

## **SECTION 3**

### **RECRUITMENT AND STAFFING**

#### **3.10 EMPLOYMENT OF RELATIVES**

**AUTHORITY:** CIVIL SERVICE ACT  
COLLECTIVE AGREEMENT BETWEEN THE  
GOVERNMENT OF PRINCE EDWARD ISLAND AND  
THE UNION OF PUBLIC SECTOR EMPLOYEES

**ADMINISTRATION:** P.E.I. PUBLIC SERVICE COMMISSION

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## 1. PURPOSE

1.01 To assure that there is fair and equitable hiring and promotion of staff within the Government of Prince Edward Island, in compliance with the *Civil Service Act*, and the Collective Agreement between the Government of Prince Edward Island and the Prince Edward Island Union of Public Sector Employees.

## 2. APPLICATION

2.01 This policy applies to all new hires and promotion of staff within the Government of Prince Edward Island.

## 3. POLICY

3.01 Relatives of supervisory and management staff should have equal opportunity for employment within the Government of Prince Edward Island. Relatives will not receive any preferential treatment.

3.02 Supervisory relationships between relatives shall be avoided wherever possible.

3.03 In the event a supervisory relationship between relatives cannot be avoided, special measures shall be implemented in accordance with this Policy to ensure there is no conflict of interest, as outlined in the Conflict of Interest Policy ([http://www.gov.pe.ca/photos/original/hr\\_ppm\\_s5.03.pdf](http://www.gov.pe.ca/photos/original/hr_ppm_s5.03.pdf)).

## 4. DEFINITIONS

4.01 ***Direct supervisory relationship*** refers to a relationship where the employee is either supervised directly by a relative or is responsible for direct supervision of a relative.

4.02 ***Indirect supervisory relationship*** refers to a relationship where the employee is either supervised indirectly by a relative or is indirectly responsible for the supervision of a relative.

4.03 ***Relative*** for the purpose of this policy means:

- parent, guardian, step parent, spouse, grandparent, child, stepchild, grandchild, brother, sister; or
- any other relative residing in the same residence.

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## 5. PROCEDURES

- 5.01 Management shall ensure that all job applicants are treated fairly and equitably and shall ensure that there is no actual or perceived conflict of interest during the application and hiring process.
- 5.02 Candidates being assessed in a competitive process who are relatives of a director, manager or supervisor will be treated in a manner consistent with all other candidates.
- 5.03 Candidates being assessed in a competitive process for a position which would place them in direct supervisory relationship with a relative may be screened-out of the competition, unless reasonable measures are available to address and mitigate any actual or perceived conflicts of interest which would otherwise contravene the Conflict of Interest Policy.
- 5.04 In situations where a relative is being considered for a position, either as a new hire or by promotion, that would place a director, manager or supervisor in a direct or indirect supervisory relationship, the director, manager or supervisor must ensure that every reasonable effort is made to avoid actual or perceived conflict of interest during the process, including as follows:
  - a) notify and consult with the Departmental Human Resources Manager, as soon as they become aware of the situation;
  - b) refrain from any involvement with the competitive process; and
  - c) avoid providing or participating in reference checks.
- 5.05 In situations where an employee is being considered for a promotion to a position that they know, or ought to know, would place them in a direct or indirect supervisory relationship with a relative, the employee should notify the Departmental Human Resources Manager of the actual or potential conflict of interest, immediately.
- 5.06 In situations where a relative is the successful candidate in a competition process, and their appointment or promotion to the position gives rise to a direct supervisory relationship, the director, manager or supervisor responsible for that position must ensure that they make every reasonable

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effort to avoid actual or perceived conflict of interest in the management of that position, including refraining from any involvement with:

- a) supervision of the relative's performance, including performance reviews;
  - b) leave requests; and
  - c) career management decisions of the relative or issues affecting promotion.
- 5.07 If a direct or indirect supervisory relationship exists as a result of employees becoming relatives, employment may continue as long as measures are taken to ensure that there is no actual or perceived conflict of interest.
- a) Directors and managers who end up in an indirect supervisory relationship must refrain from:
    - i) any involvement with competitive processes involving the promotion of the relative; and
    - ii) providing or participating in reference checks.
  - b) Directors, managers or supervisors who end up in a direct supervisory relationship must refrain from any involvement with:
    - i) supervision of the relative's performance, including performance reviews;
    - ii) leave requests; and
    - iii) career management decisions of the relative or issues affecting promotion.