

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.

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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.
 1. 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.
 2. Upon notification of the request, management shall meet with the employee if necessary and/or review any documentation provided.
 3. 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. Employees who are on an approved leave of absence from their County employment for any reason, including but not limited to, medical leave or workers' compensation leave, may not engage in any form of self-employment or perform work for any other employer during that leave, except when the leave is for military or other authorized public service.
12. Failure to obtain prior approval for outside employment, or engaging in outside employment when such approval has been denied, may result in disciplinary action.