

Stark County Board of Developmental Disabilities

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OUTSIDE EMPLOYMENT

POLICY

The Board supports the ability of employees to engage in outside employment providing it does not conflict with the policies, objectives, or operations of the Board. Outside employment may not interfere with the employee's ability to do their job within the regularly scheduled workweek, or create a conflict of interest.

Any outside employment must be performed outside the employee's approved work schedule and off Board premises. For purposes of this Policy, "outside employment" includes self-employment, and consulting activities.

Prior to accepting a second position, employees are required to inform their supervisor of the second position. The Superintendent shall develop procedures to implement this policy.

References:

- ORC 5126.033
- Policy 2.15 Ethics Council Policy

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Applies to:</td> <td style="width: 20%;">Yes</td> <td style="width: 20%;">No</td> </tr> <tr> <td>All employees</td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td>Non-Represented</td> <td></td> <td></td> </tr> <tr> <td>SCEPTA</td> <td></td> <td></td> </tr> <tr> <td>SC/DD SSA</td> <td></td> <td></td> </tr> <tr> <td colspan="3"><u>(1) See Current Bargaining Agreement</u></td> </tr> </table>	Applies to:	Yes	No	All employees	X		Non-Represented			SCEPTA			SC/DD SSA			<u>(1) See Current Bargaining Agreement</u>			<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; padding: 5px;">Historical Resolution Information</th> </tr> <tr> <th style="text-align: left; padding: 5px;">Date</th> <th style="text-align: left; padding: 5px;">Resolution Number</th> </tr> <tr> <td style="padding: 5px;">2/18/11</td> <td></td> </tr> <tr> <td style="padding: 5px;">4/15/11</td> <td style="padding: 5px;">04-37-11</td> </tr> <tr> <td style="padding: 5px;">12/13/14</td> <td style="padding: 5px;">12-76-14</td> </tr> </table>	Historical Resolution Information		Date	Resolution Number	2/18/11		4/15/11	04-37-11	12/13/14	12-76-14
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PROCEDURE

- I. Employment conflicts under this policy are defined as an impairment, or compromise, of the staff member's ability to perform the duties of his/her position with the Board. Two examples of common employment conflicts, which may arise, are:
 - A. Time conflicts: When the working hours of the secondary job directly conflict with the scheduled working hours of a staff member's job with the Board, or when the demands of outside employment prohibit adequate rest, thereby adversely affecting the quality of the staff member's job performance with the Board. Supervisors shall not allow a staff member to modify his/her standard work hours in order to accommodate outside employment.
 - B. Interest conflicts: When a staff member engages in outside employment which has the potential to impair or affect his/her judgment, actions or job performance with the Board, or compromises the Board's reputation in the community. This includes any employment with an agency contracting with the Board. Staff are prohibited from performing outside work for individuals with disabilities who are assigned to their group, classroom or are on their caseload. The Board understands that there will be exceptions and the Ethics Council will recommend accepting of any exceptions that cannot be resolved or avoided by any other means.
- II. Full-time employment with the Board shall be considered the employee's primary occupation, taking precedence over all other occupations. Outside employment, or moonlighting, and other occupations shall be a concern only if it adversely affects the job performance of the employee's duties with the Board or constitutes a conflict of interest. When staff notifies their supervisor of outside employment, supervisors should contact the Director of Human Resources to see if the agency is one with which the Board has a contract. If the Board does contract with that agency, the employee through the Superintendent needs to submit an affidavit to the Ethics Committee for approval.
- III. Under RC 5126.033, no employee employed in a management two or three level position, according to the rules adopted by the Director of the Ohio Department of Developmental Disabilities, shall enter into a direct service contract with an agency that contracts with the Board. This has been deemed to present a conflict of interest. Any person contracting or working for an agency that also

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contracts with the Board must resign that position before accepting a supervisory position with the Board.

- IV. Should the supervisor feel that the staff member's outside employment is adversely affecting his/her job performance; the department director may request that the staff member refrain from such activity. Any conflict, policy infraction, or other specific offense, which is a direct result of outside employment, shall be handled in accordance with the Board's disciplinary policies.

- V. No staff member shall be employed by any entity having a contract with the Board unless the staff member notifies the Superintendent and receives written authorization from the Superintendent permitting such employment. The Board's Ethics Council must approve employment with an agency contracting with the Board and any employment dependent upon Board funding.