

Office of Personnel Management

Policy Directive

Policy Title: Married State Agency Employees	Policy Number: 30.16
Citation: Arkansas Code Annotated § 25-16-1003	Forms: Marriage Disclosure Form http://www.dfa.arkansas.gov/offices/personnelManagement/Pages/forms.aspx

Specific Provisions

If employees of the same state agency plan to marry they must complete and sign an OPM Form 30.08 A —Marriage Disclosure of State Employees Form. The employees must submit the form to their human resources department for review and approval. Failure to complete this form may subject the employees to termination for non-compliance.

Within each state agency, no relatives of employees shall be placed within the same line of supervision whereby one relative is in a supervisory position over the other. A temporary change in supervision resulting in the supervision of a relative will not be considered a violation of Arkansas law provided the supervision does not exceed 30 days. No hiring, firing, pay adjustments, or other personnel actions may occur during this temporary period of supervision.

If the marriage will result in a violation of the Arkansas law prohibiting relatives from working within the same line of supervision whereby one relative is in a supervisory position over the other, the agency director or his designee shall provide written notice of the alternatives to resolve the violation. The alternatives would be:

1. Transferring one of the employees to another position within the agency;
2. Transferring one of the employees to another agency; or
3. The resignation of one of the employees.

There is no guarantee that a position will be available within the employee's current agency, or another agency. If the employees are unable to agree upon an alternative within sixty days, the agency director or their designee shall choose from the alternatives to correct the violation.

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Agencies and institutions must inform employees of the law by written notification of the rules, inclusion of the rules in the agencies employee handbook and/or inclusion in new employee orientation programs.

The nepotism section of the State of Arkansas Employment Application shall be completed in its entirety listing the name, relationship, and job title of all relatives currently employed by the state agency for which application of employment is being submitted. The Human Resources section of the agency or institution will then decide if the hiring of the applicant is in violation of this law.

If an employee of an agency suspects a violation of this law has occurred, they may complete OPM Form 30.07— Violation of Hiring Practices/Supervision of a Relative, and submit the form to the Office of Personnel Management. OPM will determine if a violation has occurred and report such violations to the Attorney General’s Office for resolution.

This law does not apply to an employee who was hired, transferred or promoted in a state agency or institution prior to its implementation.

Renumbered February 18, 2013