



# City of Phoenix

<b>ADMINISTRATIVE REGULATION</b>	A.R. NUMBER
	2.91 Revised
SUBJECT <b>CONFLICTS IN EMPLOYMENT, SUPERVISORY AND CONTRACTUAL RELATIONSHIPS</b>	FUNCTION
	Personnel and Payroll Page 1 of 4
	EFFECTIVE DATE November 18, 2008
	REVIEW DATE

## Transmittal Message

AR 2.91 has been revised to address concerns and practices that have evolved since the original issue date in 1986. Questions regarding this AR should be directed to the Personnel Department at (602) 262-7552.

## Summary of Changes

In addition to employment and supervisory relationships, the AR has been revised to address contractual relationships involving family members. All employee disclosure forms will now be maintained in the department personnel file instead of submitted to the City Clerk. Disclosure forms for City Council, board and commission members will continue to be submitted to the City Clerk. Relationships to be considered under this AR have been expanded beyond the definition provided in Arizona Revised Statutes.

### (1) Purpose

The purpose of this regulation is to communicate a Citywide policy regarding employment, supervisory and contractual relationships among family members.

### (2) Definition

Arizona Revised Statutes, Section 38-502 defines "relative" as the spouse, child, child's child, parent, grandparent, brother or sister of the whole or half-blood and their spouses, and the parent, brother, sister, or child of a spouse.

For purposes of administering this city policy, managers may also consider other relationships that can create the appearance of a conflict. Such relationships may include a court-appointed legal guardian, an individual who has acted as a parent substitute, and/or a person residing in the employee's household as a member of the family. Roommates or other individuals who share a substantial financial interest with the employee should also be disclosed to avoid the appearance of a conflict.

**(3) Policies**

**(a) Appointment to City Employment**

No officer or employee of the City of Phoenix shall appoint any individual who may have a conflict with the officer or employee as defined in Section 2, to any position within the City. Officers and employees within the City authorized to make appointments shall disqualify themselves from considering or making appointments, or from participating in the appointment process. Written notice of such disqualification should be forwarded to the Department Head where the appointment is being made. In situations where an individual is under consideration for promotion or hiring and there is a potential conflict with an individual in an executive or middle management position in the same department, or in the City Manager's Office, the Personnel Director will review the hiring or promotion process and make a determination on the decision.

**(b) Immediate Supervisory Relationships**

No officer or employee shall be permitted to directly supervise a relative or other individual as defined in Section 2. This includes direct supervision as well as lead assignments. Department heads are responsible for enforcing this policy. Every attempt should be made to reassign or transfer employees who may find themselves by reason of marriage, promotion, or reorganization, in an immediate supervisory relationship with a relative. As a last resort, the layoff rule shall be utilized.

By way of example, supervision includes, but is not limited to, any participation in the hiring decision, promotional decision, work assignment decision, shift assignment decision, disciplinary decision, or the evaluation process of another employee.

Irrespective of the immediate supervisory relationship, no officer or employee shall participate in any manner in a decision involving the pecuniary interest of a relative or other individual as defined in Section 2, including hiring, promotion(s), discipline, and merit increase(s). In addition, no officer or employee shall in any way attempt to influence others in the decision regarding the pecuniary or employment (assignments, shifts, discipline, etc.) interests of a relative or other individual as defined in Section 2.

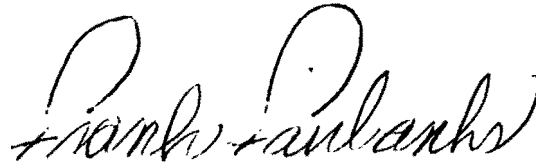
**(c) Disclosure of Relationship**

An officer or employee, in addition to disqualifying himself/herself from participation in any decision regarding the employment or supervisory interest of a relative(s) or other individual(s) as defined in Section 2, the officer or employee shall make known the existence of the relationship and the interest by filing, in writing, a form disclosing the relationship and the interest involved (see attached). The form will be maintained in the officer or employee's department personnel file. The officer or employee is responsible for updating the information on file as changes occur; however, departments should, at a minimum, request updates from staff on an annual basis.

Because of their broader management responsibilities, all executives and middle managers must notify their department head or Deputy City Manager in writing of the name(s) of the relative(s), or other individual(s) defined in Section 2 working in any department in the City and the defined relationship. Due to the nature of work, some departments may require broader notification requirements than those contained in this regulation.

(d) Contractual Relationships

Any officer or employee who has, or whose relative has, a substantial pecuniary or proprietary interest (as defined in Arizona Revised Statutes, Section 38-502), in any contract, sale, purchase or service to the City of Phoenix, shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.

A handwritten signature in cursive script, appearing to read "Frank Fairbanks".

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Frank Fairbanks, City Manager



**City of Phoenix**

**CONFLICTS IN EMPLOYMENT, SUPERVISORY AND  
CONTRACTUAL RELATIONSHIPS DISCLOSURE FORM**

(Refer to A.R. 2.91)

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Job Title: \_\_\_\_\_

Department/Division: \_\_\_\_\_

Name(s) of the relative(s) or individual(s) working for the City with whom I may have a conflict:

Name	Department	Job Title	Relationship

**Other Potential Conflicts:**

*Please use the space below to declare other employment, supervisory, and/or contractual conflicts as noted in A.R. 2.91.*

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Department Head's Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_