



BOARD POLICY: OUTSIDE EMPLOYMENT POLICY
BOARD POLICY NUMBER: 37

Original Date: February 22, 2006

Last Reviewed: June 2013

Last Revised: June 13

It is the responsibility of the District employee to ensure that any secondary employment does not adversely impact job performance with the District. Each District employee will, during hours of duty as a District employee, devote full time, attention, and efforts to District employment.

**Acceptable
Conditions**

Any employee may engage in employment outside of the District as long as it is not inconsistent, incompatible, in conflict with, or harmful to duties as a District Employee, including, but not limited to, regular duties, scheduled overtime and on-call responsibilities, or with the duties, functions, or responsibilities of the District.

**Conflict Of
Interest**

The following categories of outside employment are determined to be inconsistent with, incompatible to, or in conflict with the duties of District employment. The examples in this section are provided for illustrative purposes only and do not constitute an exhaustive listing of prohibited conduct. An employee's outside employment, activity, or enterprise is prohibited if:

- It involves the use of District time, facilities, equipment, supplies, customer information or the prestige, influence or position occupied in the employee's District employment; or
- It involves receipt or acceptance by the employee of any money or gratuities from anyone other than the District, for the performance of work that the employee is required or expected to perform in the regular course of District employment, such as:
 - an employee who performs work for the District is hired by a contractor or individual to perform similar work which may be physically or financially related to the work performed for the District; or
- It involves the performance of work outside of the District which may be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement of any other employee of the District, such as:
 - an employee who reviews landscape designs for compliance with conservation guidelines can not also work for a developer working within the District service territory.
 - an employee can not assist in the preparation of a bid for a contractor who is bidding on a District contract,
 - an employee can not receive payment from a neighborhood association to prepare a petition to upgrade the level of water service in their area; or
- It involves time demands which adversely affect performance of duties as a District employee; or
- It involves the performance of work related to the interest of another entity or organization which is harmful to, or in competition with, District interests, operations, influences, business transactions, or contracts, such as;

acting as a technical consultant for an agency competing for the same water rights as the District.

- It involves being an owner and/or managing the activities of an outside business that contracts with the District.

**Disclosure -
Employee
Responsibilities**

It is the employee's responsibility to notify the District before engaging in any outside employment activities using the form at t:\hr\forms\outsideemploymentnotification.doc. The employee shall provide information to his/her immediate supervisor concerning his/her outside employment activity, including, but not limited to, the identity of the person and type of activities for which outside services are performed, duration of such activities, and times and hours when such activities are performed. The employee must be able to demonstrate that outside employment is not in conflict with the duties, functions, or responsibilities of employment with the District. Additionally, the District has the right as primary employer to request information of an employee if it believes that the employee has a conflict with outside employment.

Failure of an employee to disclose information about outside employment as set forth above will result in disciplinary action that may include termination of District employment.

**Notice of
Approval/
Disapproval**

The employee will be given written notice if it is determined that the outside employment, activity, or enterprise is inconsistent, incompatible, in conflict with, or harmful to duties as a District employee or with the duties, functions, or responsibilities of the District. The notice will advise the employee that failure to terminate outside employment within 30 days will result in disciplinary action that may include termination of District employment.

Appeal

District disapproval of outside employment may be appealed in accordance with the District's Grievance Procedure or the procedure set forth in the applicable Memorandum of Understanding for represented employees.

Authority

State Government Code Sections 1126, 1128, and 1129

CERTIFICATE OF RECEIPT OF
OUTSIDE EMPLOYMENT POLICY

I, _____, hereby certify that
the District has provided me with a copy of the Outside Employment Policy.

Date

Employee Signature