

 <p>KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References	Subject	
KRS 11A.040(9), 196.035, 196.230, 197.020 <u>CPP 3.1</u>	<p align="center">HOLDING OF SECOND JOBS BY CORRECTIONS' EMPLOYEES</p>	
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	May 14, 2007	August 31, 2007

I. DEFINITIONS

None

II. POLICY and PROCEDUES

- A. Corrections shall permit an employee to hold a second job, if Corrections is able to: (a) provide a safe and secure environment for staff and inmates at the institutions; and (b) maintain adequate staffing to ensure that administrative functions shall not be impaired.
- B. This policy shall not unduly restrict or discourage an employee from operating a home based business or obtaining approval for outside employment if:
1. the second job is not in direct conflict with the employee's current job;
 2. the second employer has not previously, is not currently, or is unlikely in the future, to be under contract with Corrections;
 3. the scheduled work hours for the second job do not conflict with the normal working hours of the position with Corrections; and
 4. the second job is in compliance with the Executive Branch Code of Ethics. Refer to KRS Chapter 11A.
- C. Requirements for outside employment
1. The following steps shall be taken by a Corrections employee who either currently holds a second job or is considering supplemental employment outside Corrections.

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- a. The employee shall provide written notification of this employment by submitting a Request for Approval of Outside Employment form (Attachment 1) to his personnel liaison, District Manager or designee. A copy shall be given to his immediate supervisor.
 - b. The employee shall complete the form, including a detailed explanation of the outside employment.
2. The personnel liaison, district supervisor, or designee and the employee's immediate supervisor shall meet with the employee to discuss the impact of the second job upon the needs of Corrections. If there is a perception or a question concerning a conflict of interest, or if there is an association between the outside employment and Corrections, the forms shall be forwarded to central office. In the absence of these issues, approval may be made at the institutional or district level.
 3. The personnel liaison, district supervisor, or designee shall forward a copy of all requests for Outside Employment to the Division of Personnel Services. The Personnel Director shall file a quarterly report with the Executive Branch Ethics Commission listing all employees who have been approved for outside employment and the outside employer of each.

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Outside Employment Employee Request and Agency Response Form

Employee Name (printed) _____ Title _____ Personnel Number _____

Section I: Public Employment Information

Cabinet _____ Department _____ Office/Division _____ Branch _____ Section _____

Supervisor Name _____ Supervisor Title _____
Work Schedule _____

Hours per Day _____ Workday Begins _____ Workday ends _____ Days of the Week _____ Hours per Week _____

I have attached a copy of the following:

- My Latest Personnel Action Notification (PAN) My Current Position Description

I am requesting approval for the following:

- Outside Employment (Including self-employment and work as independent contractor)

Section II: Outside Employment Information

Name of Employer _____ Type of Business _____

Business Address _____ City _____ State _____ Zip Code _____

Supervisor Name _____ Supervisor Title _____ Phone _____

Job Title _____ Hire Date _____ Planned Termination Date (if applicable) _____
Description of Job Duties _____

Work Schedule

Hours per Day _____ Workday Begins _____ Workday ends _____ Days of the Week _____ Hours per Week _____

Section III: It is recommended that employee seeks assistance from an agency representative with knowledge of contractual information when answering the questions below.

Description of contracts between the outside employer and the employee's state agency:

Description of regulatory relationship between the outside employer and employee's state agency:

Specific factors which separate the employee's state job from the agency's decisions concerning the outside employer:

Employee's Initials _____

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Employee Name _____ Title _____ Personnel Number _____

Section IV: Employee Statement

I formally request approval of off-duty employment with the aforementioned employer. As a public servant with the aforementioned job title, I am not involved in the Cabinet's or Department's decisions concerning the aforementioned employer. If this request is approved, I agree that if, in the future, I realize that I will be involved in such decisions, I will immediately notify my appointing authority (or his/her designee) and take steps to avoid any conflict of interest. Additionally, I understand that my outside employment cannot conflict with my work schedule or my job duties as an employee of the Commonwealth.

Further, I certify that my off-duty employment will not present an actual or perceived conflict of interest with my work schedule and official duty for the state. If the cabinet determines that there is an actual or perceived conflict, I will be advised in writing by the ethics officer within 10 days from the date that I submit this request to my immediate supervisor.

Requesting Employee's Signature _____ Title _____ Date _____

Subscribed, sworn, and acknowledged before me by _____ this the _____ day of _____, 20____.

Notary Public _____
My Commission Expires _____

Section V: Supervisor Certification

I have reviewed the information provided by the employee and believe to the best of my knowledge that it is true and correct.

Supervisor Signature _____ Title _____ Date _____

Section VI: Ethics Officer Recommendation (if required by agency)

I have reviewed the information provided by the employee and based upon the factors contained in 9 KAR 1:050, Section 2, I:

- Recommend Approval of Request
- Recommend Denial of Request

Ethics Officer Signature _____ Title _____ Date _____

Section VII: Appointing Authority Determination

As appointing authority for the agency, I have reviewed the request and considered, as applicable, the degree of separation between the public servant's state duties and decisions concerning the outside employer; the public servant's level of supervisory or administrative authority, if any; and whether the outside employment will interfere or conflict with the public servant's state employment duties; the duration of the outside employment; whether the outside employment would create an appearance of conflict of interest with state duties; and whether the public servant is an auditor, inspector or other regulatory personnel of a division which is currently auditing, inspecting or reviewing or has scheduled an audit, inspection or review of the outside entity for which the public servant requests approval to work.

As appointing authority for the aforementioned agency, I certify that as a public servant in the aforementioned job title, the aforementioned employee is not involved in this agency's decisions concerning the aforementioned outside employer. His/her off-duty employment by the aforementioned outside employer, in my opinion, will not create a real or perceived conflict of interest which would damage public confidence in government; and that I approve such off-duty employment.

Appointing Authority (or Designee) _____ Title _____ Date _____