



## ADMINISTRATIVE DIRECTIVE

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	EFFECTIVE DATE	
<b>January 25, 2016</b>		

### I. **PURPOSE**

To state the policy and procedures for City employees to follow to obtain approval for outside employment.

### II. **DEFINITIONS**

- A. **City Employee** – An individual employed in the City's classified service.
- B. **Outside Employment** – Services rendered to an employer other than the City of Tucson (including self-employment) from which an individual receives or intends to receive anything of value (goods, services, money).

### III. **POLICY**

The proper operation of City government requires that employees be independent, impartial and responsible to the people, and that the public has confidence in the integrity of its government. The most significant and encompassing of the state laws dealing with public employee conduct are the Arizona Revised Statutes 38-501 through 38-511, titled "Conflict of Interest of Officer's and Employees". These statutes are the basis of the City's Code of Ethics and the following policy for outside employment.

No employee shall engage in any outside employment or transaction, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of the employee's official duties, or which would tend to impair the employee's independence of judgment or action in the performance of official duties. Personal, a distinguished from financial, interest includes an interest arising from blood or marriage relationships, or close business or commercial association. (See [AD 2.02-14](#), "Conflicts and Ethics" for more information regarding conflict of interest.

Some outside employment situations may not technically violate state statutes regarding conflict of interest, but present an appearance of impropriety that is just as damaging to the public trust as an actual conflict. In order to prevent appearances of impropriety, such employment situations will not be permitted under the policy below.

### IV. **GENERAL**

Outside employment may be permissible under the following conditions:

- A. There is no actual or potential conflict or appearance of conflict between the outside employment and the employee's duties.



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- B. The outside employment will not reflect derogatorily on the City or department, nor adversely affect the department's ability to fulfill its performance functions.
- C. The outside employment will not be in an activity that is regulated by the department, whether or not the employee is directly involved in the regulatory activity.
- D. If an employee is involved in the City's regulation of an outside firm, the employee may not have any employment relationship whatsoever with the outside firm.
- E. If an employee's official duties include the possibility of reviewing, directing or assigning the work of outside firms, the employee will not engage in outside work of a similar nature.
- F. The outside employment shall not involve the use of facilities, equipment or supplies of the City of Tucson, unless these services are available to the general public. Work related to an employee's outside employment shall not occur during the hours in which the employee is expected to fulfill the duties and responsibilities of a City position.
- G. The outside employment will not require an amount of time or effort which could adversely affect the employee's ability to perform the City job. The employee must meet or exceed job performance standards prior to the approval and sustain that performance for the duration of their outside employment.
- H. If an employee's outside employment is similar in nature to their City position official duties, they may not perform outside work for a City vendor/contractor on City property.

### V. **AUTHORIZATION PROCEDURES**

**Initial Authorization:** An employee must have approval of the employee's department director prior to engaging in any outside employment. This request is to be made with a "Request for Outside Employment" form (Attachment). The employee shall provide any information regarding the outside employment, which might reasonably impact upon the decision to grant, deny, or terminate approval. Employees who do not provide such information are subject to disciplinary action and termination of their authorization for outside employment. In addition, employees who engage in outside employment without approval from their department director are subject to disciplinary action up to and including termination.

**Exception:** Commissioned employees of the Police Department who wish to engage in police-related outside employment are exempt from the requirement to submit a "Request for Approval of Outside Employment" form, but must comply with Tucson Police Department rules and regulations related to outside employment. Non-police related outside employment still requires submittal of the "Request for Approval of Outside Employment" form.

**Annual Renewals:** After outside employment is initially authorized, employees must annually request and receive authorization for continued outside employment. To make the timing of renewals consistent Citywide, employees shall submit new "Request for Approval of Outside Employment" forms (attached) annually on **November 1<sup>st</sup>**.



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**Forms** Request for Approval of Outside Employment

**References** AD 2.02-14, "Conflicts and Ethics"

**Review Responsibility and Frequency** The Director of Human Resources will review this directive annually, based on date of publication. Last review date: February 23, 2006.

**Authorized**

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
Date

**REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT**  
**(Use one form for each employer)**

Date of Request: \_\_\_\_\_

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Classification: \_\_\_\_\_

Date of Hire with City: \_\_\_\_\_

I hereby request authorization to engage in the outside employment described below, understanding that such work will neither conflict with my employment with the City of Tucson, cause any conflict of interest, either actual or potential, nor present an appearance of an impropriety in relation to my employment with the City of Tucson. I agree to supply information regarding my outside employment which might reasonably impact upon the decision of my employer to grant, deny, or terminate approval of my request for outside employment.

Name of Company\* \_\_\_\_\_

Title of Position \_\_\_\_\_

\*if self employed, list primary clients \_\_\_\_\_

Type of Work \_\_\_\_\_

Hours of Work \_\_\_\_\_

Number of hours per day, week, or month \_\_\_\_\_

Estimated duration of job \_\_\_\_\_

Immediate Supervisor \_\_\_\_\_

Note: If work is intermittent and does not follow a fixed schedule, state the approximate hours and schedule:

Attach any additional information regarding this request for employment which may impact the decision to grant, deny or terminate approval. FOR CONTINUING EMPLOYMENT, A NEW REQUEST FORM MUST BE SUBMITTED ANNUALLY ON NOVEMBER 1<sup>ST</sup>.

Signed: \_\_\_\_\_  
(Employee requesting authorization)

_____	_____	Approved	Not Approved
Division Administrator	Date	_____	_____

_____	_____	_____	_____	See A.D. 2.02-6 for more information
Department Director	Date	_____	_____	

Distribution of completed form: Original to Employee  
Copy to Department and to Human Resources