

# Outside Employment Policy

## **PURPOSE**

Monmouth County allows employees to hold a job(s) in addition to their employment with the County as long as an employee can satisfactorily perform his/her County responsibilities and the outside job in no way interferes with the performance of those responsibilities. This policy sets forth guidelines to ensure that employees are not involved in any outside employment or activity that will affect the quality or quantity of their work at Monmouth County, create a conflict of interest, or create an appearance of impropriety.

## **SCOPE**

This policy applies to all full and part-time employees at any workplace location of Monmouth County.

Monmouth County holds all employees to the same performance standards and scheduling expectations regardless of whether or not they have other jobs. In order to remain employed at the County, an employee can be asked to terminate outside employment if it is determined that it is impacting the employee's performance or ability to meet County job requirements and/or if it becomes a situation where there is a conflict of interest.

In the event that there is a conflict between this policy and its procedures, and any collective negotiations agreement, the terms and conditions of the agreement shall prevail with respect to the employees covered by that agreement. Employees of Constitutional Offices will be governed by the specific procedures for reporting outside employment set forth by their Constitutional Officer.

## **POLICY**

For purposes of this policy, "outside employment" includes employment with another company, self-employment, consulting activities, and volunteer activities that, if compensated, could be considered outside employment. Outside employment must be performed outside the employee's approved work schedule and not in or around the employee's Monmouth County workplace. Also, the outside employment can in no way interfere with their Department's scheduling demands.

A County employee shall not engage in any employment, enterprise, or outside activity which is in conflict with the duties, functions, responsibilities, or the Department in which the employee serves, nor shall the employee engage in any compensatory outside activity which will directly, or indirectly, contribute to the lessening of the employee's effectiveness. The employee's position with the County is of priority consideration in making a determination as to the consistency or inconsistency of outside activities. The Department Director and County Administrator or their Designee shall consider, among other pertinent factors, whether the activity involves:

- The use for income, private gain or advantage of County time or facilities, equipment and supplies, materials produced or services rendered; or the badge, uniform prestige or influence of the County workplace or employment;

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- Receipt or acceptance of money or other form of compensation by an employee to perform duties normally performed or expected to perform as a regular function of the employee's position and for which the employee is already being compensated by the County;
- Performance of an act which could later be subject directly or indirectly to the control, inspection, review, audit or enforcement by any County Department;
- Conditions or factors which would probably, directly or indirectly, lessen the efficiency of the employee in the employee's regular County employment or condition in which there is a substantial danger of injury or illness to the employee;
- Solicitation of outside work in the name of the County;
- Inconsistent, incompatible or in-conflict duties, functions, or responsibilities of the County position.

### **PROCEDURE:**

1. A "Monmouth County Outside Employment Reporting Form" (Reporting Form) must be completed and submitted by an employee to his/her Department Director prior to commencing outside employment.
2. Approval for outside employment is valid for one year or until the outside employment changes. Even if there is no change in outside employment, the Reporting Form needs to be completed and resubmitted annually to management for re-approval. Each change in outside employment requires specific prior approval.
3. The Outside Employment Policy will be reviewed and acknowledged by all employees annually. At the time of acknowledgement, any employee who has already been previously approved for Outside Employment must resubmit the Reporting Form for re-approval.
4. New employees will be instructed on the Outside Employment Policy during New Employee Orientation.
5. The Reporting Form is to be completed in its entirety by an employee and submitted to his/her Department Director for approval.
6. If the outside employment is approved by the Department Director, the Reporting Form will be sent to Human Resources for routing to the County Administrator or their Designee for approval.
7. Each employee's request for outside employment will be reviewed and decided upon based on its own merits, considering such factors such as the type of work to be done, the type of business and scheduling of employment.
8. The Department Director will notify the employee in writing of the final decision to approve or disapprove his/her outside employment.
  - a. An employee who is denied an opportunity for outside employment may file a request for review in writing within five (5) working days to the Department Director, Human Resources Director and/or County Administrator.

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- b. Upon notification of the request, management shall meet with the employee if necessary and/or review any documentation provided.
  - c. A final determination to approve or disapprove the request for outside employment will be made within five (5) working days.
9. The Reporting Form will be forwarded to Human Resources to be filed in the employee's personnel file.
  10. If the outside employment negatively impacts the employee's work at Monmouth County, the Department Director may withdraw approval for that outside employment. The employee and Human Resources office are to be notified if approval for outside employment is withdrawn. This notification should provide the reason(s) for this action.
  11. Failure to obtain prior approval for outside employment, or engaging in outside employment when such approval has been denied, may result in disciplinary action.

The Monmouth County Outside Employment Reporting Form can be found on the County Intranet under Human Resources, Documents and Forms, Employee Forms, Miscellaneous.

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## SAMPLE REPORTING FORM\*

### MONMOUTH COUNTY OUTSIDE EMPLOYMENT REPORTING FORM



In compliance with the Monmouth County Outside Employment Policy,  
this form is to be completed and submitted annually.

#### ALL EMPLOYEES PLEASE COMPLETE SECTIONS I-III

#### SECTION I – Monmouth County Employment Information:

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Department: \_\_\_\_\_ Division: \_\_\_\_\_  
Position Title: \_\_\_\_\_ Date Hired: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone/Extension: \_\_\_\_\_

#### SECTION II – Outside Employment Information:

Company Name: \_\_\_\_\_  
Company Address: \_\_\_\_\_  
Position Title: \_\_\_\_\_ Date Hired: \_\_\_\_\_  
Nature of Employment/Job Description: \_\_\_\_\_  
What is your work schedule (i.e., days worked, hours per day, hours per week)?: \_\_\_\_\_  
Are you an employee of the company, independent contractor or owner?: \_\_\_\_\_  
Does this company conduct business with Monmouth County (past, present, future)?:  Yes  No  
Is your outside employment being performed for or with any other Monmouth County employee or Official?:  Yes  No If Yes, Who: \_\_\_\_\_  
Does this outside employment involve having contact with other Monmouth County agencies, consultants or vendors?:  Yes  No If Yes, Who: \_\_\_\_\_  
Have you ever had professional interaction with this employer in your role as a Monmouth County employee?:  Yes  No If Yes, Please Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## SECTION III – Certification and Employee Signature:

*I hereby notify Monmouth County that I am currently engaged or planning to engage in outside employment as described above. I understand that this form must be completed annually and whenever there is a change in my outside employment status. I further understand that in order to engage in outside employment, I must receive approval from my Department Director and County Administrator or their Designees in advance of performing such outside employment, and that the approval may be withdrawn at any time. I also understand and agree that my outside employment must be suspended if I am out of work due to any type of sick or workers' compensation leave.*

*I understand that failure to obtain prior approval for outside employment, or engaging in outside employment when such approval has been denied, may result in disciplinary action.*

*I certify that this form contains no factual misstatement(s) or omission of material fact(s) and that any future outside employment will be reported before I engage in such activity.*

*I understand that outside employment is approved with the condition that it does not create any conflict with my duties, responsibilities and work schedule as a County employee.*

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## SECTION V – Management Approval:

Department Director/Designee Action:  Approved  Not Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Director/Designee Action:  Reviewed

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

County Administrator/Designee Action:  Approved  Not Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## SECTION VI – Completed Form Forwarded to Human Resources:

Date Received: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Signature: \_\_\_\_\_

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