



**Office of Human Resources
Standard Operating Procedure
HR SOP #203**

Subject: Secondary Employment

Effective Date: June 1, 2017

Policy Statement:

Agency employees must avoid secondary employment activities and/or relationships that conflict with the State's interests; create a perception of impropriety; or adversely affects the State's or DNR's reputation.

Employees must obtain permission for a secondary job whether self-employed or employed by another prior to accepting such employment. New employees, who are engaged in secondary employment at the time of their employment with the Department, must request permission to continue such employment.

Definitions:

Secondary Employment: Another job or position held concurrently while employed full-time or part-time with the Georgia Department of Natural Resources, and for which the individual receives additional salary/compensation; including self-employment, contracting to provide services for a fee, serving as a consultant for a fee and any elected or appointed public office or a position in a political party or organization.

Prohibited Public Employment: Any full-time elective or appointive public office of the state or political subdivision of a state, civil office of the federal government, office of a political party or political organization, or any other office is prohibited if the duties or responsibilities of such office conflict with the employee's State employment. Employees are prohibited from holding office or being employed in the legislative or judicial branch. Note: An exception is that an employee who has taken a leave of absence without pay may serve in the legislative branch while the Georgia General Assembly is in session.

Procedure:

Requesting Permission:

Current DNR employees who wish to have a second job, and new DNR employees who are engaged in a secondary employment and wish to continue in such employment, must submit the Request for Approval of Secondary Employment (Attachment 1) to their supervisor.

Employees are personally responsible for informing their supervisors about secondary employment in a timely manner. To help avoid unforeseen conflicts or work impediments, employees should actively seek the advice of their supervisor before accepting a secondary job.

Division Directors will forward the Approval of Secondary Employment (Attachment 1) to the DNR Human Resources (HR) Director with a recommendation for approval or denial.

The DNR HR Director will make the final decision and notify the employee by letter, copied to the applicable Division Director. A copy of the completed form with approval or denial will be placed in the employee's official personnel file.

Secondary Employment Changes:

DNR employees who subsequently obtain, change, or end secondary employment relationships (with other employers) must complete the Request for Approval of Secondary Employment (Attachment 1) within 15 calendar days after the occurrence.

Hourly Employees:

Secondary Employment approval from the DNR HR Director is not required for hourly employees. Division Directors are responsible to ensure that hourly employees meet the other provisions of this procedure. A Request for Approval of Secondary Employment (Attachment 1) for hourly employees should be kept in the employee's management file and not forwarded to the Office of Human Resources.

Evaluating the Request:

The supervisor/manager and division director will use the criteria below to review the request, and to formulate his/her recommendation. DNR employees will be permitted to engage in secondary employment, provided it is;

- Not a conflict of interest or does not appear to be a conflict of interest with their employment with DNR, for example:
 - Is the secondary employer a current or potential competitor, customer, supplier or contractor of DNR/EPD?
 - Is the secondary employment serving as a member of the Board of Directors or serving as a consultant, or advisor to management or the board of a business that is a competitor, customer, supplier or contractor of the State?
 - Does the employee hold a 5% or more financial interest in a competitor, customer, supplier, or contractor of the State?
- Not as a corporate officer or director of any for-profit or publicly held company;
- Not a violation of law, rule or regulation;
- Not engaging in any transactions involving the state from which the employee can benefit, financially or otherwise;
- Not prohibited public employment or political appointment;
- Not an impediment to or conflict with the employee's ability to perform his or her duties and responsibilities with the Department;

- Would the secondary employment activity interfere with the performance of the employee's duties or conflict with any regular or anticipated overtime required by the DNR/EPD job?
- Would the secondary employment use the State's time, equipment, or other resources in pursuing outside business activities?
- Approved by the DNR supervisor/manager, division director and the DNR HR Director via Attachment 1; and
- Approved in writing by DNR and the secondary State of Georgia employer prior to commencing the secondary employment.

Confidential, unpublished information obtained in connection with an employee's State employment cannot be for the employee's personal benefit or for disclosure by the employee to a third party.

Voluntary, pro bono services on behalf of non-profit organizations may be permitted, so long as services to such organizations would not have the potential to create a conflict and do not impair the employee's ability to discharge his or her public duties fully, faithfully, and impartially.

Exempt Employees:

DNR employees who are exempt from the Fair Labor Standards Act (FLSA) requirements will be permitted to work with other state agencies, commissions or authorities, provided the employee meets the criteria above and if applicable, in the Approval for Employees with Advanced Degrees section.

Nonexempt Employees:

DNR employees who are nonexempt from the Fair Labor Standards Act (FLSA) requirements are **prohibited** from working with other state agencies, commissions or authorities.

Approval for Employees with Advanced Degrees:

A DNR employee with a doctoral or master's degree from an accredited college or university may not be employed by another state agency unless: The Chief Executive of the department, the agency, commission or authority that wishes to provide secondary employment to a DNR employee, certifies in writing the need for the services and sets forth why the best interest of the state will be served by obtaining the part-time services of such a person in lieu of obtaining such services from a person not presently employed by the state; and

- The DNR Commissioner certifies in writing that the person whose services are desired is available to perform such services, that the performance of such services will not detract or have a detrimental effect on the performance of said person's employment and, where appropriate, that the part-time employment of such persons, by the department, agency, commission, or authority that wants to obtain the services, will be in the best interest of the state; and
- After having complied with the above, DNR and the secondary employer shall, by agreement, establish the procedures under which the employee shall perform the additional services. The agreement shall specify the means of employment either as a

part-time employee or as a consultant, the compensation, and other pertinent details and conditions of the employment relationship. The agreement shall be terminable at any time by either of the departments, agencies, commissions, or authorities.

Consequences:

Failure of the employee to provide initial or updated secondary employment verification in a timely manner may result in disciplinary action.

Attachments:

Attachment 1 - Request for Approval of Secondary Employment