



Burlington Fire Department



136 South Winooski Avenue
Burlington, Vermont 05401-8378
(802) 864-4554 • (802) 658-2700 (TTY)
Business Fax (802) 864-5945 • Central Station Fax (802) 865-5387

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| Section: 00- Administration | |
| SOG Number: 00.06 | Effective Date: Dec. 20, 2019 |
| Subject: Anti-Nepotism/Conflict of Interest | |
| By Order of Fire Chief Steven A. Locke | |

I. Purpose:

To implement and enforce the Anti-Nepotism Policy (as found within the City of Burlington Comprehensive Personnel Policy Manual) as it applies to the Burlington Fire Department with the understanding that employees of the Burlington Fire Department work within a very fluid environment, in regards to supervision.

It is understood that this document has been reviewed by the City of Burlington Human Resources team and is the reference document for Anti-Nepotism/Conflict of Interest for the Burlington Fire Department.

II. Scope:

This SOG applies to all employees within the Burlington Fire Department.

III. Definitions:

Nepotism: Favoritism (as in appointment to a job) based on kinship.

Close Relative: Close relative is defined as, parent, grandparent, spouse, party to a civil union, domestic partner, child, sibling, grandchild, aunt, uncle, niece, nephew, parent-in-law, brother/sister-in-law, step-parent, step-child, and any other person closely related or living with the employee (City of Burlington, 2019).

Anti-Nepotism/Conflict of Interest Policy: (City of Burlington, 2019)

The City recognizes that employing relatives in positions where one is responsible for supervising or evaluating the work performance of another relative has the potential to create a conflict of interest in the workplace. The purpose of this policy is to prevent those conflicts from occurring in any way. Therefore, it is the

policy of the City that no relatives shall be hired or transferred under the following conditions:

- a. When one close relative would supervise or evaluate the other; or
- b. When one close relative would supervise or evaluate the immediate supervisor of the other.

Unless advance written approval is obtained by the Human Resources Director, no close relative will be employed within the same division of a department.

Close relative is defined as, parent, grandparent, spouse, party to a civil union, domestic partner, child, sibling, grandchild, aunt, uncle, niece, nephew, parent-in-law, brother/sister-in-law, step-parent, step-child, and any other person closely related or living with the employee.

An employee who becomes the relative or domestic partner of another employee or who resides with another department employee, is required to immediately report the change to the Department Head. The employee will not be required to leave city employment solely as a result of that change in circumstances. However, the employee will be subject to disciplinary action, up to and including dismissal, if any favoritism or other inappropriate action occurs which is attributable to the relationship with the other employee.

Where a conflict of interest has arisen during employment, the employee and the City must take all reasonable and practicable measures to address conflicts of interest, including, but not limited to, changes in supervision, work location, and/or work shift to avoid the conflict or the appearance thereof.

Reference: (City of Burlington, 2019)

IV. Guidelines:

- A). The Burlington Fire Department and City of Burlington recognize that the Burlington Fire Department represents a unique, fluid environment when it pertains to levels of supervision and how one employee may occupy different positions within the tiers of management, from day to day.

It is understood that strict enforcement of Section 12.4 of the Burlington City Comprehensive Personnel Policy Manual would create unrealistic burden upon the operation of the Burlington Fire Department.

In an effort to discourage preferential treatment due to relationships of one employee to the other while ensuring the operations of the Burlington Fire Department are not hindered, the following Guidelines shall apply in the instance of Close Relative applicability.

1. No employee of the Burlington Fire Department shall:
 - a. Receive preferential treatment due in part to relationship to another employee of the department.
 - b. Recommend or control the term and conditions of the close relative's employment, including appointment, promotion opportunities, discipline, rates of compensation and evaluations of performance.
 - c. Work on the same apparatus on the same shift as a close relative.
 - d. Be assigned in a position where a close relative is the permanently assigned direct supervisor of the other.
 - (1) Examples include:
 - (a) Battalion Chief and Company Officer, on the same shift
 - (b) Company Officer and assigned Firefighter or Senior Firefighter on same company
 - (c) Company Officer and Firefighter of Ambulance assigned to said Company Officer (i.e. Ladder 2 supervises Ambulance 2)
 - (d) Deputy Chief and Battalion Chief
 - (e) Fire Chief and Deputy Chief
 - (2) In the event of one close relative being within the hierarchy of supervision of another, no less than one tier of supervision will exist as a buffer between the two.
 - (a) Examples include:
 - (i) Battalion Chief and Firefighter on the same shift
 - (ii) Chief and Battalion Chief
 - (iii) Deputy Chief and Company Officer
 - (iv) Chief and Firefighter
 - (v) Chief and Company Officer
 - (3) It is understood and agreed that nothing in this document shall preclude the Department from making a transfer of personnel for good cause, e.g. to resolve personality conflicts, etc. (City of Burlington and Burlington Firefighters Association, 2018-2022, Section 9.11 (c)).
 - (4) In the event that through normal promotional opportunities, that a close relative will be placed in a position of supervision over another due to promotional transfer, the least senior member will be transferred to avoid the conflict.

V. **Responsibility:**

It is the responsibility of all members to read, understand and follow this Standard Operating Guideline.

References:

City of Burlington. (2019). *Comprehensive personnel policy manual*. Burlington, Vermont: City of Burlington.

City of Burlington and Burlington Firefighters Association. (2018-2022). *Collective Bargaining Agreement*. Burlington, Vermont.

| Revision History | | | |
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| Revision Date | Section | Summary | Principal Author |
| 12.19.2019 | 00-Admin | Anti-Nepotism | R. Petit/S. Petit/Blake |