



City of Santa Ana
Administrative
Policies and Procedures

[Signature]
City Manager's Authorization

Section

Human Resources

Subject

Outside Employment Policy

Date

September 2018

Number

I. Purpose

To set forth guidelines to ensure that employees are not involved in any outside employment or activity that will affect the quality or quantity of their work and commitment to the City of Santa Ana, that create a conflict of interest, or create a perception of impropriety.

II. Definition

Outside employment is defined as any activity such as, but not necessarily limited to, consulting, teaching, advising, testing or assaying, performing analyses or examinations, the practice of one's profession, or other work performed in addition to the official responsibilities of a full-time City employee. Most outside employment includes compensation, but some volunteer activities may also be included.

III. Scope of Applicability

This policy shall apply to full-time and part-time civil service employees.

IV. Policy

It is the policy of the City that employees shall not obtain or engage in outside employment, enterprise, or outside activity which is in conflict with the duties, functions, responsibilities, or the department by which the employee serves, nor shall the employee engage in any compensatory outside activity which will directly, or indirectly, contribute to the lessening of the employee's effectiveness. Employees are prohibited from outside employment with any company or organization with which the City has a business relationship.

The City of Santa Ana will provide a transparent system of disclosure, approval, and documentation of employees' employment or activities outside of the City that might otherwise raise concerns about conflicts of interest or conflicts of commitment. The intent of this policy is to provide the institutional framework to protect the credibility and reputation of the City and its staff when those employees are engaged in outside employment or activities.

The employee's position with the City is of priority consideration in making a determination as to the consistency or inconsistency of outside activities. The Department Director, with the final approval of the Director of Human Resources shall consider, among other pertinent factors whether, the activity involves:

1. Inappropriate solicitation of outside work in the name of the City of Santa Ana.
2. Conditions or factors which would probably, directly or indirectly lessen the efficiency and effectiveness of the employee in the employee's regular City employment or condition in which there is a substantial probability of injury or illness to the employee.
3. The use for private gain or advantage of City time or facilities, equipment and supplies; or the badge, uniform prestige or influence of the City office or employment.
4. Receipt or acceptance of money or other form of compensation by an employee to perform duties normally performed or accepted to perform as a regular function of the employee's position and for which the employee is already being compensated by the City.
5. Performance of an act in other than the employee's capacity as a City worker, which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by such employee or department in which the employee serves.
6. Inconsistent, incompatible or in conflict with the duties, functions, or responsibilities of the City position.

V. Procedure

1. A "Request to Engage in Outside Employment Form" must be completed and submitted to the Department Executive Director through proper chain of command with the final approval of the Executive Director of HR prior to commencing outside employment.
2. The Department Director may make any restrictions on outside employment consistence with the operation of the department. The Director shall notify the City employee of the final decision within five (5) working days after receiving the final confirmation from the HR department, including justification for disapproval. A copy of the request form shall be placed in the employee's personnel file in the HR Department.
3. An employee who is denied an opportunity for outside employment may file a request for review in writing within (5) working days to the Executive Director of HR or designee.
 - a. Upon notification of the request to review, the Director of HR or designee shall meet with the employee, the employee's supervisor and/or Department Director as necessary or review of the documentation.
 - b. The Executive Director of HR or designee shall make the final determination to approve or disapprove the request with in five (5) working days.

4. Outside employment shall cease when, in the opinion of the Department Director, the outside work is interfering with performance of the employee's City position, or if the employment appears to generate a conflict of interest.
5. Per Municipal Code section 9-16, Outside Employment, the Personnel Board may, upon request of the employee, review any action taken pursuant to the provisions of this section.
6. Any violation of the provisions herein contained respecting outside employment or activity and use of property shall constitute sufficient grounds for disciplinary action, up to and including termination of employment for the City of Santa Ana.

VI. Action

This policy is effective this date 10.1.18