



OFFICE OF ADMINISTRATION ADMINISTRATIVE POLICY

POLICY TITLE: Outside Employment/Activity	AUTHORIZED BY: Larry Schepker Commissioner
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ISSUED: June 17, 1986	REVISED: July 3, 2008

I. PURPOSE:

The Office of Administration (OA) recognizes that its employees may engage in outside employment/activities. OA also recognizes that each of its employees has a responsibility to avoid any situation which creates a “conflict of interest.” This policy describes the provisions to avoid conflict of interest with any outside/secondary employment or activity.

II. SCOPE:

All OA employees.

III. POLICY:

Employees may not have other employment or provide a service voluntarily which conflicts with official duties or decreases their ability to effectively perform the duties of OA.

OA employees shall not engage in any activity or employment in which there is significant potential for or the appearance of a conflict of interest with functions of OA. Conflict of interest is any activity or employment which would tend to influence a decision; create a bias or prejudice which would favor one side or the other in conflict with the employee’s duties; or which conflicts with the accomplishment of OA’s mission or goals.

For purposes of this policy, “conflict of interest” describes any circumstance that would cast doubt on an employee’s ability to act with objectivity in the performance of the duties of OA. Activities which could raise a question of conflict of interest include, but are not limited to, the following:

1. Conducting business on behalf of OA with a member of the employee’s family or a business organization in which the employee or a member of his/her family has a significant association.
2. Serving in any advisory, consultative, technical, or managerial capacity for any organization, which does significant business with, is in competition with, or which receives funding or services from the Division of Service for which the employee works.

To ensure that an opportunity is provided to review potential outside employment, all employees will be required to inform management of current and anticipated employment that is outside their employment with OA. Employees should submit an a written request for outside employment through their immediate supervisor prior to accepting outside employment. Such request shall include the following information pertaining to the outside employment:

- Name and address of employer;
- Name, title and contact information of immediate supervisor or other point of contact;
- Position title, brief summary of duties and intended work schedule;
- Clients served; and
- Any potential business relationship between the employer and OA.

Outside employment requires the approval of the Commissioner of Administration or designee pursuant to the recommendation of the Division Director or applicable appointing authority. If an employee has

outside employment at the time of employment with OA, approval must be obtained in the same manner in order to continue the outside employment. The determination as to whether there is a conflict of interest between the two (2) responsibilities will be made based on the duties of the OA position and the duties of the outside employment.

The factors which may be considered in rendering any decision regarding outside employment include consideration of the presence of:

1. an actual conflict of interest would be presented by the outside employment in light of the duties of the person's employment with OA and /or functions of the division of service;
2. the appearance of a conflict of interest would be presented by the outside employment in light of the duties of the person's employment with OA and /or functions of the division of service;
3. the existence of laws and /or regulations which prohibit the outside employment;
4. when applicable, the employee's past history concerning outside employment issues; and
5. potential increased overtime burden on one or more state agencies.

Once approved or disapproved, the employee will receive written notification which outlines the conditions that must be met. If there is a disagreement as to whether a conflict exists, the employee or OA may request a determination from the State Personnel Director.

Annual Update or Position Change Update:

Employees who have been previously approved for outside employment/activities must submit an updated request in writing, containing the same information as outlined above on an annual basis. Annual updates will be approved or disapproved in the same manner as outlined above.

Anytime an employee who changes positions or duties, a new request for outside employment must be submitted.

These updates are necessary to assure that current information is maintained and that there continues to be no conflict of interest.

OA Human Resources will send a list of approved outside employment requests to the applicable appointing authorities on an annual basis.

IV. POLICY ENFORCMENT

Any employee who holds outside employment that is found to be in conflict with his or her OA duties will be required to leave their outside employment as a condition of continued employment with OA. Any employee who holds outside employment without receiving approval pursuant to this policy may be required to leave their outside employment or obtain approval pursuant to this policy. Any violation of this policy, including the failure to leave outside employment when required will result in appropriate disciplinary action up to and including dismissal.