


City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Mayor & City Council Members From: Scott C. Stiles 
Dept: Dept: City Manager's
Subject: FIREFIGHTER ENGINEER Date: December 9, 2015
PROMOTION

Fire Chief Tom Schultz has recommended, and I have approved, the promotion of Travis Mellem from Firefighter to Firefighter Engineer. This is not something that I would normally bring to your attention, but for the fact that Mr. Mellem is also the brother of Firefighter Engineer, Shane Mellem. The promotion of Firefighter Travis Mellem is consistent with the City's Nepotism Policy Municipal Code section 2.44.440 (see attached). This action does not impact current City policy that prohibits the potential hiring of new employees who fall under section 2.44.444 (A) (1-5). It should be noted that Travis Mellem and Shane Mellem were both hired in the Fire Department prior to approval of the City's current nepotism policy.

In approving this promotion, I have instituted additional administrative direction that guides how we treat existing City employees that are related. Prior to the promotion of existing employees, Department Directors are required to submit a plan of compliance that details how the City's nepotism policy will be followed. The plan may include procedures to ensure that the relatives do not report to each other, work different shifts, and/or are stationed in different work locations. I have also shared this administrative direction with the entire Central Management staff. This serves to support section 2.44.440 (5) that states, "The hiring authority shall be responsible for administering these nepotism regulations."

Most importantly, this action serves to reinforce my administrative philosophy that all of our employees are to be valued, respected, and encouraged to reach their full potential. As always, please feel free to contact me if you have questions.

This update is for informational purposes only. No action of the City Council is required.

Cc: Tom Schultz, Fire Chief
Laura Stover, Human Resources Director
Omar Sandoval, City Attorney

2.44.440 Nepotism Policy

A. NEPOTISM RESTRICTIONS. In order to minimize problems relating to employee supervision, morale, safety and security, it is necessary to regulate the employment of relatives by the City.

Applicants for City employment shall not be hired and employees shall not be placed into employee positions with respect to the following categories:

1. Where a person would be, or could in the future have a significant potential to be, supervised by or be in the chain of command of a relative;
2. Where an employee would participate in making, or advising on, employment decisions concerning a relative;
3. Where a relative of a City Council Member, City Manager, Department Director or a primary assistant of the City Manager would also be employed by the City;
4. Where a relative of a member of any City Commission would be employed in any City position over which the Commissioner would have direct or indirect influence or control; or for reasons of supervision, morale, safety or security, it is determined by the City Manager that the work involves potential conflicts of interest;
5. Where a person would be employed in the same department, division, or facility as a relative and it is determined that job descriptions or positions for both entail work that: (a) could present a conflict of interest, (b) involve common areas of work responsibilities, or (c) could lead to potential hazards in a greater degree for relatives than for non-relatives.

The hiring authority shall be responsible for administering these nepotism regulations.

B. EXCEPTION FOR PART-TIME EMPLOYMENT.

1. Applicants for part-time positions of 1,000 hours per year or less who would otherwise be precluded from employment by subsection A may be hired on a case-by-case basis with the review and approval of the City Manager.
2. Notwithstanding the restriction of subsection (A)(3), current part-time employees falling within this category, initially hired prior to September 30, 2014, may be hired as full-time employees.

C. APPLICATION OF NEPOTISM REGULATIONS. Employees of the City who become relatives after the effective date of these provisions and do not conform to these nepotism regulations shall come into compliance with these provisions. The City will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale.

If no reasonable effort and solution can be found to alleviate the problem of supervision, safety, security or morale, the City Manager shall determine whether, and under what circumstances, if any, both employees may be permitted to remain in their then current positions. In making such a determination, the City Manager shall give primary consideration to the operational needs of the City, including interests of economy, efficiency and effectiveness. The City Manager shall also consider the work history and seniority of the affected employees.

D. DEFINITIONS. "Relatives" includes: spouse; parent (including foster); sibling (including foster and step); children (including adoptive, foster or step); in-laws; grandparent or grandchild; aunt or uncle, niece or nephew; and any other legally related person living in the same household as the employee.

E. NOTIFICATION. Employees shall be responsible for advising their immediate supervisor if they are

related or become related to another City employee, Council Member or Commissioner.

F. MISCELLANEOUS.

1. To the extent that hiring of a relative of a City employee is not prohibited by this Chapter 2.44, no City official or employee shall participate in making, or advising on, employment decisions of any kind concerning a relative with regard to employment in the City.

2. Nothing herein shall prevent the Mayor or Member of the City Council from voting on warrants for payment occurring in the regular course of events as part of a consent calendar on the City Council agenda.

3. No person employed by the City as of September 30, 2014, whose initial hiring would have been precluded pursuant to this Chapter 2.44 had it been in effect at the time of such hiring shall, for that reason alone, be required to leave City employment. If, however, such employee leaves City employment subsequent to September 30, 2014, this Chapter 2.44 shall apply to the rehiring of such employee. (2845 § 1, 2014; 2813 § 1, 2012; 2661, 2005; 2570 § 1, 2002; 2517 § 1, 2000)

View the [mobile version](#).