



# 2.20a Employment of Relatives – Regulation

## Regulation Owner

HR Business Partner Senior Manager

## Legal Reference/Authority

1. Idaho Code §18-1359; §18-1361
2. Chapter 8 Boise City Code – Code of Ethics

## Purpose

The purpose of this regulation is to ensure preferential treatment or perceived preferential treatment based on a family or domestic partner relationship does not occur.

## Statement

Family members and domestic partners of current city employees will only be considered for employment based on their qualifications. If the employment of a family member or domestic partner would result in a prohibited employment relationship as described in this regulation, the employment is generally prohibited with limited exceptions as outlined herein.

## Scope

This regulation applies to all employees of the City of Boise and all hiring and employment decisions affecting all job classifications, including regular, temporary, part-time and seasonal positions. These restrictions also are applicable when assigning, transferring, disciplining, or promoting an employee.

## Definitions

### 1. Family Member:

An employee's spouse or domestic partner, parent, step-parent, guardian, sibling, step-sibling, mother-in-law, father-in-law, child, step-child, any dependent of the employee living in the same household, grandmother, grandfather, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, first cousin, or grandchild.

### 2. Domestic Partner:

Domestic partner is defined as a committed relationship between two adults in which the partners:

- A. Are each other's sole domestic partner and intend to remain so indefinitely;
- B. maintain a common residence and intend to continue to do so;
- C. share responsibility for a significant measure of each other's financial obligations;
- D. are not married or joined in a civil union to anyone else;
- E. are not a domestic partner of anyone else; and
- F. are not related in a way that would prohibit legal marriage.

### 3. Conflict of Interest

- A. Set of circumstances wherein a City official would be required to take an action or make a decision that would affect his or her personal financial or pecuniary interests, or those of a member of his or her household, or a business with which he or she is associated.
- B. A situation that does not affect a City official's personal financial or pecuniary interests but nevertheless calls into question his or her objectivity and independence.

## Responsibilities

### 1. Chief of Staff (CoS):

Approve all exceptions to this regulation for Deputy Chief of Staff (DCoS) level positions after consultation with the HR Director. Ensure compliance with alternate reporting structure or restrictions established to eliminate prohibited relationship.

**2. Deputy Chief Of Staff (DCos):**

Approve all exceptions to this regulation for Department Directors within their reporting structure after consultation with the HR Director. Ensure compliance with alternate reporting structure or restrictions established to eliminate prohibited relationship.

**4. Department Directors:**

Approve all exceptions to this regulation within their directorate after consultation with the HR Director. Ensure compliance with alternate reporting structure or restrictions established to eliminate prohibited relationship. Authority of Department Directors cannot be delegated below the Department Director level.

**5. Human Resources Director:**

Serve as initial point of contact for all potential or existing prohibited employment relationships. Provide guidance on appropriate resolution, ensure alignment with current procedures/authorities and maintain relevant documentation.

Approve any alternate reporting structure or restrictions established to eliminate prohibited relationship.

**6. Supervisor:**

Report any potential prohibited employment relationship to Human Resources and ensure compliance with alternate reporting structure or restrictions established to eliminate prohibited relationship.

**7. Employees:**

Employees must immediately notify Human Resources of any employment relationship, or potential employment relationship, involving a family member or domestic partner in which such relationship may influence the terms and conditions of employment or an employment decision.

Comply with alternate reporting structure or restrictions established to eliminate prohibited relationship.

## Prohibited Employment Relationships

1. Employment of family members and domestic partners is prohibited if it creates:

A. Direct supervisor/manager/subordinate relationship; or

B. Unresolvable conflict of interest

2. Any employee who knowingly uses public funds to pay a salary, wage, or other compensation to a family member or domestic partner who is not eligible for employment; or who appoints or employs a family member or domestic partner when said appointment is made based on a mutual agreement or promise between public servants to hire each other's relatives, may also face criminal liability.

## Permissible Employment Relationships

### **1. The employment of a family member or domestic partner may be authorized by individuals with appropriate authority if:**

- A. The current employee had no role in the hiring process of the family member or domestic partner; and
- B. The family member or domestic partner is qualified for the position; and
- C. The current employee cannot affect or influence the assignment of shifts, duties, work responsibilities, compensation, hours, performance evaluations, discipline, career progress, promotion, benefits, or other terms and conditions of employment of the family member or domestic partner.

To meet subpart C, alternate reporting structures, process changes, decision making restrictions, etc., may be implemented if they sufficiently eliminate prohibited relationship conflicts, are documented, acknowledged by all parties, and approved by the HR Director.

## Unresolvable Prohibited Relationship

If a prohibited relationship exists or develops involving a family member or domestic partner that cannot be mitigated, practical attempts will be made in consultation with Human Resources to find an open position that one of the family members or domestic partners is qualified to perform and can transfer into. If this is not possible the city and the impacted employees will determine which employee will remain with the city.

## Mayor or Council Member Relatives

No family member or domestic partner related to the mayor or a city council member shall be appointed to any clerkship, office, position, employment or duty with the city when the

salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.

**1. Exception:**

A person employed by the city prior to the election of a family member or domestic partner into a city elected position may be eligible to retain their position and receive general pay increases, cost of living increases, and/or other across the board increases in salary or merit increases, benefits and bonuses or promotions.

Nothing in this section shall be construed as creating any property rights in the position held by an employee subject to this section, and all authority regarding disciplinary action, transfer, dismissal, demotion or termination shall continue to apply to the employee.

## Review and Revision

All Regulations must undergo regular review according to the Review Tiers defined in the Policy Framework Standard. Minor revisions, such as formatting or grammatical changes, may be approved administratively by the Regulation Owner. Major revisions that alter scope, obligations, or technical requirements must follow the full approval process.

## Related Information

- 1. 1.04 Code of Ethics - Policy
- 2. 4.50 Political Activities – Regulation

## Approval and Revision History

This regulation shall be reviewed annually and updated as necessary to reflect changes in city policies, regulations, and standards.

Version	Approval Date	Approver	Changes
2.0	10/27/25	Stacey Doty, HR Director, on behalf of the Policy Review Committee	Creates condition exception authority

**Approved By**

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Stacey Doty, Human Resources Director

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Date