

SERENITY BEHAVIORAL HEALTH SYSTEMS

SUBJECT:	OTHER EMPLOYMENT
POLICY NUMBER:	HR-47.00
EFFECTIVE DATE:	January 2009
SUPERSEDES:	N/A
LAST REVISION DATE:	July 2009

POLICY:

Employees may seek employment and engage in a variety of activities outside of their work for SBHS. However, such other employment activities may not conflict with an employee's SBHS employment. Employees who desire to engage in other employment must notify their supervisor and abide by the policies of SBHS.

Employees engaged in outside employment, including consultant relationships, must inform their supervisor of the nature of the additional work and their corresponding work hours. Employees must also disclose actual or potential conflicts of interest related to their outside employment activities and/or relationships as soon as they become aware of them.

OTHER EMPLOYMENT:

Working as an employee for any employer (including another State Agency), owning a business, contracting to provide services for a fee, serving as a consultant for a fee or honorarium, or being self-employed. "Other employment" also includes any elected or appointed public office (whether federal, state, or local), or a position in a political party or organization.

NOT OTHER EMPLOYMENT:

Other employment does not include participating in yard sales, hosting home parties (provided that the employee is not a paid representative or commissioned sales representative of the company), babysitting, or boarding animals (provided that such services are not offered to the general public). "State employment" means the employee's primary employment with a State agency.

ADDITIONAL STATE EMPLOYMENT:

Due to provisions of the Fair Labor Standards Act, current State employees who desire to work for more than one State agency must have prior written authorization from both their current and prospective employers before commencing employment with a second State employer.

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CONFLICTING EMPLOYMENT ACTIVITIES:

Employees must avoid employment, activities and/or relationships that actually conflict or could conflict with the SBHS interests; create a perception of impropriety; or, adversely affect SBHS's reputation. Examples of conflicting employment activities include but are not limited to the following:

- I. Concurrent employment that interferes with the time or attention that should be devoted to SBHS employment;
- II. Holding a financial interest in any present or potential competitor, customer, supplier, or contractor of SBHS, unless the ownership interest is less than 5% of that business;
- III. Acceptance of a membership on the Board of Directors or serving as a consultant or advisor to any board or management of any business that is a present or potential competitor, customer, supplier or contractor of SBHS;
- IV. Engaging in any transaction involving SBHS from which the employee can benefit, financially or otherwise (including lending or borrowing money, guaranteeing debts or accepting gifts, entertainment, or favors from a present or potential competitor, customer, supplier, or contractor), except as he/she may be compensated in the usual course by SBHS;
- V. Use of SBHS time, equipment, or other resources in pursuing outside business activities; or;
- VI. Use for the employee's personal benefit or the disclosure by the employee to a third party of any confidential, unpublished information obtained in connection with his/her employment with SBHS.

NOTE: This restriction does not include organizations such as Community Service Boards, County Boards of Health or units of the University System.

ELIGIBILITY:

A SBHS employee may, under the conditions outlined in this policy, seek and secure employment in addition to SBHS employment, provided that the other employment:

- I. Does not constitute a violation of any Federal or State law, Rules of the State Personnel Board or SBHS policy,
- II. Does not constitute a conflict of interest with SBHS employment; and,

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- III. Does not interfere or conflict with an employee's ability to effectively perform assigned duties and responsibilities with SBHS. In all cases, the employee's job with SBHS must be considered primary.

PROHIBITED PUBLIC EMPLOYMENT AND POLITICAL EMPLOYMENT:

