

**CITY OF CHICO**  
**Administrative Procedure and Policy Manual**

Subject: INCOMPATIBLE OUTSIDE EMPLOYMENT, DETERMINATION OF		Number: 13-35
		Effective Date: March 16, 2010
Department(s) Affected: All Departments		Supersedes: 13-35 Dated 2/06/80
Authority: Section 2.13.010 & 2R.72.090 Chico Municipal Code	File Reference:	
	Approved:	

I. PURPOSE:

To provide a policy and procedure regarding outside employment.

II. POLICY:

- A. Section-2R.72.090 entitled "Incompatible outside employment" of the City's Personnel and Employee Representation Rules (PERRs) is applicable to all City officers and employees except those exempted by said section. Said section generally prohibits an employee or officer of the City from engaging in any employment activity or enterprise for compensation which is inconsistent, incompatible or in conflict with their duties as officers or employees of the City. Further, said section provides that the Human Resources and Risk Management Director shall first approve the outside employment activities of officers and employees.
- B. Outside employment shall not conflict with any of the prohibited occupations, activities or enterprises which may from time to time be defined by City Council resolution. As set forth in Section III.D. below, the Council has not defined such activities as of the date of this procedure.

III. PROCEDURE:

A. All officers and employees (hereinafter "employees") of the City subject to the provisions of Section 2R.72.090 of the Chico Municipal Code shall complete Section I and II of a "CITY OF CHICO OUTSIDE EMPLOYMENT INFORMATION" form (hereinafter "Form") (Exhibit "1") and shall submit it, within the time limits set forth in Section B. below, for review and determination as follows:

- 1. Department Heads and Other Officers Not Enumerated Below - Form shall be submitted to the Human Resources and Risk Management Director for a determination.
- 2. City Manager, City Attorney, City Clerk - Form shall be submitted to the Human Resources & Risk Management Director. If outside employment is requested, the form shall be submitted to the City Council for approval.
- 3. Human Resources & Risk Management Director - Form shall be submitted to the City Manager for determination.
- 4. All other employees -
  - a. Form shall be submitted to Department Head for recommendation.
  - b. Department Head shall forward Form to Human Resources and Risk Management Director for a determination.

If a determination is made to approve the listed outside employment, with conditions specified in Section IV of the Form, the Form will be returned to the employee for an acknowledgment of the listed conditions by employee signature in Section V.

After a determination has been made, and the employee has signed the acknowledgment (if applicable), the original copy of the Form shall be filed in the employee's personnel file and a copy shall be provided to the employee and the department.

B. All employees required to submit a Form shall do so within the following time limits:

- 1. All employees employed by the City on the effective date of this procedure shall submit the Form within thirty (30) days of the effective date of this procedure.

2. Any employee hired after the effective date of this procedure shall submit the Form at the time of employment.
3. Any employee obtaining outside employment after the effective date of this procedure shall submit the form at least seven (7) days prior to commencing any outside employment.

C. Appeals

With the exception of the City Manager, City Attorney and City Clerk, any employee dissatisfied with the determination of the Human Resources & Risk Management Director or City Manager regarding outside employment shall be entitled to a hearing pursuant to the provisions of Section 2R.74.100 G of the Chico Municipal Code. In the cast of the City Manager, City Attorney and City Clerk, the decision of the City Council shall be final.

D. Occupations, Activities or Enterprises Prohibited by City Council Resolution

As of the date of this Procedure, the Council has not defined specific occupations, activities or enterprises which they have declared prohibited.

**CITY OF CHICO**  
**Administrative Procedure and Policy Manual**

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**CITY OF CHICO  
OUTSIDE EMPLOYMENT INFORMATION**

**SECTION I - EMPLOYEE INFORMATION**

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Name: \_\_\_\_\_ Employee Number: \_\_\_\_\_

Department: \_\_\_\_\_ Job Title: \_\_\_\_\_

**SECTION II - OUTSIDE EMPLOYMENT INFORMATION**

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**Instructions**      Read each of the statements below. After you read and understand them, check the appropriate statement and fill in the necessary information.

I am not employed by and do not work for any business or undertaking for which I am receiving pay or other remuneration, credit or benefits other than the City of Chico. I understand that if I do accept such employment with any business or undertaking while a City employee, I am required to submit a revised Outside Employment Information form immediately prior to commencement of such employment.

Other than with the City of Chico, I am currently employed as follows:

Name of Employer \_\_\_\_\_

Address \_\_\_\_\_

Type of Business \_\_\_\_\_

Job title \_\_\_\_\_

Number of hours/week \_\_\_\_\_

I am self-employed doing the work described below: (Use additional sheets as necessary)

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION III - DEPARTMENT RECOMMENDATION (Required if outside employment listed)**

I recommend approval of the outside employment as set forth in Section II above.

I recommend approval of the outside employment as set forth in Section II above subject to the following conditions: \_\_\_\_\_

\_\_\_\_\_

I recommend disapproval of the outside employment as set forth in Section II above for the following reason(s): \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION IV - DETERMINATION**

No action necessary - employee lists no outside employment.

The outside employment set forth in Section II above is hereby approved.

The outside employment set forth in Section II above is hereby approved subject to the following conditions: \_\_\_\_\_

\_\_\_\_\_

The outside employment set forth in Section II above is hereby disapproved for the following reason(s): \_\_\_\_\_

\_\_\_\_\_

Determination made by:  Human Resources & Risk Management Director  
 City Manager  
 City Council (meeting of \_\_\_\_\_)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION V - EMPLOYEE ACCEPTANCE (If Required)**

I hereby accept the conditions of approval as set forth above in Section IV regarding my outside employment.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Distribution: Original to P-EF; cc to employee, department, BEN.A.2