

**SANTA CLARA COUNTY
OUTSIDE EMPLOYMENT/INCOMPATIBLE ACTIVITY FORM**

Employee Name _____

Job Title _____

1. I have read and understand the "Policy Reminder on Outside Employment/Incompatible Activities." Yes
2. I am completing this form:
Initial entry into this position
Annual reporting requirement
Pending or potential outside employment/activities
3. I am currently involved in, or considering outside employment as described in the "Policy Reminder on Outside Employment/Incompatible Activities." Yes No
4. I am currently participating in, or contemplating activities (paid or unpaid) that might be considered incompatible with my employment with the County. Yes No
5. I am now serving, or about to serve, as an officer, employee or board member of an organization that does business with the County. Yes No

If you answered "yes" to questions 3, 4 or 5 above, please complete the following information:

REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT/ACTIVITY

Outside Employer/Organization/Activity _____

Address _____

Phone _____ Type of Entity _____

Does your participation in this activity occur during your regular work hours? Yes No

Work/Activity Schedule (Days/Hours) _____

Prior approval by Agency/Department: Yes No

Describe the nature of the work duties and/or your participation: (Attach additional pages if necessary)

I certify that the above statements are true and correct. I understand that if, at any time in future, I plan to engage in outside employment or activities that may be incompatible with my County position, I need to obtain prior approval; I will notify the Department by submitting a new "Outside Employment/Incompatible Activity Form." I realize that failure to obtain this prior approval or falsification of information on this request is cause for disciplinary action, which may include suspension, demotion, or dismissal.

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

Approved
 Not Approved

Manager's Signature _____ Date _____

Approved
 Not Approved

Note to Manager: If disapproved, provide a written explanation with the employee copy.

HR Signature _____ Date _____

Approved
 Not Approved

POLICY REMINDER ON OUTSIDE EMPLOYMENT/INCOMPATIBLE ACTIVITIES

The California Government Code, sections 1125 through 1127, prohibits local agency officers and employees from engaging in activities that are incompatible, inconsistent, in conflict, or inimical with their agency employment. All employees are required to obtain the approval of the current employer before accepting outside employment or continuing in outside employment if no prior approval has been granted.

Employees of the County of Santa Clara have the same ability as other county residents to paid outside employment, if they wish or if they feel the economic need. County employees may generally participate in off duty activities that are unpaid as well. However, outside employment and activities must conform to the Government Code limitations and must not interfere with the efficient performance of the employee's County duties, reflect discredit, or cause scandal or unfavorable criticism of the agency/department or the County. This policy does not restrict an employee's right to engage in political activities. (See Government Code sections 1126, 3210, et seq.)

All County employees are required to complete an Outside Employment/Incompatible Activity Form upon initial entry into a County position, during annual periodic updates, and before the employee begins new outside employment or engages in possible incompatible activities, including but not limited to volunteer work, work with for-profit or nonprofit organizations that may obtain County funding, and any unpaid work for family businesses. Submit completed forms to your Human Resources Service Center.

The following is the determination criteria as stated in the Government Code:

"An employee's outside activity or enterprise may be prohibited if it:

- (1) involves the use for private gain or advantage of his or her local agency time, facilities, equipment and supplies; or the badge, uniform, prestige or influence of his or her local agency office or employment or,
- (2) involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than his or her local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course of hours of his or her local agency employment or as a part of his or her duties as a local agency officer or employee or,
- (3) involves the performance of an act in other than his or her capacity as a local agency officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other officer or employee of the agency by which he or she is employed or,
- (4) involves time demands as would render performance of his or her duties as a local agency officer or employee less efficient."

Should you have any questions, please contact your Human Resources Service Center.

Attachment: Outside Employment/Incompatible Activity Form