SUBJECT: OUTSIDE EMPLOYMENT **POLICY NO.:** 2-015

O. OUTSIDE EMPLOYMENT

The Board of Supervisors has adopted rules governing incompatible activities for county employees, which require each Director to approve, in writing, any outside employment or activity for compensation which relates to the employees duties or the functions and responsibilities of the Department.

Each employee is required to file an annual disclosure statement indicating no outside activity for disclosure, or disclosing those outside activities for compensation which are covered by the rules of incompatibility. Any modification to previously filed statements must be reported in writing to the Director.

An employee's non-county employment, enterprises or activity may be prohibited if it:

1) Involves the use for private gain or advantage of county time, facilities, equipment, supplies or the badge, uniform, prestige, or influence of county employment or,

2) Involves receipt or acceptance by the employee of any money or any other consideration from anyone other than the county for the performance of an act which the employee would be required or expected to render in the regular course of county employment or,

3) Involves the performance of an act in other than official capacity as a county employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other county employee or,

4) Involves such time demands as would render less efficient the employee's performance of assigned county duties.

No employee shall charge, request or receive for his own use any fee, reward or payment of any kind from any person, firm or corporation other than the County of San Diego for any services rendered by him or her, or render during office hours or hours of work for the county any service to anyone other than such services as he or she is employed by the county to render.

Employees found to be in violation of this policy will be subject to disciplinary action which may include suspension or discharge. Employees have the right to appeal any such disciplinary action under applicable provisions of existing departmental grievance procedures, Civil Service Rules or the Employee Relations Ordinance.

Attorneys: Attorneys may not engage in the practice of law outside the office.

Investigators: Investigators may engage in outside employment subject to the following conditions:

1) A request must be made through channels to the Director in advance stating the nature of the proposed employment.

2) Written approval by the Director must be secured before engaging in the outside employment.

3) The investigator's proposed non-county employment, enterprise, or activity must not be inconsistent with, incompatible to, or in conflict with their duties.

4) If the employment is that of a private investigator, the following additional requirements shall apply:

- The investigator shall comply with all rules and regulations set forth by the Department of Consumer Affairs and any local governmental agencies.
- No criminal cases or juvenile delinquency or dependency cases shall be investigated.
- No civil cases shall be investigated if there is a criminal case filed or if there is any possibility of a criminal case being filed concerning the subject matter of the civil case.

REFERENCES

Administrative Code for San Diego County, Article XXXVIII-A, Section 717 (Prohibited Activities)

APPROVED BY:

TIMOTHY A. CHANDLER, Director
Department of the Alternate Public Defender

Effective Date_____

Revision Date_____

Approved and/or authorized by the Board of Supervisors of the County of San Diego
Date: 11/10/98 Minute Order No. 42
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
By: _____
Deputy Clerk