



## **Information on Nepotism in Hiring, Employment, Supervisory Responsibility, and Contracting for Sponsored Projects**

Section 3 of the CUNY [Conflict of Interest Policy](#) details requirements and conditions for the hiring, supervising, and contracting of Family Members. The following policy sections are applicable to all activity related to Sponsored Projects positions, unless a waiver is granted.

### **CUNY Conflict of Interest Policy Excerpts**

3.2. **Hiring and Employment Decisions.** No Covered Individual shall take part in any decision in connection with the employment of his or her Family Members; including but not limited to the decision to hire, reappoint, promote, discipline, or discharge. If such a hiring or employment matter arises relating to a Family Member, then the Covered Individual must advise his or her supervisor of the relationship in writing and must be recused from any and all discussions or decisions relating to the matter.

3.3. **Supervisory Responsibility.** No Covered Individual shall have Supervisory Responsibility for any of his or her Family Members at the University, except as provided by a written waiver as set forth in this Section 3.3, or in the case of research projects, as provided in Section 3.6 below. (For the purpose of this Section 3.3, a Covered Individual shall be deemed to have “Supervisory Responsibility” for a Family Member if the Family Member (a) directly reports to the Covered Individual, or (b) directly reports to a supervisor who reports ultimately to the Covered Individual, regardless of the number of reporting levels that separate the Family Member from the Covered Individual.) Although Department Chairs are Covered Individuals, for the purpose of this section, they shall not be deemed to have any Supervisory Responsibility for full-time faculty members in their department under this section, but they shall be deemed to have Supervisory Responsibility for their department’s adjunct faculty members.

3.4. **Contracting Decisions.** No Covered Individual shall take part in any contracting decision at the University (a) relating to a Family Member, or (b) relating to any entity in which a Family Member is an officer, director, or partner, or in which a Family Member owns or controls ten percent (10%) or more of the stock of such entity. If a contracting matter arises involving either clause (a) or (b), then the Covered Individual must advise his or her supervisor of the relationship in writing and must be recused from any and all discussions or decisions relating to the matter.

### **Procedures for requesting a Section 3 (Nepotism) Waiver**

1. Prepare a Section 3 COI Policy Waiver Submission that includes:
  - a. a justification for hiring family member and family member qualifications including a written request for the waiver, signed by the investigator;
  - b. a description of the hiring process, including how many candidates were interviewed and how the final determination was made
  - c. a description of the roles of everyone involved – supervising, hiring decisions, fiduciary decisions, overall project responsibility, and the role of the potential hire;
  - d. a description of the process for reviewing candidates and the total number of other candidates reviewed;
  - e. a copy of the potential hire’s CV.



2. Submit Section 3 Waiver Requests to the Assistant Director for Research Compliance, Mike Brown, at [Michael.brown@qc.cuny.edu](mailto:Michael.brown@qc.cuny.edu) who will submit to the Associate Vice Chancellor for research or designee for review.

### **Conflict of Interest Policy Definitions**

Covered Individual - Any individual who is, or at any time becomes: (a) an officer of the University; (b) a full-time or part-time employee of the University; (c) a postdoctoral associate at the University; (d) a student engaged in faculty-directed research at the University other than as part of his or her coursework, whether or not the student is paid for such engagement; or (e) an Investigator as defined under this Policy.

Family Member - Any person living in the same household as the Covered Individual, any person in an intimate relationship with the Covered Individual, and any person related to the Covered Individual within the third degree of consanguinity or affinity. Such related persons include the Covered Individual's spouse and the parents, children, siblings, grandparents, grandchildren, aunts and uncles, nieces and nephews, cousins, great grandparents, and great grandchildren of the Covered Individual and his or her spouse, and the spouses of these relatives as well. (For purposes of this Policy, a "spouse" includes a domestic partner under applicable laws governing domestic partnerships and civil unions).

Sponsored Project – Projects or activities involving research, creative activity, training, instruction or service undertaken within or on behalf of the University pursuant to funding or other support from an External Sponsor.

External Sponsor – External source of funding or other compensation to support a Sponsored Project.

For more information on all CUNY COI Policy and Procedures, please visit: <https://www.cuny.edu/research/research-compliance/conflict-of-interest/>