



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Outside Employment Policy

Creation Date: January 17, 2012

Revision Date: May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

POLICY: OUTSIDE EMPLOYMENT POLICY

Regular full time members of the classified services shall be permitted to work part time for other employers subject to the provisions of this policy. Full time employees must recognize that their primary duties are to the City of El Paso. Accordingly, employees may be permitted to engage in outside employment with the prior written approval of their Department Head.

The City of El Paso employees are subject to call at any time for emergencies, special assignments, overtime, and the like, and the obligations of outside employment are always subordinate to the needs of the City of El Paso.

I. PART TIME EMPLOYEES

Part time employees are permitted to work for other employers subject to the provisions of this policy. Part time employees are required to work all scheduled shifts for their City employment. There may be occasions when a part time employee will be asked to work hours that may be outside their scheduled shift to cover for emergencies, special assignments, overtime, and the like. If that should occur, the employee is requested to accommodate the revised work schedule. Part time employees are required to notify their Department Head of their other employment, (if applicable).

II. PROCEDURES

- A. Within ten working days prior to accepting outside employment, a (full time) employee must submit an application for outside employment in writing using the forms as provided by the Human Resources Department to the employee's Department Head. The request should provide the name of the proposed employer, the job title, duties, location and schedule. The Department Head's approval must be in writing, with a copy of the approval provided to the Human Resources Department. The employee must notify the Department Head in writing when the employer, job title, duties, location or schedule change, and must get the Department Head's approval for such a change.

Outside Employment Application and Process:

1. An employee must submit a request for permission to work at outside employment to the Department Head for approval. Request for outside employment shall not exceed twenty-five (25) hours per week.
2. A Department Head may place reasonable limitations or, conditions on the performance of any outside employment.
3. Determination of limitations on outside employment will be based upon the best interest of the City in furthering professionalism, protecting the reputation of the employee and City and ensuring the City receives full and faithful service in return for its expenditure of resources.
4. If the Department Head believes an employment request is inappropriate and does not meet the criteria established by this policy, he must submit the request to his Deputy City Manager or the City Manager and obtain his concurrence prior to disapproving the request.
5. Applications that have been approved by the Department Head will be valid for a period not to exceed two (2) years from the date of approval, and only for the specific type of employment approved.
6. Within ten working days, an original application must be submitted before an employee may change the type of employment for which he has been approved.
7. Each Department Head shall periodically review outside employment within the department to ensure compliance with this policy.
8. It is the duty of each Department Head to revoke an employee's outside employment approval in the event the employee fails to comply with the provision of this policy, fails to conform to the conditions or qualifications, or receives an overall rating of less than "Meets Performance Standards", or equivalent, on any Performance Report, provided further that a Department

Head may give an employee notice and reasonable opportunity to cure their noncompliance or other deficiency prior to revocation.

Conditions That May Disqualify an Employee for Outside Employment:

1. Where it appears from the employee's sick leave record or other evidence that outside employment would measurably impair the applicant's ability to discharge official duties and responsibilities with the City.
2. Where outside employment, or the place where it is performed, would likely bring either the City or the employee into disfavor with the public, place the employee in violation of the Rules and Regulations of the Commission or the employee's department, or present the employee with an actual or potential conflict of interest respecting city employment.
3. Where the employment, or the place where it is to be performed, are such as to measurably impair the employee's efficiency, capability, or availability as an employee of the City.
4. Where the outside employment requires the employee to appear in the official City uniform of the employee's City employment where such practice would violate a rule of the employee's department.
5. Where the outside employment of a public safety employee would involve the operation of, or employment in, an establishment where the principle business is the sale of intoxicating beverages.
6. Where the outside employment could affect their ability to make unbiased decisions or recommendations in the duties of their job with the City.
7. Where the outside employment could compromise their independent judgment regarding recommendations or choice of vendors or services that are provided to/for the City of El Paso.
8. When the outside employment exceeds the number of hours allowed in any one calendar week more than twice in a year; and all is not reported to the Department Head for a determination of extenuating circumstances.

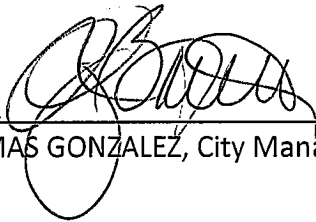
II. CONFLICT

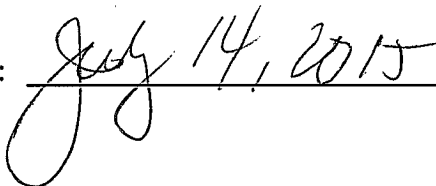
Employees' outside employment must not compete, conflict with or compromise, either in substance or appearance, the City's interest or adversely affect job performance and the ability to fulfill all responsibilities to the City. Employees may not use City resources, including without limitation, computer or e-mail, or City confidential information, in the performance of outside employment.

III. DEMANDS:

Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, and tardiness, leaving early, refusal to travel or refusal to work overtime in different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued and, if necessary, normal disciplinary procedures will be followed to deal with the specific problem.

APPROVED BY:

FOR 
TOMAS GONZALEZ, City Manager

DATE: 

CITY OF EL PASO
OUTSIDE EMPLOYMENT APPLICATION FORM

TO: _____
(Department Head)

New Request

THRU: _____
(Immediate Supervisor)

Subsequent Request

(Section or Division Head)

FROM: _____
(Name of Employee)

SUBJECT: Request for Approval of Outside Employment

My city job title is _____. I am assigned primarily at _____. My normal days and hours of work are _____. Pursuant to the Outside Employment Policy and Rule 15 (Appeal Regarding Outside Employment Denial or Revocation), I request permission to engage in the following activity that will produce earnings outside my city pay:

(Check the appropriate box below.)

Name of *proposed Employer(s)*: _____

I will be self-employed.

I will work _____ hours per week at the above job(s). A copy of my work schedule is attached. In the space below, write a brief description of your duties.

The job(s) involves the following physical activities and/or possible hazards.

(Employee's Signature)

(Date)



Approved

(Department Head Signature)

(Date)



Denied

(Department Head Signature)

(City Manager or designee Signature)

(Date)

Comments: _____
