

COMMISSION GUIDELINES ON SECONDARY EMPLOYMENT

Some District employees have other sources of income, such as farms, second jobs, or private businesses. Secondary sources of income can be important for adequate support of the employee as well as his or her family. Districts need to be aware of the potential for the appearance of a conflict of interest or an actual conflict of interest resulting from secondary employment.

This is especially important for the positions that are partly funded through state appropriations that also are involved in state-funded cost share programs or providing technical assistance to implement state animal waste permit conditions.

In the interest of avoiding conflicts and assisting the Districts with guidance to employees engaged in secondary employment, the Commission suggests that the following steps be followed:

1. The District Board should provide its District employees with a copy of the policy in your county pertaining to secondary employment. This can be obtained from the county manager.
2. The District Board should consider adopting its own policy pertaining to secondary employment.
3. The District Board should provide written permission to the employees engaged in secondary employment. The permission should identify the employee, the type of secondary employment, the time of day in which the employee is allowed to engage in secondary employment, and the time period covered by the written permission.

Secondary employment includes self-employment, ownership of businesses, and any activity that may provide the employee with salary, wages, commissions, sales income, goods, services, travel benefits, room, board or other things of value.

If the District is not already covered by a county secondary employment policy, the District should consider adopting a policy that protects the District, the County, the Commission, and the employee from the following circumstances:

1. Conflict of Interest: Secondary employment should not be allowed if it is in conflict with the employee's primary job responsibilities or if it would impair the employee's ability to carry out his/her primary job responsibilities. The following prohibitions should be observed:
 - a. Employee and/or secondary employer serving as contractor and/or providing contracting services to implement a state cost share contract.
 - b. Activities wherein an employee or the secondary employer could benefit from access to privileged information or specialized knowledge about policy, programs, regulations, procedures, litigation, or intended actions.

Commission Cost Share Programs

- c. Activities wherein the secondary employer or employee's clients could be perceived as getting preferential consideration for cost share assistance and/or technical assistance.
 - d. Activities that make it difficult for the public to discern whether the employee is engaged in primary employment or secondary employment.
 - e. Compensation through secondary employment for services that should be provided as a part of primary employment responsibilities.
 - f. Supervisors from hiring a district employee from their district in their secondary employment if it creates a conflict of interest or the appearance of conflict of interest.
 - g. Use of Federal, State or District equipment, materials, or facilities in furtherance of secondary employment activity.
2. Impairment of Work Performance: Employees should avoid secondary employment that would impair their ability to perform their primary job responsibilities.
- a. Employees should 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 the secondary and primary jobs will be considered, along with prior productivity, when making this determination.
 - b. Employees should not engage in secondary employment during their normal work hours.