

City of Mission Viejo Personnel Policy

Subject: DUAL EMPLOYMENT

Statement of Intent:

To establish guidelines for determining the appropriateness of secondary or outside employment by City employees.

Background:

As a public agency, the City must be particularly sensitive to real, potential or perceived conflicts of interest. The City expects all employees to adhere to the highest of ethical and professional standards. Because of their knowledge and expertise, outside employment or other income opportunities may become available to City employees. If an employee is considering such an opportunity, it is in the best interests of the City and the employee to fully disclose the opportunity to the City and to have it carefully reviewed to avoid a conflict of interest.

Policy:

1. Employees may be allowed to engage in employment outside their City job with the prior written approval from the City. Employees must notify their department head, in writing, if they are contemplating being employed by any other employer or engaging in outside business on their own or with others.
2. Employees must notify their department head, in writing, if they are involved in any other outside activity which may present a real, potential or perceived conflict of interest with their City employment.
3. Dual employment will be approved if it meets the following requirements:
 - a) It does not conflict with the interest of the City or carry over into the employee's regular duties; and
 - b) It does not adversely affect the employee's ability to perform his/her regular duties.
4. Before accepting outside employment, the employee must first advise their department head, in writing, of his/her intent and receive permission from the City.
5. The City shall determine if a conflict exists.
 - a) If the City finds no conflict of interest or appearance of a conflict of interest, the City will notify the employee, in writing, of the approval of the request to engage in dual employment, subject to reevaluation.
 - b) If the City Manager, or a designee, determines that an employee's outside employment creates a conflict of interest or potential conflict of interest with his/her City employment or interferes in any other way with his/her ability to meet City requirements, the City Manager, or a designee, will provide written notification to

the employee that he/she cannot accept the outside employment.

Administration:

In accordance with City of Mission Viejo Municipal Code chapter 2.60 "Personnel System", this Personnel Policy is deemed not to have a direct financial impact on the City. The City Manager may implement and amend this policy subject to prior City Attorney legal review and approval, and City Council review.

Adopted: By City Council - September 11, 1989 - Res. No. 89-92.

Amended: By City Manager — August 15, 2011. (Reviewed by City Council — August 15, 2011 — Resolution No. 11-52.)