- I. Employees are not to engage in other employment activities during scheduled working hours. Prohibited activities include, but are not limited to:
- A. Conducting an outside business or performing other employment duties while at work or on duty by any means such as wearing beepers, operating fax machines, copiers, computers, telephones, etc.
 - B. Being on call for other employment.
- II. It is unlawful for a full-time SBHS employee to transact business with any program of SBHS, either for the employee or on behalf of any business, or for any business in which the employee or employee's family has a substantial interest.
- A. "Family" means spouse and dependents.
 - B. "Substantial interest" means the direct or indirect ownership of more than twenty-five (25) percent of the assets or stock of any business.
 - C. "Full-time" means working at least 30 hours per week for SBHS for more than 26 weeks per calendar year.
- III. An employee who owns, or whose family owns, any part of an entity seeking to transact business with SBHS must immediately report the partial ownership to the supervisor.
- IV. It is unlawful for a part-time SBHS employee to transact business with any program of SBHS, either for the employee or on behalf of any business, or for any business in which the employee or employee's family has a substantial interest, with the exception of:
- A. Any transaction made pursuant to sealed competitive bids;
 - B. Any transaction when the amount of a single transaction does not exceed \$250 and when the aggregate of all such transactions does not exceed \$9,000 per calendar year;
 - C. Any transaction involving the lease of real property to or from any agency if such transaction has been approved by SBHS; or,
 - D. Any transaction involving the purchase of surplus State property at public auction.
- V. Employees are prohibited from serving for compensation as a corporate officer or director of any for-profit or publicly held company. 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.

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- VI. Employees also may not hold office or be employed in the legislative or judicial branch, with one limited exception: an employee who has taken a leave of absence without pay may serve temporarily as an employee of the legislative branch while it is in session and during the authorized stay-over period.

REQUEST:

- I. A SBHS employee seeking other employment must complete and submit the Request for Approval of Other Employment SBHS Form 615 to the supervisor. Employees are not to begin other employment prior to receiving written approval from the supervisor, Program Manager and Human Resources Manager.
- II. The supervisor is to review the request to ensure, that the other employment does not conflict with the employee's current duties and responsibilities or provide the potential for improper decisions in SBHS activities. In addition, the supervisor is to ensure that the other employment does not present an actual or perceived conflict of interest. If determined appropriate, the supervisor is to approve the request and forward it to their program manager who will forward to the Human Resources Manager for review and final approval.
- III. The Human Resource Manager is also to review the request to ensure that the other employment does not conflict with the employee's current duties and responsibilities, or provide the potential for improper decisions in SBHS activities. In addition, the Human Resource Manager is to ensure that the other employment does not present an actual or perceived conflict of interest.
- IV. If, the Human Resource Manager approves the request for other employment, the employee is to be provided a copy of the approved request form.
- V. If the request is denied at any level, the reason for denial is to be written on the request form and returned to the employee.

RECORD KEEPING:

Copies of approved request forms are to be placed in employee's official personnel file.

EMPLOYEE RESPONSIBILITIES:

- I. Employees are required to submit the appropriate request for approval of other employment to their supervisor and to notify their supervisor of any changes in previously approved other employment. Employees are required to review their approval of other employment with their supervisor at the time of their performance ratings, December 31 and June 30 of each year.

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- II. Employees must disclose prior to January 31 of each year all business transactions occurring during the previous calendar year, which the employee has transacted with the SBHS and any agency of the SBHS for himself or on behalf of any business, or any business in which such employee or any member of his family has a substantial interest. This is a requirement of State Law Code Section 45-10-26, O.C.G.A.

Termination of Other Employment:

If an SBHS determines that an employee's other employment interferes with the employee's performance or creates an actual or an apparent conflict of interest, the employee will be asked to terminate the other employment.

Consequences of Rule Violation:

Failure to make required disclosures or take action to resolve express or direct conflicts of interest may result in disciplinary action, up to and including suspension without pay and/or termination of employment.

REFERENCE:

Rules of the State Personnel Board, Rule 7 (Outside Employment)
State Law (O.C.G.A. 45-10-20 *et seq.* – Codes of Ethics and Conflicts of Interest) Governor's Executive Order – 1/13/03

ATTACHMENTS:

[Request For Approval Of Other Employment](#) SBHS Form 615

APPROVAL SECTION:

Chief Executive Officer

Date

Committee Chairperson

Date

RESCISION SECTION:

Chief Executive Officer

Date

REVIEW SECTION:

Committee Chairperson

Date

Committee Chairperson

Date

Committee Chairperson

Date