

# Nepotism Policy



## WHAT'S THE PROBLEM:

Nepotism, and even the mere perception of nepotism, in your hiring and promotion practices can throttle initiative and poison employee morale. Accordingly, many companies have adopted policies banning nepotism and other forms of favouritism. But while they may be well intentioned, aggressive anti-nepotism policies might be just as illegal and unfair as the practices they seek to outlaw to the extent they adversely affect employees and would-be employees at your organization who are related to other employees who work for you.

## HOW TOOL HELPS SOLVE THE PROBLEM:

Even though it may have the effect of discriminating against people on the basis of their family or marital status, anti-nepotism policies can be justified as a bona fide occupational requirement (BFOR). But proving that an anti-nepotism policy is a BFOR is very difficult. The policy must serve an important, employment-related objective and be only as extensive as it has to be to accomplish that objective. If the policy is too broad, e.g., an absolute and automatic ban on hiring of any relatives, it won't be justifiable as a BFOR.