



## City of Phoenix

<b>ADMINISTRATIVE REGULATION</b>	A.R. NUMBER
	2.62 revised
<b>SUBJECT</b>	FUNCTION
	Personnel and Payroll
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	EFFECTIVE DATE
<b>WORK NOTICES FOR OUTSIDE EMPLOYMENT</b>	November 18, 2008
	REVIEW DATE

### TRANSMITTAL MESSAGE

AR 2.62 has been revised to incorporate additional elements from the City's Ethics Policy. Questions regarding this A.R. should be directed to the Personnel Department at (602) 262-7552.

### SUMMARY OF CHANGES

This Administrative Regulation was last revised in 1997. This revision includes a requirement to seek approval prior to beginning the outside employment. Unacceptable work situations have been further defined in accordance with the City's Ethics Policy.

#### 1. PURPOSE

This regulation establishes the City's position on outside employment by City employees. Outside employment is defined as all non-City employment, including self-employment.

#### 2. GENERAL POLICY

- A. Outside employment by City employees is permissible if it does not adversely impact the employee's City work and if it does not create a conflict of interest or the appearance of a conflict of interest, with the employee's City job or the mission of the employee's assigned department.
- B. Departments may establish additional guidelines provided they do not diminish the standards contained in this regulation.
- C. Employees who are unable to perform their City jobs because of illness or injury sustained from outside employment activities do not qualify for paid sick leave or City worker's compensation. Absences caused by these illnesses or injuries must be charged to accrued vacation, personal leave, compensatory time, or leave without pay.
- D. Employees must seek approval from their supervisors prior to engaging in outside employment.

### **3. UNACCEPTABLE WORK SITUATIONS**

- A. The following outside work situations are considered as interfering with and in conflict with, City employment, and no City employee shall engage in such work situations:
- (1) Performing work which the employee or his immediate associates will subsequently be required to act upon in an official City capacity, or any other work which would constitute a conflict of interest or the appearance of a conflict of interest.
  - (2) Performing research, investigative, consultative, or other work in which the City employee has access to City records or correspondence which is not otherwise generally available to the public
  - (3) Accepting or starting work in an establishment when there is a recognized labor-management dispute in progress. If employed before a recognized labor-management dispute, the employee will not increase the hours of work at the establishment or absorb new duties or responsibilities during the term of the labor dispute.
  - (4) Performing work that results in excessive employee absences, tardiness, a general decline of City job performance, or reduced usefulness or efficiency of the employee on the City job.
  - (5) Working at any location or employment which may bring the City into disrepute.
  - (6) Working in any situation which would require the employee to be in conflict with another governmental agency or the mission of the employee's assigned department.
  - (7) Conducting any outside employment related business and/or activity on City time and using City equipment, facilities, supplies, or other City staff members' time.
  - (8) Working for a firm which provides goods or services to the City directly or indirectly, without a competitive bidding process.

### **4. DEPARTMENT AND FUNCTION HEAD RESPONSIBILITY**

- A. Department and function heads shall have primary responsibility for preventing outside employment in conflict with City employment.
- B. All department and function heads are granted the authority to deny outside work when such employment interferes with, or is in conflict with, City employment.

### **5. OUTSIDE WORK BY EXECUTIVES AND MIDDLE MANAGERS**

Executive and middle management employees shall not engage in any outside employment unless specifically approved by the City Manager's Office.

## 6. NOTIFICATION PROCESS

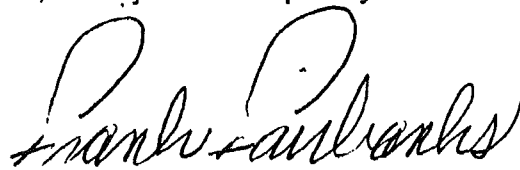
- A. All employees who wish to engage in outside employment shall complete and submit a Notice of Outside Employment form (150-49D Rev. 1/97), submit it to their department or function head, and get proper approval prior to starting the outside work.

The Notice of Outside Employment form can be obtained from Central Stores. A copy of the revised form is attached to this regulation.

- B. Department and function heads shall thoroughly review the employment request and determine if it will interfere with the employee's City work or if it will result in a conflict of interest or the appearance of a conflict of interest.
- C. Requests for outside work authorization from executive and middle management employees will be forwarded to the City Manager's Office with the department or function head's recommended action.
- D. All employees who are engaged in outside work shall submit a new Notice of Outside Employment form during January of each year or when engaging in new outside employment.
- E. Departments should review the status of outside employment during the annual employee evaluation process.
- F. If the conditions of the outside employment change, the employee shall submit this new information within ten working days of the change.
- G. New employees should be informed of this regulation at the time of hire and should be questioned about outside work they may be performing.

## 7. DISCIPLINE

An employee who engages in outside employment without approval, or who continues in outside employment after the request is denied, is subject to disciplinary action.



FRANK FAIRBANKS, City Manager