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# Private Acts of 1989 Chapter 105

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Private Acts of 1989 Chapter 105

**SECTION 1.** This act shall be known and may be cited as "The Fayette County Employees Uniform Nepotism Policy Act of 1989".

**SECTION 2.** As used in this act, unless the context otherwise requires:

(1) "Governmental entity" means any Fayette County agency, authority, board, commission, department or office within the executive, judicial branch or legislative branch of county government or any autonomous Fayette County agency, authority, board, commission, department, or office;

(2) "Relative" means a parent, foster parent, parent-in-law, son-in-law, daughter-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, brother-in-law, sister-in-law, adoptive parties or other family members who reside in the same household; and

(3) "County employee" means any person who is employed by the any county governmental entity of Fayette County.

**SECTION 3.** Within each governmental entity, no county employees who are relatives shall be placed within the same direct line of supervision whereby one (1) relative is responsible for supervising the job performance or work activities of another relative; provided, however, to the extent possible, the provisions of this act shall not be construed to prohibit two (2) or more such relatives from working within the same county governmental entity.

**SECTION 4.** When, as a result of marriage, county employees are in violation of the prohibition established by Section 3, such violation shall be resolved by means of such transfer within the governmental entity, transfer to another governmental entity, or resignation as may be necessary to remove such violation. The appointing authority of such governmental entity shall advise the employees of each of the alternatives available to remove such violation. Such employees shall be given the opportunity to select among such available alternatives. If such employees are unable to agree upon any such alternative within sixty (60) days, then the appointing authority shall take appropriate action to remove such violation.

**SECTION 5.** The prohibition established by this act shall not be applied retroactively but shall be adhered to by each governmental entity in all hiring and employee transaction after the ratification of this act as required in Section 7.

**SECTION 6.** The provisions of this act shall be applied uniformly and shall constitute the nepotism policy of each governmental entity. No such governmental entity shall adopt a nepotism policy which conflicts with the provisions of this act.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Fayette County, Tennessee, before September 1, 1989. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

**SECTION 8.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

Passed: May 22, 1989.

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