COUNTY OF SAN DIEGO
CITIZENS' LAW ENFORCEMENT REVIEW BOARD

INCOMPATIBLE ACTIVITIES POLICY
POLICY/REVISION DATE: 9-18-98

Pursuant to Government Code Sections 1125-1127 and Board of Supervisors Resolution No. 41, dated 2-29-72, every appointing authority of the County of San Diego is required to formulate rules specifying those activities for compensation, outside of County duties of the employees under his or her jurisdiction, which are inconsistent and incompatible with their duties as County employees. In compliance with this rule, the Executive Officer of the Citizens' Law Enforcement Review Board (CLERB) has determined that outside activities set forth in this policy may be in conflict with the functions and responsibilities of employees of this board and are prohibited, or require the reporting of those activities to the Executive Officer.

I. Any activity by a CLERB employee which involves the use of County time, facilities, equipment, or materials for private gain or advantage, including the following:

1. Any outside employment, including association with another government entity or nonprofit organization, which results in receipt of frequent telephone calls or visitors while on duty at his or her County employment.
2. The sale of publications or written materials that were prepared on County time or utilizing County facilities, equipment and/or materials. (Funds from the sale of copies of County reports are deposited in the County General Fund.)
3. Any outside employment activity, including employment with another government entity or nonprofit organization, which would interfere with the efficient performance of his or her County duties in the CLERB office.

II. Any activity which involves the use for private gain or advantage of the badge (or identification), uniform, prestige, or influence of the individual's County employment, including the following:

1. Directly or indirectly soliciting, seeking, or accepting personal loans, gifts, gratuities, business, compensation, or favors from public jurisdiction, private business firms or their agents who deal with the CLERB or any department of the County of San Diego.
2. Using information not readily available to the general public, gained in the course of County employment, for private gain or advantage or the gain or advantage of another.

III. Any activity which involves the receipt by the employee of money or other consideration from private parties for the performance of acts which the employee is expected to render in the regular course of his or her duties as a County employee, including the following:

Any consultation work for a fee or other remuneration concerning the application or interpretation of orders, directives or other communications of this board, the Board of Supervisors or any other agency or department of the County of San Diego.

IV. Any activity which is in conflict with the duties and responsibilities of the CLERB, including the following:

1. Outside employment, including employment with another government entity or nonprofit organization, which will impair the independence of judgement as to his or her County duties.
2. Outside activity, including employment with another government entity or nonprofit organization, which will require the employee to disclose confidential information acquired in the course of his or her County duties.
3. Outside employment, including employment with another government entity or nonprofit organization, with an entity which has a contract with the County; or has had a contract with the County within the last twelve (12) months.

V. Any outside employment, including employment with another government entity or nonprofit organization, in which a part of the employee's efforts therein may be subject to approval, review, control, or audit by another employee, officer, board or commission of the County of San Diego.

VI. Disclosure of outside activities.

1. Employees of the CLERB shall disclose to the Executive Officer in writing any outside employment or activity where any part of their efforts will be subject to the approval by any other officer, employee, board or commission of the County.
2. Employees of the CLERB shall disclose to the Executive Officer in writing if an assignment or work relates to any organization, property or activity in which he or she or a member of his or her immediate family has an interest.
3. Employees of the CLERB shall disclose to the Executive Officer in writing if he or she makes a presentation before any officer, board, or commission which the Executive Officer represents or advises and in which the employee or a member of his or her immediate family has an interest.
4. Employees of the CLERB shall disclose to the Executive Officer in writing any paid position held in a nonprofit entity which has or is seeking contracts with the County of San Diego.
5. The disclosure requirements shall be applicable to employees of the CLERB who are employed by another government entity or nonprofit organization.
6. Where employees of the CLERB are authorized to expend time and/or resources on outside activities, those involved will document the activities and make the documentation available to the Executive Officer.

VII. Violation of policy is grounds for discipline.

1. Participation in any prohibited activity by any classified officer or employee or failure to properly disclose the outside activities as required by this policy, after proper notification of such prohibition or failure to disclose, may be cause for suspension, demotion, reprimand, transfer or removal within the provisions of the Charter of the County of San Diego, and Civil Service Rules. The provisions of Civil Service Rule VII as to notice and hearing shall be applicable to discipline imposed based on a determination that a classified officer or employee has engaged in any prohibited outside activity or has failed to properly disclose outside activities as required by this policy.

2. Any unclassified officer or employee may, upon determination of the Executive Officer that he or she engaged in a prohibited activity or failed to properly disclose any outside activity as required by this policy, request a hearing before the Executive Officer or the CLERB in closed session, and such hearing shall be afforded to the unclassified employee within a reasonable time. Participation in any prohibited activity or failure to disclose outside activities as required by this policy by any unclassified officer or employee may be cause for discipline or removal.

John Parker, Executive Officer

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