

OUTSIDE EMPLOYMENT GUIDELINES

A Resolution of the County of Riverside Establishing Outside Employment Guidelines

Employment Outside Working Hours

All County employees employed in a paid status in off-duty work or serving in membership in outside governing boards, advisory boards, steering or planning committees, and similar bodies, related to or compatible with their County employment, must have the approval of their supervisor or the designated departmental representative prior to accepting outside activities, as provided in the attached Government Code Sections 1126 and 1127.

The intent of these guidelines is not to prevent the employment elsewhere of a public employee, such as a peace officer or firefighter, who is off duty to do work related to and compatible with his/her regular employment or past employment, provided the person to be employed has the approval of their agency or department supervisor and is certified as qualified by the employing agency.

Pursuant to Government Code Section 1126, “a local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed. The officer or employee shall not perform any work, service, or counsel for compensation outside of his or her local agency employment where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of his or her employing body”.

In order that a fair and consistent approach is exercised in deciding whether the outside activity is incompatible, inconsistent, hostile to or in conflict with the employee’s County employment, the following guidelines will apply. Generally, activities outside the employing County department may be considered incompatible, inconsistent, hostile to or in conflict, if they include, but are not limited to, the following:

- 1) Involve the use for private gain or advantage of the employing County department’s time, facilities, equipment and/or supplies; or the badge, uniform, prestige or influence of the County employee’s office.
- 2) Involve receipt or acceptance by the employee of any money, in-kind remuneration, or other consideration from anyone other than the employing County department for the performance of any act which the employee, if not performing such act, would be required or expected to render in the regular course of hours of his/her County employment or as a part of his/her duties as a County employee (e.g., Providing services for pay, such as counseling, to persons currently receiving some services from the employing County Department; Retention of a fee for testimony prepared and/or presented on paid County time during the course of regular County employment).
- 3) Involve the performance of an act in other than his/her capacity as a County employee, which act may later be subject, directly or indirectly, to the control, inspection, review, audit or enforcement of any other employee of the County department in which he/she is involved (e.g., Serving on steering committees/ boards of public or private foundation/organizations which are funded, contracted, or administered by the employing County department).

- 4) Involve such time demands as would render performance of his/her duties as a County employee less efficient.
- 5) Involve the direct or indirect use of confidential County information.

Procedure

Employees considering employment activities outside working hours are required to submit their request in written form to their immediate supervisor or the designated departmental representative, prior to accepting outside employment (or for new employees at the onset of their County service/employment).

The immediate supervisor or the designated departmental representative is responsible for approval or denial of the outside employment request. The Outside Employment Request shall be submitted to the department head or his/her designee for final decision if the employee disagrees with the decision of the immediate supervisor or designated departmental representative. The denial of an outside employment request for an employee may be subject to the County Grievance Procedure.

Pursuant to Government Code Section 1126, County departments employing these Outside Employment Guidelines or specific departmental guidelines/procedures/policies relative to outside employment are to provide notice to employees of the determination of prohibited activities, of disciplinary action to be taken against employees for engaging in prohibited activities, and for appeal by employees from such a determination and from its application to an employee.

Any employee who fails to act upon notice of a conflict of interest or who fails to file an Outside Employment Request may be subject to discipline in accordance with Section 3.K. of Ordinance No. 440 and the Disciplinary Appeal Procedure.

Outside Employment Requests will be retained in the employee's personnel file.

Employees shall resubmit an Outside Employment Request at any time the conditions of the outside employment activities change from that as described on the initial request, when the requesting employee's duty assignment changes, or at such times as requested by the immediate supervisor or the designated departmental representative.

These Outside Employment Guidelines are not intended to supplant the guidelines/procedures/policies currently in place relative to outside employment in various County departments (e.g., Sheriff's Department, Department of Health, Department of Public Social Services, etc.). Outside Employment Guidelines which are more stringent or restrictive than these general guidelines may apply to specific classifications within the County of Riverside (e.g., Public Defender Investigators). Employees are to review applicable departmental guidelines/procedures/policies in order to ensure specific departmental considerations are met.



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OUTSIDE EMPLOYMENT REQUEST FORM

In accordance with the County of Riverside Outside Employment Guidelines, I _____
request permission to engage in outside/off duty employment activities. Please Print

Proposed Starting Date: _____ Hours Per Week To Be Worked: _____

Name of Company or Firm/Governing Board or Steering Committee: _____

Address: _____

The following is a detailed description of the duties to be performed in the course of this employment/activity:

The above statements are correct and accurate to the best of my knowledge. I have reviewed the County and departmental outside employment policy guidelines. I believe the outside employment I am hereby requesting authorization to accept is not incompatible, inconsistent, and hostile to or in conflict with my County employment. I understand that should these conditions change, I must immediately re-submit a request for authorization (should I wish to continue the outside employment activity).

EMPLOYEE'S SIGNATURE: _____ **DATE:** _____

CURRENT JOB CLASSIFICATION: _____

TO BE COMPLETED BY THE SUPERVISOR/DESIGNATED DEPARTMENTAL REPRESENTATIVE

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Your request has been reviewed and is approved.

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Your request has been reviewed and is denied as the proposed employment is incompatible, inconsistent, and hostile to or in conflict with your county employment as defined by the County of Riverside and departmental Outside Employment Policy/Guidelines. The following is a brief explanation of the basis for this decision:

SUPERVISOR/DEPARTMENTAL REPRESENTATIVE SIGNATURE:

DATE: