

DIVISION OF PARKS AND RECREATION

November 6, 1995

STAFF DIRECTIVE 95-07

TO: Division Employees

FROM: Philip K. McKnelly, Director

SUBJECT: Secondary and Dual Employment Policy and Procedure

This directive replaces Staff Directive 91-6.

If you wish to become engaged in secondary or dual employment, you must complete the attached "Request for Approval of Secondary/Dual Employment" form and submit it through your supervisor for approval before beginning employment.

Approval shall remain in effect for the time specified on the application as the expected period of employment. This process must be repeated anytime there is significant change in the conditions of either primary or secondary employment.

"Request for Approval of Secondary/Dual Employment" forms are to be routed through the supervisory chain of command for processing. An approved copy will be returned to you for your file.

If you have any questions concerning the use of the new form, please contact Judy Warren or Karen Patseavouras in the division Personnel Office.

PKM:jbw

Attachment

State of North Carolina
Department of Environment, Health, and Natural Resources
REQUEST FOR APPROVAL OF SUPPLEMENTARY (SECONDARY/DUAL) EMPLOYMENT

Date _____

Employee Information

Name: _____

Division: _____

Position Classification: _____

Duty Station: _____

Home Address: _____

Request: In addition to my work with the Department of Environment, Health, and Natural Resources, I hereby request permission to engage in the supplementary employment described below.

Supplementary Employer

Name: _____

Address: _____

Job Title: _____

Description of duties to be performed:profession: _____

Days and hours of employment: _____

Anticipated dates of employment: _____

Statement: I have read the policy and procedures governing secondary employment (and dual employment where applicable) and believe this request complies with this policy. If any substantial change occurs in my supplementary employment after approval, I will report it to by supervisor.

Signature of Employee

Recommend Approval: Yes____ No____

Signature of Immediate Supervisor Date

Recommend Approval: Yes____ No____

Signature of Section Chief Date

Approved: Yes____ No____

Division Director Date

PDF-5 (Revised 11/96)

Distribution: Original – DPR Personnel
 Copy – Employee

Policy (Excerpt from EHNR Operating Procedures Manual)

All employees of EHNR must comply with the policies and procedures contained herein prior to undertaking any supplementary employment. While employees are generally free to use their nonwork hours as they desire, public employees incur certain limited restrictions on outside employment that are necessary to protect the public interest. Therefore, no supplementary employment will be allowed if it is in conflict with the employee's primary job responsibilities or it would impair the employee's ability to carry out his/her primary job responsibilities.

SECONDARY EMPLOYMENT

.1 Conflict of Interest. Secondary employment shall be approved only if the value of services provided by the employee would reasonably appear to be independent of the employee's association with the Department of Environment, Health, and Natural Resources. Additionally, the following prohibitions shall be observed:

- a) Activities wherein an employee could enrich either himself/herself with his/her secondary employer by resort to privileged information or specialized knowledge about EHNR policy, programs, regulations, procedures, litigation or intended actions.
- b) Activities that make it difficult for the public to discern whether the employee is engaged in primary employment or secondary employment.
- c) Compensation through secondary employment for services that ought to be provided as part of primary employment responsibilities.
- d) Use of state equipment, materials, or facilities in the furtherance of secondary employment activity.

This rule does not prevent employees from working in secondary jobs where their employment with EHNR gives them no labor market advantage over persons with similar skills who are unassociated with the Department.

.2 Impairment of Work Performance. Employees shall avoid secondary employment that would impair their ability to perform their job with EHNR.

- a) Employees shall not engage in any activity that will impair the physical stamina and mental attentiveness necessary to perform their primary employment. Hours, stress, physical strain, and travel required for secondary and primary jobs will be considered, along with prior productivity, when making this determination.
- b) Employees shall not engage in secondary employment during EHNR work hours.

SECONDARY EMPLOYMENT is defined as work for compensation from any source except EHNR or another state agency. This includes self-employment and ownership of business. It includes pay by salary, wages, commissions, sales, income, goods, services, travel benefits, room, board or anything else of value. The employee's EHNR job is considered his/her "primary employment".

DUAL EMPLOYMENT is defined as services performed for a state agency by a state employee of another state agency. Such services include temporary, part-time, consulting, contractual, honoraria, and professional service contracts.

Dual employment must comply with the state policy on page 7-51 through 7-56 of the State Personnel Manual.