COUNTY OF SAN DIEGO
CIVIL SERVICE COMMISSION
INTERNAL POLICY AND PROCEDURES

SUBJECT:	INCOMPATIBLE ACTIVITIES/ CONFLICT OF INTEREST	POLICY NO.	PAGE 1 of 3

Effective Date:_____

PURPOSE:

This policy establishes standard rules regarding incompatible activities and conflicts of interest which are to be followed by the Civil Service Commission and its staff.

BACKGROUND:

Resolution of the Board of Supervisors Enacting Rules Governing Application of Incompatible Activities Law was adopted in February 29, 1972, amended November 17, 1981 and effective January 1, 1992. It states that every officer and employee of the County of San Diego occupies a position of public trust and owes at all times a duty to act in the best interest of the public rather than his personal interest.

Government Code Section 1120 requires members of county boards and commissions to disclose any direct financial interest in any noncontractual matter coming before such board or commission. That same Code section prohibits county officers and employees from engaging in any outside employment or activity which is incompatible with the duties of his county office and authorized the Board of Supervisors of the County of San Diego to adopt rules and regulations governing the application of this law.

The Board has adopted rules and regulations to ensure that County employees are not engaged in any employment, activity, or enterprise which is inconsistent or in conflict with their duties as County officers or employees. These regulations have been adopted in accordance with the California Incompatible Activity Law.

Each appointing authority is to formulate rules specifying those activities for compensation outside of the normal duties of officers and employees under its jurisdiction which are incompatible to or in conflict with their duties as County officers and employees.

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POLICY:

Overall, it is the Civil Service Commission's policy in accordance with the Civil Service Rules of the County of San Diego, that Civil Service Commission employees shall not engage, at any time, in any outside employment, or in any outside business activity or enterprise which is inconsistent, incompatible, in conflict with or inimical to assigned duties as a County employee or the duties, functions or responsibilities of the Civil Service Commission. The Administrative Manual requires that Department Heads establish rules governing Incompatible Activities and Conflicts of Interest.

STANDARDS:

A special form prepared by the Auditor and Controller- Disclosure Statement (Aud 263) was designed to enable Offices to maintain an updated file of incompatible activity disclosures reported by its employees. All staff of the Commission Office shall submit Disclosure Cards (AUD 263), bi-annually. These cards will be maintained in the Commission Office.

The Executive Officer or designee shall review each Disclosure Statement (AUD 263) and Statement of Economic Interest (730). This review shall "...identify any potential conflict of interest or incompatible activity." Each card must be initialled and dated to indicate that the review has been completed.

In accordance with the Civil Service Rules, Rule VIII- Conflict of Interest, and Outside Employment, the Executive Officer of the Commission requires employees of his office to inform him of any outside employment, business activity or enterprise in which the employee is engaged. If he determines that such employment, business activity or enterprise is inconsistent, incompatible, in conflict with or inimical to assigned duties, the employee will be requested to refrain therefrom. If the employee resists that request, the Executive Officer will then proceed with a written order to refrain. The employee may appeal such order in the manner provided in Rule VII for appeal.

Section 8.2 of these same Rules relating to Contracts with Employees will be enforced in the same manner.

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Civil Service Commission and Executive Officer's Requirement to file a Statement of Economic Interest:

Executive Officer and Civil Service Commission will complete a "Statement of Economic Interest" (Form 730) within 30 days of assuming office, annually, and leaving office. The Executive Officer's and Commission Forms 730 must be filed with the Clerk of the Board. A copy of the Incompatible Activities Form (AUD 263) will also be completed bi-annually by the Executive Officer and kept in the Office of the Civil Service Commission.

The following Reportable Interest Schedules in Form 730 - Statement of Economic Interests, are to be completed by the Commission and the Executive Officer: D - Income; D-1 Income,Travel Payments, Advances, Reimbursements; E - Income - Loans; F - Income - Gifts; G - Business Positions; H-1 Commission Income Received by Brokers, Agents and Salespersons; H-2 Income and Loans to a Business entity or Trust; and H-3 Income from Rental Property.

OUTSIDE JOBS:

Outside jobs may be allowed, unless the job conflicts with the Civil Service Commission Employees' "Rules for Incompatible Activities." This will be at the discretion of the Executive Officer.

REPORTING AND FILE RETENTION RESPONSIBILITIES:

All forms are retained for two years (+ current year.) Aud Form 263 is retained in the Commission Office. The Form 730 - Statement of Economic Interests is forwarded to the Clerk of the Board of Supervisors, and copy filed in the Commission Office.

Dated: April 10, 1995

Tony Cook
Executive Officer, Civil Service Commission

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