

Secondary and/or Outside Employment

Section 1.2

PURPOSE

To provide guidelines for full-time City employees engaging in employment with a second employer or engaging in self-employment.

POLICY

Each full-time employee of the City shall inform their Department Director or designee, the HR/RM Director, and the City Manager if they intend to engage in any employment, activity or enterprise for compensation (“secondary employment”) in addition to their regular employment with the City. An employee proposing to engage in any secondary employment shall inform their Department Director in writing prior to engaging in the secondary employment of the time to be spent on such activity and the nature of the activity.

The employee shall obtain a *Secondary Outside Employment Form* from the HR/RM Department and submit the completed form to their Department Director or designee for evaluation. Forms must be submitted at least two (2) weeks before starting such secondary employment or self-employment.

The *Secondary Outside Employment Form* does not need to be completed on an annual basis – only when/if the secondary employment changes.

In evaluating a secondary employment, the City retains the right to consider whether such secondary employment may impact the organization as follows:

- Impairment of Efficiency and Physical Well-Being - The secondary employment must not involve such time demands or performance of such arduous tasks as to interfere with the employee’s effectiveness or leave the employee tired or subject to injury in their City position.
- Workers' Compensation - The secondary employment must not leave the City liable for any injury or illness incurred in such secondary employment.
- Conflict of Interest and Public Relations - The secondary employment must not, or must not have the potential to, adversely affect or reflect upon the employee, the employee's position with the City, or the City.

Secondary employment without notification can result in disciplinary action up to and including dismissal if any of the above three (3) factors negatively impact an employee and/or the City. Notification for secondary employment is evidenced only by a copy of the *Outside Secondary Employment Form* with all required signatures.

City employees are prohibited from contracting or engaging in business activity with the City as a source of secondary employment, including the performance of services outside the scope of their normal employment duties and responsibilities.

City employees are prohibited from pursuing a business license or secondary employment within the boundaries of the City if said activity is for providing services on behalf of an approved City vendor or

contractor doing business with the City, if said services is similar or equivalent to their duties as a City employee. For example, a maintenance worker who opens a business activity to conduct maintenance work for a City assigned contractor or vendor.

As an adjunct to the above, the employee shall not use City time, facilities, equipment, or supplies for private gain on more than a *de minimis* basis unless prior approval has been secured from the employee's Department Director or designee, the HR/RM Director, and the City Manager.

Likewise, the employee shall not use the badge, uniform, prestige, or influence of the City for the employee's private gain or advantage, unless prior approval has been secured from the employee's Department Director or designee, the HR/RM Director, and the City Manager.

This policy does not apply to sworn personnel assigned to security or safety duties pursuant to and consistent with the City's film permit requirements.

Police Department Policy: Any non-sworn personnel in the Police Department shall only be required to adhere to this city-wide administrative policy. All Police Department sworn personnel shall refer to the Police Department *Outside Employment Policy and Procedure No. 1021*.

OPERATIONAL PROCEDURE

Employee	<p>Notifies immediate supervisor that secondary employment is being considered.</p> <p>Obtains an <i>Outside / Secondary Employment Form</i> from the HR / RM Department.</p> <p>Completes and signs form and submits to immediate supervisor for processing.</p>
Sworn Police Department Employee	<p>Follows policy and procedures provided in the Police Department <i>Outside Employment Policy and Procedure No. 1021</i>.</p>
Department Head	<p>Evaluates request and considers impact on department and organization. Either approves, approves with modifications, or disapproves.</p> <p>If disapproves, notifies employee with reason for disapproval.</p> <p>If approves, or approves with modifications, transmits to HR/RM Director for further processing.</p>
HR / RM Director	<p>Reviews and recommends to the City Manager approval with modification, or disapproval of the request.</p>
City Manager	<p>Reviews submitted request.</p> <p>Approves or approves with modifications and transmits to the HR /</p>

RM Department.

Disapproves request and transmits with reason(s) to the Department.

HR / RM Department

Receives form and places in employee's official personnel folder. Notifies employee and Department Director, via email, of City Manager's decision.

ATTACHMENT – SECONDARY EMPLOYMENT FORM



City of El Monte

Application for Outside Work Permit

Refer to City's Secondary and/or Outside Employment Policy

EMPLOYEE INSTRUCTIONS: Complete Section 1. Sign and route to supervisor.

SUPERVISOR INSTRUCTIONS: Route approved form to Human Resources. Provide a copy to employee. Retain a copy in the Department Personnel File.

SECTION 1 – EMPLOYEE		
Last Name, First Name, Middle Initial	Employee ID Number	Date
Classification Title and Number	Department	
I hereby request approval to perform outside work in accordance with City Policy. Details of the outside work are described below.		
Name of Employer	Number of work hours Weekly	Duration of employment From to
Employer's complete mailing address		Telephone
Description of outside work		
I understand and agree that, if my application is approved, the Appointing Authority may end or modify my outside work activities at his/her discretion:		
_____ Signature		_____ Date
SECTION 2 – SUPERVISOR DEPARTMENT DIRECTOR	SECTION 3 - HUMAN RESOURCES RISK MANAGEMENT	SECTION 4 – CITY MANAGER
Approval for employee named above to perform outside work is:	Approval for the employee to perform outside work is:	Approval for the employee to perform outside work is:
<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved
_____ Supervisor Name	_____ Human Resources/Risk Management	_____ City Manager
_____ Signature	_____ Date	_____ Signature
_____ Date		_____ Date
_____ Department Head		
_____ Signature		
_____ Date		