

MS 694 Employment of Relatives or Household Members

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1.0 Purpose

This Manual Section provides guidance on the management issues involved in the hiring of, awarding contracts to, or taking other personnel or contract actions regarding, relatives or household members of Peace Corps employees, including personal services contractors.

2.0 Authority

Sections 4(b) and 7(a) of the Peace Corps Act, 22 USC 2503(b) and 2506(a); 5 USC 2302; 5 USC 3110; 5 CFR Part 2635.

3.0 Definitions

For the purpose of this Manual Section:

3.1 “Cognizant Contracting Officer” means, for the purpose of this Manual Section, the Contracting Officer who awards the contract for personal services at a Post or in the Office of Acquisition and Contract Management at Peace Corps Headquarters.

3.2 “Household member” means an individual who resides with a Peace Corps employee, whether or not a relative.

3.3 “Management Official” means an employee who has been delegated authority under Attachment F of MS 114 *Delegation of Authority* to approve or authorize the hiring, promotion

or taking of any other personnel action (as defined at 5 USC 2302(a)(2)(A)) relating to an individual. Normally, Country Directors and office heads are Management Officials.

3.4 “Personnel action” means, for the purposes of this manual section only, contract awards and administrative contract actions, including modification to or termination of a personal services contract, as well as hiring, promotion or other personnel actions as defined at 5 U.S.C. 2302(a)(2)(A).

3.5 “Relative” means an individual who is related to a Peace Corps employee as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, domestic partner, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister, or who is any other relative with whom a Peace Corps employee has a close personal relationship.

4.0 Policy

4.1 In selections for employment, assignment, and promotion or any other personnel action, the Peace Corps does not give preferential treatment to, or discriminate against, an individual solely because the individual is a relative or household member of an employee. While a personnel action may not be approved or disapproved solely on the basis that the individual is a relative or household member of another employee, Country Directors, other Management Officials, and Cognizant Contracting Officers shall, in consultation with an Agency Ethics Official:

- (a) consider whether a personnel action involving a relative or household member of another employee could result in an employee supervising or otherwise being involved in matters affecting the employee’s relative or household member or otherwise have an adverse impact on Peace Corps operations;
- (b) consider whether or not disqualification, reassignment, or other mitigating actions can adequately resolve the potential conflict or adverse impact; and
- (c) document the specific reasons for not approving the personnel action, e.g. the potential conflict could not be adequately resolved or how the personnel action would adversely impact office operations.

The decision not to approve the personnel action may be made at any time in the selection, award or approval process, e.g., a decision might be made not to refer the individual for interviews.

4.2 As part of the process for deciding on local staff personnel actions, Country Directors or Cognizant Contracting Officers must establish whether the individual to be selected, assigned, awarded a contract or promoted is a relative or household member of another employee at the same Post.

4.3 Only the Management Official(s), Cognizant Contracting Officer and Agency Ethics Officials involved in a particular hiring, promotion, or other personnel action shall be given

information as to whether or not an individual under consideration is a relative or household member of another employee. For example, other members of a selection committee shall not be given such information.

4.4 Employees are prohibited from being members of a selection committee or otherwise participating in personnel actions affecting their own relatives or household members under (a) MS 641 *Standards of Conduct for Peace Corps Employees*; (b) 5 USC 2302(b)(7) (making such participation a prohibited personnel practice); (c) 5 USC 3110 (commonly referred to as the "anti-nepotism" statute); or (d) other laws and regulations. Employees are strongly encouraged to contact an Agency Ethics Official for guidance on their participation in matters affecting their own relatives or household members in order to avoid a potential or actual conflict of interest or other violation of law.

5.0 Effective Date

This Manual Section shall become effective on the date of issuance.