

DEPARTMENT OF MENTAL HEALTH

POLICY / PROCEDURE



SUBJECT: OUTSIDE EMPLOYMENT	POLICY NO. 608.1	EFFECTIVE DATE 02/15/02	PAGE 1 of 4
APPROVED BY:  Director	SUPERSEDES 608.2 10/01/89	ORIGINAL ISSUE DATE 04/02/79	DISTRIBUTION LEVEL 1

- PURPOSE:** 1.1 To establish guidelines and policy regarding outside employment for all Department of Mental Health (DMH) employees.
- POLICY:** 2.1 A permanent, full-time employee of DMH may work in non-conflicting outside employment to a limit of 24 hours in any week, provided the employee's effectiveness in his/her County assignment is not impaired.
Exclusion: Postgraduate physician classifications are limited to 96 hours of non-conflicting outside employment in any one calendar month.
- DEFINITIONS:** 3.1 Outside employment or business activity is defined as the performance of any compensated or uncompensated (i.e., volunteer, intern, etc.) professional trade, business, occupation or other related functions for oneself or for any individual, private firm, corporation or other governmental entity.
- PROCEDURES:**
- 4.1 Failure by any employee to comply with the Outside Employment Policy may result in disciplinary action up to and including discharge.
- 4.2 The Personnel Officer shall establish procedures to assure employees are aware of this policy.
- 4.3 While working in the capacity of their outside employment, employees shall not solicit or authenticate any outside work in the name of DMH or any other County agency. Employees engaged in outside work or private endeavor shall make it clear in dealing with those parties connected to their outside employment that they are engaged in such practice as a private individual and not as a DMH employee. (For further clarification see DMH Policies 608.3 Solicitation and 608.4 Soliciting Business for Attorneys).
- 4.4 No employee shall use DMH facilities, County property or vehicles, tools, equipment, telephones, computers, office stationary or supplies for other than DMH purposes.
- 4.5 Use of confidential and other non-public information gathered in contact with patients, clients, employees or from DMH records is prohibited in any outside work environment. Such information may be used only for official DMH business. (Refer to Sections 4.10 of this Policy).
- 4.6 No DMH employee shall collect additional compensation from a non-county source for the performance of his/her DMH duties (i.e., Dual Compensation).

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- 4.7 While on a DMH shift, no employee may engage in any outside employment, volunteer work or activity for compensation.
- 4.7.1 Many activities with non-County agencies are considered to be a regular part of the Employee's County employment. If there is any doubt as to the nature of the activity, approval of the employee's supervisor/manager should be obtained.
- 4.8 Employees shall not make use of confidential records and information relative to DMH clients in connection with outside work or business interests. In those cases where DMH employees have part-time jobs as professional clinicians and may be treating DMH clients, the following provisions apply:
- 4.8.1 Confidential information possessed by DMH and required by professional clinicians in carrying out private services to the client shall be obtained only through application to DMH for such information and only with the approval of the client concerned; and
- 4.8.2 DMH clinicians shall not provide services to clients who are a part of the professional clinician's professional caseload. The clinicians shall not engage in any type of reciprocal or individual referral systems for such private services.
- 4.9 No employee shall utilize contact with DMH clients or access to information about clients in connection with outside employment.
- 4.10 Employees intending to engage in outside employment or activities shall complete an "Employee Report on Outside Employment/Activity form (Attachment I) and an "Authorization to Release Outside Employment/Activity Information" form (Attachment II). These forms shall be reviewed by the employee's supervisor/manager to determine whether the employment/activity is in conflict with the employee's DMH position.
- 4.11 The following conditions are grounds for denial of outside employment/activity:
- 4.11.1 The employee has a less than competent performance evaluation.
- 4.11.2 The outside employment/activity, by nature, schedule or extent, might impair the employee's efficiency in DMH service (e.g., cause tardiness or tiredness).

