



County of Yolo

Administrative Policies and Procedures Manual

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| TITLE: OUTSIDE EMPLOYMENT | DEPARTMENT: HUMAN RESOURCES |
| TYPE: POLICY | DATE: October 24, 2023 |

POLICY:

Yolo County recognizes employees may want to engage in outside employment (part-time (W-2), contracted (1099), self-employed, virtual, or telework). Before engaging in such outside employment, first review the *County of Yolo Code of Ethics – Standards of Ethical Conduct policy*.

A. Definitions

“**Outside Employment**” means providing goods and services in exchange for monetary or other material compensation, including self-employment. Income received from rental properties or the sale of family or personal household goods will not be considered outside employment.

B. Requirements

Employees shall obtain Department Head approval prior to the commencement of all outside employment. The form to obtain approval is attached to this policy. The form needs to be signed and dated by the requesting employee and the Department Head (or their designee) and maintained at the department level, with a copy sent to HR to be filed in the employee’s personnel file.

Employees should be notified of the Department Head’s decision within 15 working days of submitting the request.

Approval must be obtained before the employee begins any outside employment. If any employee is currently engaged in outside employment, they must submit the attached form to their Department Head within 30 days of the effective date of this policy. If the request is denied, the employee must choose to discontinue employment with the County or the outside employment.

Employees must submit a new/revised request for outside employment form if there are any changes in duties/activities and/or before accepting a new position or work assignment.

The Director of Human Resources has the delegated authority to approve/deny requests for outside employment in the absence of a Department Head.

Annually, the Department Head shall review their list of approved outside employments and provide an electronic status report to the County Administrator or their designee.

In considering whether to approve a request or not, the Department Head is encouraged to consider:

1. If the duties or services of the proposed outside employment could create an actual or apparent conflict of interest for the employee while serving in an official capacity with the County.
2. If the proposed outside employment could denigrate, embarrass or discredit the County.
3. If the employee is serving the County satisfactorily and will be able to continue to do so if the employee undertakes outside employment.

4. If the employee's current leave usage/balances reflect or give the appearance of abuse.

An employee's outside employment may be restricted, and the employee may be subject to discipline up to and including termination, if in the course or as a result of such outside employment:

1. The employee uses County time, facilities, equipment, supplies, property, vehicles, tolls, badge, uniform, influence, certificates/licenses (excluding driver's license) provided under/sponsored by the County or prestige of the employee's position for personal profit or advantage.
2. The employee performs any work, service, or counsel that involves the receipt or acceptance of money or other consideration from any person or agency other than the County for the performance of an act that is required of the employee as part of their regular County duties.
3. The employee performs any act that could create an obligation or liability for the County or performs services that are directly or indirectly subject to the control, inspection, review, audit or enforcement of another County employee and there is a likelihood of potential favoritism, selective enforcement, or misuse of County information.
4. The outside employment results in poor job performance, absenteeism, tardiness, or unnecessary distraction such as outside employment-related communications during paid hours with the County.
5. The employee exploits County information not available to the general public.
6. The employee improperly represents the service provided as a service of, or endorsed by, the County.
7. The employee says or implies they will use their position with the County to further the interests or goals of an individual, company, or firm in doing business with the County.
8. The outside employment is related to a service that is mandated by the County as part of treatment or punitive program. For example, where a County employee mandates or recommends counseling as treatment under a County drug and alcohol recovery program, and then provides the counseling as a private practitioner.

A Department Head shall have the right to order an employee to cease working at any outside employment, if the employee is in violation of any of the provisions of this policy. The Department Head shall have the right to order an employee to immediately suspend the outside employment pending the final determination of the incompatibility.

If an outside employment request is approved: Any County employee who is an employee, owner, officer, or director of an entity, including a non-profit, doing business with the County shall recuse themselves from any involvement in establishing or influencing any contractual relationship between the County and such entity, including making or influencing decisions regarding whether to enter into a contractual relationship, procurement, contract drafting or negotiation, or monitoring of the performance thereof.

If an outside employment request is denied: Employees shall have the right to appeal the denial by submitting an appeal in writing to the Director of Human Resources, within 10 days of receiving notice of the denial. The HR Director will review the appeal and within 10 days make a recommendation to the Department Head. The Department Head's ultimate decision is final and not subject to challenge in any manner.

Attached: Report of Outside Employment Form



Yolo County

Outside Employment Form

Place of Employment:

Anticipated Start Date:

Duration of Employment:

Description of Duties and Tasks:

Anticipated number of hours/week and work hours:

Name and contact information of supervisor:

I certify my outside employment does not:

- Involve the use of County time, facilities, equipment, supplies, property, vehicles, tolls, badge, uniform, confidential information not otherwise available to the public, or influence provided under/sponsored by the County, or prestige of my County position for personal profit or advantage.
- Create a conflict of interest for myself, my department, or the County.
- Involve work which is subject to review by me in my County capacity or by any other County employee or official.

I agree I have read and understood the department's outside employment guidelines and the County of Yolo Code of Ethics - Standards of Ethical Conduct policy and that if my outside employment status changes, I will timely report this information to my Department Head. Failure to do so may result in disciplinary action, up to and including termination.

Employee

Employee Signature

Date

Department Head

Department Head Signature

Date