




**DEPARTMENT OF MENTAL HEALTH
POLICY/PROCEDURE**

SUBJECT OUTSIDE EMPLOYMENT	POLICY NO. 608.01	EFFECTIVE DATE 11/01/2005	PAGE 1 of 6
APPROVED BY:  Director	SUPERSEDES 608.1 11/01/2005	ORIGINAL ISSUE DATE 04/02/1979	DISTRIBUTION LEVEL(S) 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.

DEFINITION

- 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.

PROCEDURE

- 4.1 On an annual basis, employees shall complete and submit an Employee Report on Outside Employment/Activity form (Attachment I).
- 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 nor authenticate any outside work in the name of DMH or any other County agency. Employees engaged in outside work or private endeavors shall make it clear in dealing with those parties connected to their outside employment that



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they are engaged in such practice as a private individual and not as a DMH employee. (For further clarification see DMH Policies #608.03 “Solicitation” and #608.04 “Soliciting Business for Attorneys (Capping)”.)

- 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 Section 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).
- 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 Executive Manager shall 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 clinician shall not engage in any type of reciprocal or individual referral system for such



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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. These forms shall be reviewed by the employee’s Executive Manager to determine whether or not 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 for the last rating period.
 - 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, leaving work early, etc.).
 - 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).
- 4.12 Employees shall be responsible for:
 - 4.12.1 Obtaining prior written approval from their Executive Manager for outside employment.



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- 4.12.2 Providing accurate and complete information stating the terms, conditions, and duties of outside employment to the satisfaction of his/her Executive Manager. This includes providing 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 his/her Executive 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 his/her Executive Manager as soon as identified by the employee.
- 4.13 Executive Managers shall be responsible for:
 - 4.13.1 Review of the "Employee Report on Outside Employment/Activity" forms.
 - 4.13.2 Granting or denying the request for outside employment/activity.
 - 4.13.3 Reviewing an employee's submissions of "Conflict of Interest Disclosure" form (Attachment II) and the immediate supervisor's recommended action.
 - 4.13.4 Deciding to stop or allow the employee's outside employment/activity to continue.
- 4.14 Supervisors/Managers shall be responsible for:
 - 4.14.1 Ensuring employees are informed of this policy.
 - 4.14.2 Reviewing and making recommendations for approval or disapproval of "Employee Report on Outside Employment/Activity" forms.
 - 4.14.3 Reviewing and making recommendations on employee's submissions of



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“Conflict of Interest Disclosure” forms.

- 4.14.4 Forwarding, via the chain-of-command, all “Conflict of Interest Disclosure” and “Employee Report on Outside Employment/Activity” forms.
- 4.14.5 Reviewing this policy with their employees on an annual basis, receiving written acknowledgement, and sending acknowledgement to the Human Resources Bureau to be filed in the employee’s personnel file.
- 4.14.6 Initiating corrective or disciplinary action for non-compliance with this policy.
- 4.15 The Personnel Officer shall be responsible for:
 - 4.15.1 Providing notification and written acknowledgement of this policy to incoming employees and to all employees on an annual basis.
 - 4.15.2 Maintaining annually-signed copies of “Employee Report on Outside Employment/Activity” forms in personnel files.
 - 4.15.3 Notifying all employees that failure to comply with the Outside Employment policy may result in disciplinary action up to and including discharge.
 - 4.15.4 Evaluating requests for disciplinary action, 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 Conflict of Interest Disclosure form



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REVIEW DATE

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