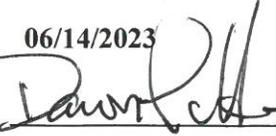


Scotts Valley Fire Protection District	
POLICY: 808 DATE APPROVED: 06/14/2023 BOARD PRESIDENT: 	SUBJECT: Outside Employment FIRE CHIEF: 

PURPOSE

In order to avoid actual or perceived conflicts of interest for Scotts Valley Fire Protection District (SVFPD) employees engaging in outside employment, all employees shall notify the Fire Chief prior to engaging in any secondary employment. Approval of secondary employment shall be at the discretion of the Fire Chief in accordance with the provision of this policy.

Definitions

Outside Employment - Any employee of the SVFPD who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with the SVFPD for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with the SVFPD for services, products(s) or benefits rendered.

Employee – For the purposes of interpretation of this policy, “employee” shall mean any person holding full time or part time employment with the SVFPD.

POLICY

It is the policy of the SVFPD to allow employees to engage in employment other than with the SVFPD if the Fire Chief determines that such outside employment is not in conflict with his/her duties and the duties, functions and responsibilities of the SVFPD.

PROCEDURE

No employee shall be employed or self-employed in any manner outside of SVFPD employment without prior notification to the Fire Chief. Failure to provide notification of outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action, up to and including dismissal.

The employee must fill out the NOTIFICATION OF OUTSIDE EMPLOYMENT form found in this policy, which shall be submitted to the employee’s immediate supervisor. The notice will then be forwarded through the chain of command to the Fire Chief for consideration.

The Fire Chief shall review the Notification of Outside Employment notice to determine the outside employment does not conflict with this policy. The Fire Chief may make any restrictions on outside employment consistent with operation of the SVFPD.

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PROHIBITED OUTSIDE EMPLOYMENT

The Fire Chief, at his/her discretion, may prohibit or restrict an employee seeking to engage in any activity which (Government Code § 1126 through Government Code § 1129):

- a) Involves the employee's use of SVFPD time, facilities, equipment or supplies, or the use of the SVFPD badge, uniform, prestige or influence for private gain or advantage.
- b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than the SVFPD for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course of employment or as a part of the employee's duties as an employee of the SVFPD.
- c) Involves the performance of an act in other than the employee's capacity as an employee of the SVFPD that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of the SVFPD.
- d) Involves time demands that would render performance of the employee's duties for the SVFPD less efficient.
- e) Involves time demands that would affect the employee's regular work shift or ability to respond to emergencies or mandated overtime.
- f) Would otherwise compromise the ability of the SVFPD to conduct its business in an efficient manner.
- g) Would give the appearance of impropriety or otherwise appear inconsistent, incompatible or in conflict with the employee's employment with the SVFPD.

FURTHER INCOMPATIBILITIES OF OUTSIDE EMPLOYMENT

Any outside employment may be prohibited or restricted under the following circumstances:

- a) Should an employee's performance at the SVFPD decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Fire Chief may, at his/her discretion, prohibit or restrict any outside employment.
- b) Prohibition or restriction of outside employment may be included as a term or condition of sustained discipline.
- c) If, at any time an employee's conduct or outside employment conflicts with the provisions of SVFPD policy, the approval for outside employment may be withdrawn.
- d) Involves employment with an individual or organization that does business with the SVFPD.

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- e) When an employee is unable to perform at a full-duty capacity due to an injury or other condition, outside employment may be prohibited or restricted until the employee has returned to full-duty status for any of the following reasons:
- (1) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the SVFPD’s medical advisers.
 - (2) The outside employment performed requires the same or similar physical ability as would be required of an on-duty employee.
 - (3) The employee fails to make timely notice of his/her intention to continue outside employment to his/her supervisor.

APPEALS

If an employee’s outside employment is prohibited or restricted, the employee should be informed of the action and reason in writing.

The employee may file a written notice of appeal to the Fire Chief within 10 days of the date of the written notification.

If the employee’s appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current collective bargaining agreement and/or the Grievance Procedure Policy.

CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his/her outside employment, the employee should promptly submit written notification of such termination to the Fire Chief. Any subsequent notifications for outside employment should be processed and approved through normal procedures set forth in this policy.

Employees should also promptly submit in writing to the Fire Chief any material changes in outside employment, including any change in the number of hours, types of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material should report the change.

SVFPD employees, who are engaged in outside employment while on full duty and are placed on disability leave or temporary modified duty due to illness or injury, should inform their immediate supervisor in writing within five days regarding whether they intend to continue to engage in outside employment while on leave or modified-duty status.

PROHIBITED USE OF SVFPD RESOURCES

Employees are prohibited from using any SVFPD equipment or resources in the course of or for the benefit of any outside employment, unless approved by the Fire Chief. This includes access to official records or databases of this SVFPD or other agencies through the employee’s position with this SVFPD.

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NOTIFICATION OF OUTSIDE EMPLOYMENT

Name _____ Rank _____ Supervisor _____

Name of Outside Employer: _____ Telephone#: _____

EMPLOYEE INFORMATION

Address/Location Of Worksite: _____

Position: _____

Anticipated Start Date: _____ Anticipated End Date: _____

Detailed description of duties to be performed:

Days/hours work to be performed: _____ Avg hours/month _____

Employees Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

Comments (if request is denied):

 Fire Chiefs Signature

 Date