

SUBJECT: COLLATERAL (OUTSIDE) EMPLOYMENT

I. PURPOSE

Pursuant to City of Lompoc Personnel Rule X, Section 10. "Outside Employment the purpose of this procedure is to establish a standard method for processing and annually reviewing requests for collateral employment.

II. SCOPE

This procedure is applicable to all City departments and employees. Where any section, subsection, sentence, clause or phrase of this procedure is found inconsistent with an approved memorandum of understanding enacted between the City and a recognized employee organization, the current memorandum of understanding shall prevail. Exceptions to this procedure shall only be allowed when approved by the City Administrator.

III. AMENDMENTS

This procedure may be amended by the City Administrator.

IV. GUIDELINES

A. Employees shall not engage in compensated collateral employment without the prior approval of the City.

B. Active or reserve duty in the Armed Forces of the United States is not considered collateral employment. For policy concerning service in the Armed Forces please refer to Personnel Rule X Section 5 Military Service.

C. All collateral employment requests are subject to approval by the appropriate department head and Human Resources Officer.

D. It shall be the responsibility of the appropriate department head to assure that employees refrain from engaging in collateral employment which may cause a potential conflict of interest or otherwise cause criticism or embarrassment to the City.

E. An employee's outside employment, activity, or enterprise may be prohibited if:

1. The employment constitutes a conflict of interest or incompatibility with City employment due to the nature, condition, competition, or some other aspect of the employment.
2. The employment interferes with or adversely affects the performance, attitude or efficiency of said employee or other employees.
3. The employment involves the use of City time, facilities, equipment and supplies; or the

badge, uniform, or influence of the department.

4. The employee receives any form of compensation for work performed which he/she would be required or expected to render as part of his/her normal duties as a City employee.

5. The employment involves the performance of an act which may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other officer or employee of the City.

F. Any employee who does not obtain approval prior to engaging in collateral employment may be subject to disciplinary action which may include discharge.

G. Approval for collateral employment may be rescinded if in the judgment of the City:

1. Such employment interferes with or adversely affects the performance of the employee or other employees.

2. The employment constitutes a conflict of interest due to the nature, condition, competition, or some other aspect of the employment.

3. The employee receives telephone calls or personal contact concerning outside employment during the hours of City employment.

## V. PROCEDURE

### A. Processing initial request for collateral employment

1. An employee will submit a Request for Outside Employment form (see Attachment I for an example) to the employee's supervisor. Blank Request for Collateral Employment forms can be obtained from the Human Resources Department.

2. The supervisor will review the request for conformity with Personnel Rule X Section 10 and this Human Resources Procedure and submit the request to the department director with a recommendation.

3. The department director will review the request and either deny the request (the denied request is returned to the supervisor) or recommend it for approval. The approval request will then be sent to the Human Resources Officer for approval.

4. The Human Resources Officer shall approve or deny the request and a copy shall be sent to the department director, with a copy placed in the employee's human resource file.

5. Requests for outside employment may be approved for a maximum of one (1) year.

### B. Processing requests for continued outside employment

1. Prior to the expiration date of the employee's authorization for outside employment employees wishing to continue the relationship must refile a Request for Outside Employment.

2. It is the responsibility of each department to monitor the expiration date for authorized outside employment.

## VI. APPEAL PROCEDURE

Employees in the competitive service shall have the right to appeal adverse decisions relative to their request for outside employment. Prior to appealing any matter that may otherwise be appealed to the Human Resources Appeals Board in accordance with the procedures set forth in Rule XV of the Personnel Rules, all other grievance procedures must be followed.

Failure to follow grievance procedure remedies in a timely manner shall constitute a waiver of the right to proceed with an appeal to the Human Resources Appeals Board and shall constitute an abandonment of the dispute.

## VII. INTERPRETATION AND IMPLEMENTATION

Any questions relative to the intent or application of this procedure shall be directed to the Human Resources Director who shall have the responsibility for interpreting and implementing this procedure.

AUTHORIZED:  
City Administrator Date

CITY OF LOMPOC  
REQUEST FOR COLLATERAL EMPLOYMENT

I HEREBY REQUEST APPROVAL TO ENGAGE IN COLLATERAL EMPLOYMENT BASED ON:

Company Name:

Company Address:

Position:

Employment Beginning Date:

Employment Ending Date:

Number of Hours Per Week:

Work Schedule:

Duties:

How can you be reached while employed in this job? Telephone number, etc.

I understand that the following shall be taken into consideration when determining approval or denial of this Request for Collateral Employment:

1. Will the activity interfere with or adversely affect my work performance;
2. Will the activity subject the City to undue adverse criticism; or
3. Does the activity constitute a real or apparent conflict of interest due to the nature, condition, competition, or some other aspect of the activity;
4. Involves such time demands as would render performance of duties as an employee less efficient.

I understand further that if I do not obtain approval prior to engaging in collateral employment that I will be subject to disciplinary action which may include discharge from City of Lompoc employment.

EMPLOYEE'S SIGNATURE: Date:

\*\*\* I have reviewed this request for conformity to the guidelines for collateral employment and certify that this employment is not in conflict with these guidelines.

I recommend " approval " disapproval of this request.

Comments:

Date Supervisor

I have reviewed this request for outside employment and it is:

“ approved ” denied

Comments:

Authorization is approved for:

“ one year

If less than one year, list expiration date:

Date Human Resources Officer

Appeal is “ approved ” denied

Date of Board Action