the next highest supervisor.

D. Relationship by Marriage (Affinity)The provision of section [III.B](#) shall apply to situations where two employees marry and one spouse is the supervisor of the other. Relationship by marriage as determined by the Texas Government Code, Chapter 573 is as follows:

1. First degree is the employee's spouse, father-in-law, mother-in-law, son-in-law, daughter-in-law, step parent, or step child.
2. Second degree is the employee's brother-in-law (sister's spouse or spouse's brother), employee's sister-in-law (brother's spouse or spouse's sister), spouse's grandfather, spouse's grandmother, spouse's grandson, spouse's granddaughter, spouse of the employee's grandparent, or spouse of the employee's grandchild.

E. Relationship by Blood (Consanguinity)

Relationship by blood as determined by the Texas Government Code, Chapter 573, is as follows:

1. First Degree: the employee's father, mother, son, or daughter
2. Second Degree: the employee's brother, sister, grandfather, grandmother, grandson, or granddaughter
3. Third Degree: the employee's uncle or aunt (who is a brother or sister of the employee's parent), nephew or niece (who is a child of the employee's brother or sister), great grandfather, great grandmother, great grandson, or great granddaughter.

F. Nepotism: Civil Law Degrees of Relationship

[Please reference chart at the end of this policy.](#)

G. Private Contractors

The State of Texas Attorney General has issued an opinion letter indicating that the nepotism law also applies to individuals hired as private contractors.

H. Purchasing Personnel

State agency purchasing personnel must disclose certain family relationships with business entities receiving certain State agency contracts. Before a State agency may award a major contract for the purchase of goods or services to a business entity, each of the State agency's purchasing personnel working on the contract must disclose in writing any relationship the purchasing personnel is aware about that the employee has with an employee, a partner, a major stockholder, a paid consultant with a contract with the business entity the value of which exceeds \$25,000, or other owner of the business entity that is within the third degree by consanguinity or within the second degree by affinity. This section is applicable to contracts awarded or extended on or after September 1, 2005.

Nepotism: Civil Law Degrees of Relationship

Officer	1st Degree of Consanguinity	1st Degree of Affinity	2nd Degree of Consanguinity	2nd Degree of Affinity	3rd Degree of Consanguinity
	Father	Spouse	Grandson	Brother-in-Law	Great Grandson
	Mother	Father-in-Law	Granddaughter	Sister-in-law	Great Granddaughter
	Son	Mother-in-Law	Grandfather	Spouse's Grandfather	Aunt
	Daughter	Son-in-Law	Grandmother	Spouse's Grandmother	Uncle
		Daughter-in-Law	Brother	Spouse's Grandson	Niece
		Step Parent	Sister	Spouse's Granddaughter	Newpew
		Step Child		Spouse of employee's Grandparent	Great Grandmother

Related Laws, Policies, and Procedures

- [Texas Government Code, Title 5, Subtitle B, Chapter 573, Degrees of Relationship; Nepotism Prohibitions](#)
- [Regents' Rules and Regulations Rule 30106 - Nepotism](#)

- [U.T. System Policy UTS120. Spousal Travel Policy](#)