



Administrative Policy
Outside Employment

A.P. No.

A.P 3-10

Effective Date:

5/1/2023

1. POLICY STATEMENT

It is the policy of the City of Houston that employees shall not engage in outside employment unless specifically authorized, in writing, to do so by his or her department director.

2. POLICY PURPOSE

To establish a uniform procedure for City departments to regulate outside employment requests, including the requirements of City Code Section 14-173.

3. SCOPE

This policy applies to all City employees, with the exception of employees of the Houston Police Department.

4. DEFINITIONS

Department Director: The head of the department or their designee.

Outside employment: Any second job, self-employment, or non-City work of any kind for which the employee receives monetary or non-monetary compensation. U.S. military reserve assignments or duties are exempt from this policy.

5. POLICY DETAILS

- 5.1. This Administrative Policy should not be construed as encouraging outside employment by City employees.
- 5.2. Prior to the acceptance or undertaking of outside employment, an employee must receive written authorization from the department director.
- 5.3. Outside employment may not pose a conflict or give the appearance of posing a conflict with the City's interests.
- 5.4. In accordance with City Code Section 14-173, under no circumstances will a department director approve a request permitting a City employee to hold an additional full-time or part-time position with the City that would deprive another person of regular employment.
- 5.5. An employee's primary employment and responsibility shall be his or her employment with the City.
- 5.6. Employees may not use paid or unpaid sick leave or family medical leave, wellness leave, or donated leave to engage in outside employment.
- 5.7. An employee may seek an advance, written exception from the department director for a limited-duration exception where the employee's medically documented need to care for a seriously ill family member only occurs during the employee's scheduled City work hours and the employee's outside employment

Approved:

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Date Approved:

04/27/2023

Page 1 of 4

hours do not overlap with any required City regular or overtime work.

- 5.8. At the discretion of the department director, an employee may lose the privilege of engaging in outside employment if any one or more of the following occur: (1) the employee violates this policy; (2) the department director determines the outside employment negatively impacts the employee's City employment or productivity in the City employment, including inability to work City mandatory overtime or loss of physical or mental energy for City work; (3) if the employee is injured while engaging in the outside employment; and (4) any other valid reason.
- 5.9. Any authorization for outside employment may be rescinded by the department director, at any time.

6. ROLES AND RESPONSIBILITIES

6.1. The department director's responsibilities include:

- 6.1.1. Applying this policy consistently to all employees of the department in the same or substantially similar circumstances;
- 6.1.2. Ensuring annual distribution of this policy;
- 6.1.3. Considering any potential conflicts of interest or negative impacts on the requestor's employment with the City before approving or denying an employee's outside employment request;
- 6.1.4. Seeking guidance from his or her Human Resources Department representative about the administration of this policy; and
- 6.1.5. Maintaining a permanent record of all Outside Employment Authorization Request forms (attachment A) for a minimum period of three years from the date the form was received from the employee.

6.2. Manager's/supervisor's responsibilities include:

- 6.2.1. Providing employee(s) with access to this policy;
- 6.2.2. Seeking guidance from his/her HR liaison about the administration of this policy;
- 6.2.3. Receiving an employee's Outside Employment Authorization Request form, acknowledging receipt, and forwarding a copy to the department director; and
- 6.2.4. Receiving completed Outside Employment Authorization Request form from the department director and providing a copy to requesting employee.

6.3. Employee's responsibilities include:

- 6.3.1. Submitting an Outside Employment Authorization Request form annually to his or her manager or supervisor for each outside work assignment as it occurs;
- 6.3.2. Notifying his or her department director, immediately and in writing, of any overlap in City leave and outside employment;
- 6.3.3. Advising his or her department director of any conflicts of interest that may interfere with the employee's duties and responsibilities or potential negative impacts on the employee's employment with the City from outside employment, including but not limited to notifying the employee's manager or supervisor if the employee sustains an injury while engaged in outside employment; and

- 6.3.4. Bringing violations of this policy to the attention of the employee's department director or the HR Director for review and corrective action.

7. PROCEDURES

- 7.1. The following process shall be used to approve an annual Outside Employment Authorization Request form:

- 7.1.1. During the first ninety (90) calendar days after the approval of this policy and then during the month of July, thereafter, each department director shall request that any employee seeking or engaging in outside employment complete an Outside Employment Authorization Request form for each instance of outside employment, including the form's required disclosure that there is no potential conflict of interest or negative impact to his/her City employment.

- 7.1.2. The employee shall submit the completed Outside Employment Authorization Request form to his/her immediate supervisor or manager.

- 7.1.3. The immediate supervisor and/or manager shall acknowledge receipt of the Outside Employment Authorization Request form and forward the form to the department director or his/her designee.

- 7.1.4. In considering a request to approve an Outside Employment Authorization Request form, the department director shall be guided by the following:

- 7.1.4.1. The employee's Outside Employment Authorization Request form and any other knowledge of the outside employment;

- 7.1.4.2. Whether the outside employment will negatively impact the City;

- 7.1.4.3. Whether the outside employment will create a conflict of interest or the appearance of a conflict of interest between the employee and his/her duties/responsibilities with the City; and

- 7.1.4.4. Any other valid factors, including but not limited to, factors that may impact the employee's ability to perform his or her City employment.

- 7.1.5. After considering a request for outside employment, the department director shall complete the Outside Employment Authorization Request form with the final determination and provide a copy of the final determination to the employee's immediate supervisor and/or manager for returning to the requesting employee and maintain a copy in accordance with this policy.

- 7.2. Any new Outside Employment Authorization Request, which was not submitted or requested during the first ninety (90) calendar days after the approval of this policy or during the annual process, shall be approved or denied using the same process outlined in this policy in sections 7.1.2 through 7.1.5.

- 7.3. Any change in the employee's supervisor, manager, if applicable, job assignment, position or department shall require a new Outside Employment Authorization Request form to be submitted.

- 7.4. Any employee who violates this policy is subject to corrective action up to and including indefinite suspension or termination of employment.

- 7.5. The Human Resources Department shall promulgate any forms associated with this policy.

8. RELATED DOCUMENTS AND INFORMATION

- City of Houston, Code of Ordinances, Chapter 14, Section 173 and Section 222

9. APPENDICES

- Attachment A – Outside Employment Authorization Request Form

10. POLICY SPONSOR

Department: Human Resources Department