City Personnel Policy

OFF-DUTY EMPLOYMENT

POLICY: 211

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City that employees may be employed or self-employed at secondary jobs during the time they are not on duty or employed by the City. Such off duty employment shall in no way impair the employee's ability to perform their job responsibilities for the City or create a conflict of interest or the appearance of a conflict of interest for the employee while performing their duty for the City. Performance of duty for the City shall be each employee's primary obligation, and shall be subordinate to no other employment. The Mayor and Department Heads may adopt reasonable policies to implement this policy so long as such policies do not conflict with this policy.

APPLICABILITY:

All employees.

PROCEDURE:

1. Employees are cautioned to consider carefully the demands that additional work activity will create before engaging in any off-duty employment. Off-duty employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity does cause or contribute to job related problems, such employment must be discontinued; and, if necessary, normal disciplinary procedures will be followed to deal with specific problems.

2. An employee engaged in off-duty employment shall not wear any clothing items that would identify the employee as a City employee. The use of City owned equipment by a City employee while working at off-duty employment is also forbidden.

   Police Officers shall be allowed to wear their uniforms while working off-duty employment only when such arrangement is considered by the Police Chief to be in the best interest of the City. Any such permission given by the Chief must be in writing and in accordance with procedures incorporated into the Police Department's Standard Operating Procedures. Such procedures will provide that the officer and the prospective employer must agree in writing to hold harmless and indemnify the City and Police Chief for any and all claims against the City or the Police Chief resulting from such employee's off-duty employment. No Police Officer working an off-duty uniformed position shall be paid in cash without allowance for proper deductions from pay as required by law.

3. All benefits provided by the City to employees (including, but not limited to, health/dental/vision insurance, workers compensation and life insurance) may not cover an injury, illness, death or other incident occurring while the employee is engaged in off-duty employment. It is the responsibility of the employee to review and understand all city provided benefits and coverages prior to engaging in off-duty employment.

4. Employees shall not engage in off-duty employment while on City leave for sickness or injury. All off-duty employment shall be approved by the Department Head if the employee is on City leave for sickness or injury.

5.3. If the duties are NOT similar there are no regulations. In the event of an employee being on city leave for injury or sickness, any off-duty employment by the employee shall be approved by their Department Head. Any unapproved off-duty employment engaged in by the employee under this paragraph, or any fraudulent use of any other leave provided by the City for engaging in off-duty employment, may be subject to discipline, up to and including termination.