

DEPARTMENT OF HUMAN RESOURCES
RULES ON INCOMPATIBLE ACTIVITIES

Pursuant to Government Code Sections 1125-1127 and the Board of Supervisors Resolution No. 41 of February 29, 1972, each appointing authority of the County of San Diego is required to formulate rules specifying those activities for compensation, outside of County duties of the employees under his jurisdiction, which are inconsistent and incompatible with their duties as County employees. In compliance with this rule, the Director, Human Resources has determined that the outside activities set forth in these rules may be in conflict with the functions and responsibilities of employees of this Department and are prohibited.

- I. Any activity which involves the use of County time, facilities, vehicles or other equipment, materials, or supplies for private gain or advantage including the following:
 1. Any outside employment, including employment with another government entity or nonprofit organization, which results in receipt of frequent telephone calls or visitors while on duty at his/her County employment
 2. The sale of publications or written materials that were prepared on County time or utilizing County facilities, equipment and/or materials. Funds from the sale of copies of County reports are deposited in the County General fund.
 3. Any outside employment activity, including employment with another government entity or nonprofit organization, which would interfere with the efficient performance of his/her County duties in the Department of Human Resources.
- II. Any activity for private gain or advantage which involves the use of the badge, uniform, prestige, or influence of the individual's County employment, including the following:
 1. Directly or indirectly soliciting, seeking, or accepting personal loans, gifts, gratuities, business, compensation, or favors from public jurisdiction, private business firms or their agents who deal with the Department of Human Resources or any other department of the County of San Diego.
 2. Using information not readily available to the general public, gained in the course of County employment, for private gain or advantage or the gain or advantage of another.
- III. Any activity which involves the receipt by the employee of money or other consideration from private parties for the performance of acts which the employee is expected to render in the regular course of his/her duties as a County employee, including the following:

Any consultation work for a fee or other remuneration concerning the application or interpretation of orders, directives or other communications of this department, the Board

of Supervisors or any other agency or department of the County of San Diego.

- IV. Any activity which is in conflict with the duties and responsibilities of the Department of Human Resources, including the following:
1. Outside employment, including employment with another government entity or nonprofit organization, which will impair independence of judgement as to his/her duties.
 2. Outside activity, including employment with another government entity or nonprofit organization, which will require or induce the employee to disclose confidential information acquired in the course of his/her County duties.
 3. Outside employment, including employment with another government entity or nonprofit organization, with an entity which has a contract with the County; or has had a contract within the last twelve (12) months.
- V. Any outside employment, including employment with another government entity or nonprofit organization in which a part of the employee's efforts therein may be subject to approval, review, control, or audit by another employee, officer, board or commission of the County of San Diego.
- VI. Disclosure of Outside Activities
1. Employees of the Department of Human Resources shall disclose to the Director, Human Resources in writing any outside employment or activity where any part of their efforts will be subject of the approval by any other officer, employee, board or commission of the County
 2. Employees of the Department of Human Resources shall disclose to the Director, Human Resources in writing if an assignment of work relates to any organization, property or activity in which he/she or a member of his/her immediate family has an interest.
 3. Employees of the Department of Human Resources shall disclose to the Director, Human Resources in writing if he/she makes a presentation before any officer, board or commission which the Director represents or advises and which the employee or member or his/her immediate family has an interest.
 4. Employees of the Department of Human Resources shall disclose to the Director, Human Resources in writing any paid position held in a non-profit entity which has or is seeking contracts with the County of San Diego.
 5. The disclosure requirements shall be applicable to employees of the Department of Human Resources who are employed by another government entity or nonprofit

organization.

6. Where employees of the Department of Human Resources are authorized to expend time and/or resources on outside activities, those involved will document the activities and make it available to the Director of Human Resources.

VII. Violation Grounds for Discipline

1. Participation in any prohibited activity by any classified officer or employee, after proper notification of such prohibition pursuant to these rules, may be cause for suspension, demotion, reprimand, transfer, or removal within the provisions of the Charter of the County of San Diego and the Civil Service rules. The provisions of Civil Service Rule VII as to notice and hearing shall be applicable to any determination that a classified officer or employee has engaged in any prohibited outside activity.
2. Any unclassified officer or employee may, upon determination by the Director of the Department of Human Resources, that he or she has engaged in a prohibited activity, request a hearing before the Director of Human Resources, and such hearing shall be given to the employee within a reasonable time. Participation in any prohibited activity by an unclassified officer or employee may be cause for discipline or removal.

VIII. Notice to Officers and Employee

1. After the Director of Human Resources and the County Board of Supervisors have approved these rules, the Director of Human Resources shall provide each officer and employee in the Department with a copy of these rules. New officers and employee appointed after the original distribution of the rules shall be provided with a copy of the same immediately upon entry into the Department.

Approved and/or authorized by the Board
of Supervisors of the County of San Diego

Date: 11/10/98 Minute Order No. 42

THOMAS J. PASTUSZKA

Clerk of the Board of Supervisors

By 

Deputy Clerk