

OUTSIDE EMPLOYMENT

SOURCE: Ohio Revised Code Chapters 102 and 2921; Ohio EPA Administration

Contact: Office of Legal Services/Office of Employee Services

Outside Employment Policy:

Ohio EPA recognizes that employees may desire secondary employment outside of the Ohio EPA. Outside employment is generally permissible if it does not adversely impact the employee's work or attendance, is in accordance with any applicable ethical requirements, does not create a conflict of interest with the business of Ohio EPA, and occurs completely outside of the agency's core business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday except paid holidays.

Definition:

Outside Employment

Participation in intermittent, part-time, or full time activities outside of employment with Ohio EPA that are in pursuit of profit.

Example of activities in the pursuit of personal profit include, but are not limited to: the practice of law, accounting, real estate sales or leasing of property, computer sales, repair and service, teaching, consultation work, insurance sales, internet sales, telecommunications, and the sale of items such as specialty foods, crafts, candles, beauty supplies, crockery and plastic container products.

General Prohibitions

Outside employment that adversely impacts an employee's work or attendance is prohibited.

Outside employment that creates a conflict of interest with the business of Ohio EPA or violates any other provision of the Ohio Ethics Law is prohibited.

Notification and Approval of Outside Employment during Core Business Hours

An EPA employee shall notify the agency and request pre-approval for engaging in outside employment when the hours of performing the outside employment conflict with the core business hours of the agency (8:00 a.m. to 5:00 p.m. Monday through Friday except paid holidays) through the following procedure:

1. Complete the “Request for Approval of Outside Employment” form and submit it to the Chief of the Office of Employee Services within 14 days prior to engaging in outside employment during core business hours. An employee currently engaged in outside employment that is occurring during the agency’s core business hours shall complete and submit the form within fourteen (14) calendar days of this policy’s effective date.
2. The request form, which identifies the nature of duties to be performed, the time frame for performance, and amount of time to be devoted to such outside employment, shall be reviewed by the Chief of the Office of Employee Services. The Chief of the Office of Employee Services shall consult with the agency’s Chief Ethics Officer and shall make a recommendation for approval or disapproval to the Director based upon established criteria. The Director has final authority to approve or disapprove an employee’s request for outside employment during the agency’s core business hours. An employee can expect a decision within 10 calendar days after the receipt of a request.
3. The original request form will be maintained in the employee’s personnel file.
4. An employee is responsible for ensuring that the outside employment is in compliance with Ohio’s Ethics Laws.

Criteria for Approval/Disapproval of Requests for Outside Employment during Core Business Hours

1. Outside employment duties that are unrelated to the employee’s agency employment duties are favored.
2. Outside employment with dates of performance that is pre-arranged months in advance and reasonably static is favored.
3. Outside employment that creates a benefit to a charitable or educational organization is favored.
4. Outside employment that may create an appearance of impropriety or appearance of a conflict of interest is disfavored.
5. Outside employment that may jeopardize the operational needs of the agency is disfavored.

Standards for all Outside Employment

When employees are participating in any type of outside employment, they are to strictly adhere to the following requirements:

1. Employees are prohibited from engaging in activities in the pursuit of personal profit while on state time or state property.

2. Outside employment shall not involve the use of state time, facilities, personnel, copiers, computer or internet and telecommunication resources, vehicles, equipment, supplies or any other state resource.
3. Employees engaging in outside employment shall not use the Ohio EPA logo or position at Ohio EPA in such a manner to suggest endorsement or support of product goods or services. Employees are prohibited from using their Ohio EPA phone number, address, official title or identification on private business cards or other written material.
4. Outside employment shall not involve such time demands as would render performance of the employee's Ohio EPA duties less efficient or take precedence in any way over those duties.
5. It is a violation of the law to solicit business from co-workers on state time, property or using Ohio EPA resources.

Violation of this policy may be grounds for disciplinary action up to and including removal.

Related Information-See Ethics and Fundraising Policies