



Nepotism Policy

Office of the President

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Policy Updates:

Policy Purpose: The purpose of this policy is to uphold the highest standards of ethics and integrity at New Mexico Tech by ensuring that all individuals associated with the University avoid favoritism or the appearance of favoritism or bias in employment, research, and business decisions.

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POLICY STATEMENT

New Mexico Tech is committed to maintaining the highest standards of ethics and integrity in its academic, research, and administrative operations by promoting such standards among its regents, administrators, faculty, staff, students, and others acting on behalf of the University. In maintaining the ethical standards deserving of an institution of higher education, individuals shall exercise the utmost good faith in all transactions with and on behalf of the University.

Each person employed or directly associated with New Mexico Tech must adhere to the following policy to avoid and prevent favoritism or the appearance of favoritism or bias regarding employment, research, or business decisions/transactions. While this policy focuses on nepotism, favoritism of family members, it should be applied generally to other forms of favoritism (e.g., preferential treatment, lack of transparency)

This policy applies to all employment classifications: faculty, staff, including postdocs; student employment, including graduate teaching/research assistants and work-study students, and volunteers.

Employment Rules

Employees with authority over appointments, promotions, or salary increases unrelated to cost-of-living adjustments cannot approve these for their familial relatives. NMT personnel with authority over any position must refrain from hiring, supervising, evaluating, or participating in employment or promotion decisions involving their familial relatives. For instance, a supervisor's child, partner, sibling, or parent cannot work for that supervisor or anyone reporting directly or indirectly.

No faculty member, department chair, dean, other academic administrator, or research unit administrator may vote, make recommendations, or in any other way participate in the decision of any matter that may materially affect the appointment, tenure, promotion, salary, or any other status or interest of an individual with whom they have a familial relationship.

When family members work within the same division, their supervision must follow one of the following guidelines: (a) each family member must be outside the other's direct reporting line, or (b) if both family members are within the same reporting line, an unrelated employee must serve as supervisor.

For example, in a typical reporting structure where Employee B reports to Employee A, who in turn reports to Manager A, if Employees A and B are family members, they would need to report directly to Manager A (or another supervisor outside their line of reporting) instead of reporting to each other. This ensures that family members do not hold direct authority over one another.

If a change in family status or employment responsibilities results in a supervisor-subordinate familial relationship, the situation must be resolved promptly but no later than 90 days after the change, as specified above.

Guidelines to Avoid Nepotism or the Appearance of Nepotism or Conflicts of Interest or the Appearance of Conflicts of Interest

- Supervisors must disclose their relationships that may present a conflict of interest, the appearance of a conflict of interest or nepotism, or the appearance of nepotism to their vice president or equivalent official.
- Supervisors must report and address conflicts of interest or potential conflicts of interest or nepotism or the appearance of nepotism within their unit to their vice president and HR director.
- If a conflict of interest or potential conflict of interest or nepotism or the appearance of nepotism is unavoidable within a unit, the supervisor should consult the matter through their supervisory structure with the vice president, President, and the HR director, as applicable, to explore the potential for transfer or other options to resolve it.
- Any employee who is aware of a conflict of interest or a potential conflict of interest or nepotism or the appearance of nepotism should report it to their supervisor or to the HR director.

Business Decisions/Transactions: “Arm’s Length” Contract for Goods or Services to Prevent a Conflict of Interest or the Appearance of One

NMT may enter into a contract for goods or services with a vendor in which an NMT employee has a financial interest, provided that:

The employee's financial interest has been publicly disclosed in accordance with NMSA 10-16-7.

The transaction is conducted at “arm’s length,” meaning the employee must not be in a position to influence the transaction due to their employment at the University and must not participate directly or indirectly in the University's decision regarding the transaction.

For example, an “arm’s length” transaction could involve an NMT employee who operates a catering business on weekends and is contracted to cater an event for a department where the employee does not work. The NMT employee who is doing the catering is not participating directly or indirectly in the decision about being selected to do the catering event, nor is one of their NMT family members.

General Employment Expectations

In maintaining an ethical institution, all individuals shall exercise the utmost good faith in all transactions with and on behalf of the university. This includes being entirely honest in their relationships impacting the institution and shall not use any knowledge gained from their relationship with the institution to benefit themselves whether or not there is a resulting benefit to the institution.

In complying with maintaining the ethical standards deserving of an institution of higher education, all individuals shall respect the rights, values and contributions of others; maintain the

confidentiality of private or proprietary information to the extent required by law; never act or fail to act in a manner that may appear to create a personal benefit; and avoid at all times supervising or making decisions involving family members.

All University assets and resources shall only be used in furtherance of university goals and not for personal gain or benefit. Examples of prohibited activities that demonstrate conflicts of interest include:

- Using New Mexico Tech property, facilities, equipment or other resources in any manner that results in personal financial benefit to an employee or a member of an employee's immediate family.
- Using New Mexico Tech stationery or letterhead in connection with outside activities, other than activities having a legitimate relationship to the performance of New Mexico Tech business.
- Using University facilities or the employee's position at New Mexico Tech for the purpose of advocating, endorsing, or marketing the sale of any goods or services other than as part of the employee's responsibilities at New Mexico Tech.
- Using New Mexico Tech's name or logo for personal business or economic gain to the employee or a member of the employee's immediate family.
- Using any New Mexico Tech data or information for personal financial benefit to the employee or the employee's immediate family. A consulting policy has been developed to maintain high standards of conduct when individuals leverage their expertise as consultants (please see [the Employee Handbook](#)).
- Conflicts of interest may also arise in research settings. To maintain high standards of conduct in the Institute's scholarly pursuits, a conflict of interest policy dedicated to research has been developed. See OR-01-COI in Research.

DEFINITIONS

NMT defines familial relatives as parents; spouses (including domestic partners); natural, step-, and adopted children and grandchildren; brothers and sisters; uncles and aunts; nephews and nieces; first cousins; in-laws; and household members including foster children. This does not include persons sharing a facility or residence (such as a boarding house) where there is no emotional or intimate relationship.

Other familial relationships, either past or present, that create a conflict of interest or perceived conflict of interest or nepotism or perceived nepotism will be reviewed on a case-by-case basis.

NMT defines Nepotism as the unfair practice of granting jobs and other favors to relatives, whether by blood or marriage


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