

ARKANSAS DEPARTMENT OF HUMAN SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES
DDS DIRECTOR'S OFFICE POLICY MANUAL

Policy Type	Subject of Policy	Policy No.
Administrative	Family Member Supervision	1078

1. Purpose. This policy establishes guidelines for all employees and prohibits relatives or immediate family members from being under the supervision of the same immediate supervisor. This policy is designed to offer each work setting within the Division the options of utilizing staff members' time and skills to the maximum extent, without adverse impact due to immediate family member situations. Supervision of employees by family members is covered under DHS Policy 1054, Nepotism.

2. Scope. The policy applies to all employees, applicants, and volunteers of Developmental Disabilities Services. As of August 1, 1994, all employees currently in compliance with existing policy will be exempted from compliance with the updated requirements.

3. Definitions.
 - A. Immediate Supervisor - For purposes of this policy and recognizing that work settings vary within the Division, written working definitions of immediate supervisor will be defined by the individual Section Administrator to reflect the characteristics of their organizational units. In keeping with the needs of the specific organizational units and the nature of the services that they are providing, the immediate supervisor for the purpose of this policy will not necessarily be the party(ies) completing the employees' PPES packets.

 - B. Relative or Immediate Family Members - Father, mother, brother, sister, son, daughter, husband, wife, grandmother, grandfather, in-law or any person acting as a parent or guardian of an employee.

4. Procedural Guidelines. In order to prevent any potential conflict of interest, relatives or immediate family members will not work under the same immediate supervisor, as defined by the individual Section Administrator.
 - A. All job applicants selected for interview will be asked whether they have relatives or immediate family members presently employed in the area in which they are being considered for employment. This information will be compared to the job application wherein all relatives are to be listed who are employed by the State.

Effective Date: September 11, 1994

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References: DDS Director's Office Policy #1045
DHS Policy 1054

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Those answering "yes" to having relatives in the area for which an application has been submitted, will be questioned as to the relationship as it applies to relatives or family members (see 3.B. above). Failure to provide accurate information will subject the applicant (if a current employee) to disciplinary action under DHS Policy 1026 5.B. Documented evidence of failure on the part of an applicant to provide accurate information will result in disqualification as a valid applicant.

If the applicant meets the definition of relative or family member, he/she will be disqualified as an applicant for that particular position. The applicant, however, will be eligible for consideration for other positions for which he/she is qualified, and should be so informed.

- B. Employees must submit any change in relationship which meets the definition of relative or immediate family member to their immediate supervisor within five (5) working days of the change in status. Failure to make this notification will result in disciplinary action under DHS 1026, Standard 9.
- C. When current employees become affected by this policy, those employees may choose between themselves who will transfer. The transfer will be to a position in the same classification and grade, if available. The transfer must occur as soon as an existing vacancy exists. When both employees refuse or do not desire to transfer, a decision will be made by the appropriate supervisor based upon seniority. If the tenure of the employees is equal, then the most recent PPES scores will be the deciding factor. The employee with the least seniority or the lower PPES score will be transferred. If PPES scores are identical, the appropriate supervisor will make a decision.
- D. In the event that employees experience a change in family member status and positions in the same classification and grade are not available outside of their existing work areas, the appropriate supervisor will explore all options for reassignment to different work hours, work sites, etc. If an option can be identified, the immediate supervisor will make the decision as to which party will be reassigned. A written copy of the decision will be provided to all involved parties. This determination will only be made if the change can be accomplished in a manner that will not be disruptive to services.

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If no alternate placement option is available up to a maximum of 45 working days, the employees may choose between themselves as to who will resign. If the employees refuse to choose, a recommendation to terminate will be made by the appropriate supervisor based upon seniority. The most recent PPES score will be the deciding factor if the tenure of the employees is equal. Employee options will be outlined in writing.

- E. Applicants will not be considered for areas where immediate family members/relatives currently work. Similarly, current employees will not be considered for transfers or job changes in areas where immediate family members/relatives work.
- F. Any exception/waiver to this policy must be submitted in writing to the DDS Director/designee through administrative channels for action. Exception/waiver must be clearly documented, stating the reason for the request, effect without an exception/waiver, adverse impact on the facility or services with or without the exception/waiver, and any other information deemed appropriate.

