

RESOLUTION NO. 2019 - 59

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
AMENDING THE PERSONNEL AND SALARY RESOLUTION**

Whereas, the Personnel and Salary Resolution establishes benefits, working conditions and related terms and conditions of employment for employees not covered under a collective bargaining agreement or who are exempt from the County's civil service regulation; and

Whereas, the Personnel and Salary Resolution requires modification from time to time.

Resolved, the Solano County Board of Supervisors authorize the Director of Human Resources to make any technical corrections if needed.

Resolved that the Solano County Board of Supervisors amends the Personnel and Salary Resolution by inserting as follows:

2.4 **Personal Relationships**

- A.** It is the intent of the Board of Supervisors of Solano County to provide a workplace as free as possible from real or perceived bias or acts of favoritism due to personal relationships. It is inappropriate for an employee to use his/her personal power or influence to aid or hinder another in the employment setting because of a personal relationship.

- B.** No one involved in a personal relationship with an elected or appointed County official or employee may serve in or be appointed, promoted, demoted or transferred to a position which involves a direct supervisor-subordinate relationship or a work situation described below. For purposes of this rule, the department head, the assistant department head or chief deputy or deputy department head are considered in the direct line of supervision of all employees in that department.
 - 1. Direct line of supervision, as defined for purposes of this rule, includes any situation in which the official or employee would be in a position to effect the terms and condition of another's employment, including making decisions about work assignments, compensation, grievances, disciplinary action, advancement or performance evaluation.

 - 2. Work situations which should also be avoided by individuals who have a personal relationship are **a)** working in a small unit in close association with each other; or **b)** working for the same supervisor; or **c)** having an indirect supervisor/subordinate relationship; or **d)** auditing the work or exercising fiscal control over a person with whom they have a personal relationship, regardless of organizational separation; or **e)** participating in the development and/or administration of an examination or a hiring interview of a person with whom they have a personal relationship.

 - 3. Personal relationships include, but are not limited to, associations with individuals by blood, adoption, foster arrangement, any current or previous marriage (including in-laws) and/or living in the same household and any business or financial relationships which involve amounts in excess of \$10,000 per employee.

- C.** Employees who become involved in a personal relationship, after the effective date of this rule (November 1, 1994) and work in a direct supervisor-subordinate relationship or a work situation described above shall be subject to this rule. It is the responsibility of the employees involved in the relationship to bring this situation to the attention of their appointing authority who will then bring it to the attention of the Director of Human Resources. In the absence of an "appointing authority" an elected official involved in a personal relationship shall bring this situation directly to the attention of the Director of Human Resources. Failure to report a personal relationship by a party may result in disciplinary action with the employee with the higher level of authority being held most accountable.
1. In applying this paragraph, the County will initially allow the affected employees to determine which employee will remain in his or her current position. The County will make reasonable efforts to transfer one employee to a position where no such potential conflict would exist.
 2. In the event such a transfer is not feasible, the employees shall be given the opportunity to make the decision as to which one shall resign.
 3. In the event neither employee resigns, the least senior (as defined under rules dealing with layoff) employee shall be laid off with reinstatement rights to a position of the same or similar salary/qualifications.
 4. The County Administrator shall be the final determining authority in all such matters.
- D.** Requests to deviate from the provision of this section due to unusual circumstances, shall be submitted in writing by the department head to the Director of Human Resources and shall include the following information:
1.
 - a. The name and addresses of the persons concerned
 - b. Their class title, division, section and work units
 - c. Work location, including city and building
 - d. The names of immediate supervisors and subordinates
 2. The Director of Human Resources shall review the request and make a recommendation to the County Administrator. Primary considerations will be to minimize problems of supervision, safety, security or morale. Consideration will also be given to such relevant factors such as recruiting difficulty, agency reporting relationships, work location, function of the work process, and any other factors having a valid bearing on the accomplishment of the program goals and/or a potential job performance of current employees and the persons involved.
 3. The County Administrator will make a final decision to approve or disapprove the request based on the Director of Human Resources recommendation and in the best interests of Solano County.

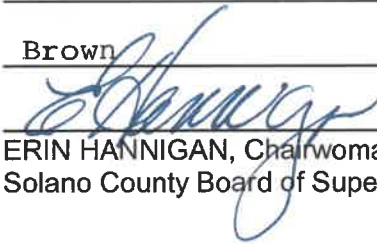
- E. The provisions of this section shall not apply to those employees who at the date of adoption of this rule are in violation of the provisions outlined in this section provided appropriate written declarations are filed with the Director of Human Resources prior to the effective date of this section. Any report of a pre-existing situation will be maintained confidentially, to the extent possible, and used only for the purpose of verifying the existence of a pre-existing situation if this situation subsequently becomes an issue. However, the provisions shall be applied in all subsequent cases involving the appointment or promotion of county employees and in cases involving marriage of a county employee or other change resulting in county employees becoming related under the definition of personal relationships.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on April 2, 2019, by the following vote:

AYES: SUPERVISORS Spering, Vasquez
and Chairwoman Hannigan

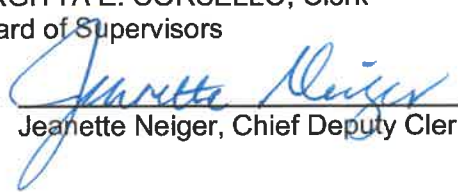
NOES: SUPERVISORS Thomson

EXCUSED: SUPERVISORS Brown


ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:

BIRGITTA E. CORSELLO, Clerk
Board of Supervisors

By: 
Jeanette Neiger, Chief Deputy Clerk