

EMPLOYMENT OF RELATIVES

Background

It is the intention of the Division to regulate employment to avoid the potential for favoritism or conflict of interest that may occur between employees who are related to one another. For this reason the spouse or any other relative of an employee may only work for the Division provided there is no opportunity to exercise favoritism or there is no conflict of interest present for the employees involved.

Procedures

1. The provisions of this Administrative Procedure apply to all contracts of employment and other employment engagements. However, section 3 of this Administrative Procedure shall not apply retroactively to employees who were in those employment positions at the time of implementation of this process through policy in the 1993/1994 school year.
2. For the purpose of this Administrative Procedure, relative shall include: father, mother, son, daughter, brother, sister, husband, wife, parent-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. This Administrative Procedure shall be equally applicable to adult interdependent partners or to relationships generally described as common-law relationships, and shall be applied in the same manner as if the parties to such a relationship were legally married.
3. A person shall not be employed in a position which is under the direct supervision of their spouse or other relative, and no employee shall participate in the direct supervision or evaluation of their spouse or other relative, unless there are extenuating circumstances and an exemption from this Administrative Procedure is approved in advance by Superintendent.
 - 3.1 Direct supervision for purposes of this Administrative Procedure shall include those jobs that by their designation require employee accountability as well as supervision that involve assignment of duties, completion of evaluation forms or other related responsibilities.
4. Where as a result of marriage, transfer or promotion, a situation referred to in clause 3 is created, the Division will attempt to find an alternative place of work within the Division for one (1) of the employees. In such cases, to the extent possible, the wishes of the employees will be taken into account as to who shall be placed in other employment, but normally the employee occupying the supervisory position will remain in their position.
5. In recruitment and selection procedures, when an individual who is involved in the selection process is a spouse or relative of an applicant, they shall disqualify themselves from participating in that recruitment or selection procedure.

Any employee in a situation governed by this Administrative Procedure shall advise an appropriate supervisor. Employees contravening the provisions of this Administrative Procedure may be subject to discipline.

Adopted/Revised: JUN 2016/SEP 2019/NOV 2019

Reference: Section 52, 53, 222 Education Act
Alberta Human Rights Act
Freedom of Information and Protection of Privacy Act
Human Rights, Citizenship and Multiculturalism Act
Canadian Human Rights Act
Canadian Multiculturalism Act
Charter of Rights and Freedoms