



Approved:

**City of Commerce, California
Human Resources Policy and Procedure Manual**

Tara McAllister
Director of Human Resources
James J. Han
City Administrator

Number: 1-8 Effective Date: 09/06/11

SUBJECT: SECONDARY EMPLOYMENT OR BUSINESS ACTIVITY

PURPOSE:

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

POLICY:

Any employee of the City shall inform his/her Department Director or designee, the Director of Human Resources, and the City Administrator they engage in any work activity in addition to their regular employment with the City. An employee engaging in any employment or outside activity shall inform his or her Department Director in writing of the time to be spent on such activity and the nature of the activity when he or she begins the activity.

A "Secondary Outside Employment Form" obtained from the Human Resources Department shall be completed and submitted to the employee's Department Director head or designee for evaluation. Forms must be submitted at least two weeks prior to the actual start of such secondary employment or self-employment.

The "Secondary Outside Employment Form" need not 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 outside employment may impact the organization as follows:

1. Impairment of Efficiency and Physical Well-Being - The secondary employment must not involve such time demands or performance of such arduous tasks so as to interfere with employee effectiveness or leave the employee tired or subject to injury in the City position.
2. Workers' Compensation - The secondary employment must not leave the City liable for any injury or illness incurred in such secondary employment.

3. 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. 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 of Commerce as a source of secondary employment with the City, 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 the purpose of providing services on behalf of an approved City of Commerce 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 the prestige or influence of the City for the employee's private gain or advantage or the private gain of another, unless prior approval has been secured from the employee's Department Director or designee, the Director of Human Resources, and the City Administrator.

PROCEDURE:

Responsibility	Action
Employee	<ol style="list-style-type: none">1. Notifies immediate supervisor that secondary employment is being considered.2. Obtains an "Outside Secondary Employment Form" from the Human Resources Department.3. Completes and signs form.<ol style="list-style-type: none">a. Submits to immediate supervisor for processing.
Department Director	<ol style="list-style-type: none">4. Evaluates request and considers impact on department and organization. Either approves, approves with modifications, or disapproves.

- a. If disapproves, notifies employee with reason for disapproval.
 - b. If approves or approves with modifications, transmits to Director of Human Resources for further processing.
- Director of Human Resources 5. Reviews and recommends to the City Administrator approval, approval with modifications, or disapproval of the request.
- City Administrator 6. Reviews request.
- a. Approves or approves with modifications and transmits to the Human Resources Department.
 - b. Disapproves request and transmits, with reason(s), to the Department.
- Human Resources Department 7. Receives form and places in employee's official personnel folder. Notifies employee and Department Director, via e-mail, of City Administrator's decision.

Attachment:

1. Outside Secondary Employment Form