



## HUMAN RESOURCES

*Division:* ADMINISTRATION  
*Chapter:* HUMAN  
RESOURCES  
*Policy:* HR 7.1 - SECONDARY  
EMPLOYMENT  
*Issue Date:* AUGUST 15, 2012  
*Revised:*

### PURPOSE AND POLICY

- A. It is the policy of the Department of Public Safety to consider employee requests for secondary employment consistent with the requirements established by the Office of State Personnel.
- B. The purpose of this policy is to ensure a consistent process for employees seeking approval for secondary employment and to serve as a tool for management in the consideration, approval and denial of requests for secondary employment.
- C. Employees may accept employment in addition to their employment with the Department of Public Safety upon satisfying the requirements set forth in this policy. The employment responsibilities to the State are primary for any employee working full-time. Any other employment in which that person chooses to engage is secondary and may not have an adverse effect on the primary employment or create a conflict of interest.
- D. The term secondary employment does not include a second job or assignment paid from State funds. Such jobs or assignments are covered under a separate policy governing dual employment.
- E. Nothing in this policy is intended to supersede the regulations of the Office of State Personnel regarding dual employment.
- F. The term employment includes self-employment, if the self-employment is income producing.

### Communication of Policy and Procedures

This policy shall be available electronically on the DPS website.

### General Provisions

Secondary employment shall not be permitted when it may reasonably be expected that such employment would:

- A. Impair in any way the employee's ability to perform all required duties and responsibilities or any other duties and responsibilities as assigned;

- B. Impair in any way the employee's ability to make decisions and/or carry out the responsibilities of the employee's position in an objective fashion;
- C. Result either directly or indirectly in a conflict of interest with the primary employment. The term "conflict of interest" shall include, but is not limited to, those situations where the secondary employment would compromise the position of the employee or the Department with respect to firms or individuals doing business or desiring to do business with the Department.

## Disciplinary Action and Revocation of Approval

Approval for secondary employment may be revoked at any time for any of the below listed reasons. These may also be grounds for disciplinary action up to and including dismissal.

- A. Failure to request and obtain approval of secondary employment initially, annually, and/or when the employee changes positions.
- B. The submission of falsified information to secure approval of secondary employment.
- C. Negative impact on the employee's work performance in his/her primary employment.
- D. The use of state resources or state time for the benefit of secondary employment.
- E. Failure to notify the immediate supervisor of any major change in the nature of the secondary employment.
- F. The issuance of disciplinary action shall result in a reevaluation of the employee's secondary employment relationship and may result in revocation of approval depending on the subject matter and severity of the disciplinary action.

Note: The secondary employment status for employees on leave, including injury leave, sick leave and leave of absence without pay, may be reevaluated by the manager or supervisor and temporarily revoked depending on the nature of their secondary employment.

## Procedures for Requests and Approvals

- A. In advance of accepting secondary employment, an employee planning to undertake secondary employment shall disclose all facts concerning such employment in writing using the Request for Secondary Employment form to the appropriate supervisor and receive written approval. This disclosure shall contain the name of the employer's business, the type of work to be performed by the employee, the proposed work schedule, and a stipulation that the employee will not be called off his primary job during working hours for the performance of any secondary work.

- B. In reviewing the request, the immediate supervisor and the employee should discuss the various ramifications of the secondary employment upon the employee's primary job.
- C. The request shall be reviewed by the supervisor and submitted through the chain of command to the Division or designee(s). If the request is approved by the supervisor and the Division Director or designee(s), the written disclosure and signed approval will be maintained in a personnel file.
- D. If the secondary employment has any impact on or may create any possibility of conflict with State Operations, the request should be disapproved.
- E. The employee has the responsibility to notify his supervisor in writing of any major changes in the nature of the secondary employment.
- F. The employee must request approval for secondary employment in writing on an annual basis.
- G. The secondary employment status of an employee shall be reevaluated whenever an employee changes position that results in a change in the supervisor to ensure that it continues to comply with the policy.

## Confidentiality and Maintenance of Records

- A. The original approved request shall be maintained in the Human Resource Office and/or work unit employee personnel file (electronic or hard copy).
- B. Employee requests for approval of secondary employment, accompanied by any required supporting information, are considered public information and may be released upon request.
- C. As with any production of public records, they must be made available within a reasonable period of time. To expedite the production of records upon request, it is recommended that a copy of all requests be maintained as a group for the work unit in a single file on a calendar year basis. This file shall be produced upon a request for secondary employment records from the Office of Human Resources Records Section. This file shall be retained as long as it serves a useful purpose, but is not required to be maintained longer than three (3) years.