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- 4.11.3 The non-conflicting outside employment/activity requires and/or involves more than 24 hours per week for a full-time employee, except as provided in 4.11.4 below.
 - 4.11.4 The non-conflicting outside employment/activity requires and/or involves more than 96 hours in any calendar month for an employee in a postgraduate physician classification.
 - 4.11.5 The non-County employer is known to serve as an “agent to recruit other County employees”, (i.e., the outside employment would constitute recruitment of DMH employees away from DMH).
 - 4.11.6 Failure to provide verification of outside employment, either by the employee not submitting and/or signing an “Authorization to Release Outside Employment/Activity Information” form, or failure by an outside employer to fill out and/or return the form.
- 4.12 Employees shall be responsible for:
- 4.12.1 Obtaining prior written approval from their immediate supervisor for outside employment.
 - 4.12.2 Providing accurate and complete information stating the terms, conditions and duties of outside employment to the satisfaction of their supervisor/manager. This includes providing verification from a non-County employer of the duties and working hours for the non-County position. The employee’s signature on the “Employee Report on Outside Employment/Activity” form shall attest to the accuracy and completeness of the information contained therein.
 - 4.12.3 Immediately notifying their supervisor/manager if at any time the terms, conditions and/or working hours of the non-County position change.
 - 4.12.4 Disclosing any potential or actual conflict of interest in the outside employment situation to their immediate supervisor as soon as identified by the employee.
- 4.13 Supervisors/Managers shall be responsible for:
- 4.13.1 Ensuring employees are informed of this policy and for the review and approval or disapproval of Employee Outside Employment/

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Activity forms.

4.13.2 Reviewing and making a decision on employee submissions of Conflict of Interest Disclosure forms.

4.13.3 Initiating corrective or disciplinary action for non-compliance with this policy.

4.13.4 Reviewing this policy with their employees on an annual basis and receiving written acknowledgement.

4.14 The Personnel Officer shall be responsible for:

4.14.1 Providing notification and written acknowledgement of this policy to incoming employees and to all employees on an annual basis.

4.14.2 Evaluating requests for disciplinary actions, conducting investigations, providing consultation and initiating appropriate disciplinary actions when requested by management.

AUTHORITY:

Los Angeles County Code

ATTACHMENTS:

Attachment I - Employee Report of Outside Employment/Activity form

Attachment II - Authorization to Release Outside Employment/Activity Information form

REVIEW DATE:

This policy shall be reviewed following the issuance of new Memoranda of Understanding and annually thereafter.

**COUNTY OF LOS ANGELES DEPARTMENT OF MENTAL HEALTH
AUTHORIZATION TO RELEASE OUTSIDE EMPLOYMENT/ACTIVITY INFORMATION**

The purpose of this form is to authorize the release of information related to employment or activities outside of, or in addition to, Department of Mental Health (DMH) employment. Failure to provide information requested by DMH to verify terms, conditions, and duties of the outside employment/activity may be grounds for denial of the outside employment/activity request.

INSTRUCTIONS: DMH employee completes the top portion of the form and submits it to their immediate supervisor. The supervisor sends this form with a cover letter requesting the verification information to the outside employer/activity. The outside employer/activity supervisor completes the bottom section of this form and returns it to the DMH supervisor. Upon receipt of the verification, the DMH supervisor evaluates the information for purposes of approving or denying outside employment/activities.

To Be Completed By The DMH Employee

I, _____ authorize _____
(Print name here) (Print name of employer/activity entity here)

to release information verifying the nature and hours of my employment/activity to the Los Angeles County Department of Mental Health. I hereby consent to the release of any such information that the Department may request.

This release of information should be sent to the attention of: _____

Print Street Address City Zip Code Phone Number

Employee's Signature Date

To be completed by the non-DMH supervisor, then returned to the DMH supervisor

The DMH employee named above intends to, or is currently providing PAID/UNPAID services in the
(Circle One)

position of _____, effective _____. The duties of
(Date)

this position are: _____

The working hours (including start and end times) for the employee/volunteer are:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total Hrs
Working Hours								

The employee/volunteer IS/IS NOT on-call or on stand-by for this entity.
(Circle One)

Non-DMH Supervisor Signature Date

DISTRIBUTION:
 Original: Personnel File
 Employee
 Office Personnel File