

COUNTY OF SAN MATEO
HUMAN RESOURCES DEPARTMENT

Regulations Governing Incompatible Activities
And Outside Employment Adopted By
The Board Of Supervisors

Overview

Section 2.75.020 of the San Mateo County Ordinance Code require that each Department Head formulate rules relating to incompatible activities and outside employment. The purpose of the rules is to prohibit County employees from engaging in any employment, activity, or enterprise which is inconsistent, incompatible, in conflict with, or inimical to the duties imposed on such employees by virtue of their employment with the County of San Mateo. These rules are promulgated in addition to the Conflict of Interest Code that applies to designated employees. Such employees must submit annual statements of economic interests as required.

As required by the County Ordinance Code, the following Incompatible Activities Regulations have been developed by the Department Head, reviewed by the Committee on Incompatible Activities, and approved by the Board of Supervisors. Violation of these rules may be cause for disciplinary actions up to and including dismissal as set forth in the County Ordinance Code Section 2.75.050. All employees of the Human Resources Department are instructed to control their activities to comply with intent of these regulations. A copy of these regulations, signed by each employee, will be kept in the employee's personnel file.

- A. No employee shall use County-time, facilities, equipment or supplies, or the influence or prestige of the employee's position for personal profit or advantage.
- B. No outside employment, activity, or enterprise shall involve the receipt or acceptance of money or other consideration from any person or agency other than the County of San Mateo for the performance of an act which is otherwise required of the employee as part of his/her regular County duties. This does not preclude an employee from engaging in part-time employment, an activity or enterprise in a similar profession or line of work as he/she performs for the County, with the approval of the Department Head. Such approval is subject to review and change if the needs of the department change or if the employee's classification and/or responsibilities change.
- C. No outside employment, activity or enterprise shall require such time demands as would result in less proficient performance of his/her County duties. In addition, Section 2.75.070 of the San Mateo County Ordinance Code limits the outside employment of any employee holding a full-time position with the County, except for employees who are on leave of absence from County employment without pay, to 20 hours per week.
- D. No employee shall engage in any outside employment, activity, or enterprise, if it involves the performance of an act which is currently, or if the employee has reason to believe that in the future may be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by the employee or any other officer or employee in this department. Exceptions to this regulation may be granted with the written approval of the Department Head.
- E. No employee shall engage in any outside employment, activity or enterprise with any person, agency or organization that is under contract to provide services to the County of San Mateo, if the employee has a direct or indirect role in awarding a contract. Exceptions to this regulation may be granted with the written approval of the Department Head.
- F. No employee shall hold ownership interest in any enterprise which is under contract to provide services to the County of San Mateo if the employee has a direct or indirect role in awarding the contract. Any employee holding such ownership interests at the time of the adoption of these regulations shall report such ownership to the Department Head within ten calendar days of the adoption and shall take immediate action to divest himself/herself of such ownership. Exceptions to this regulation may be granted with the written approval of the Department Head.

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- G. Employees shall not serve on any board, committee, or similar body of any agency or organization which contracts with the County, receives funding from the County, or receives referrals or any other benefit from the County. Exceptions to this regulation may be granted with the approval of the Department Head. Persons serving in such capacity when these rules are adopted shall report that fact and request an exception, in writing, to the Department Head within ten calendar days of the adoption of these regulations. Exceptions may be granted with the written approval of the Department Head.

- H. Employees shall not engage in any outside employment which involves the use of any information which could be obtained from the department or which is confidential or client specific. Client specific information may, however, be released with the written consent of the client. This shall not include information which is accessible pursuant to the Public Records Act and other applicable statutes.

Signature of Employee

Date

COUNTY OF SAN MATEO
HUMAN RESOURCES DEPARTMENT

EMPLOYEE STATEMENT – Regulations Governing Incompatible Activities and Outside Employment

NAME: _____

DIVISION: _____

WORK SITE: _____

Please review the departmental Regulations Governing Incompatible Activities and Outside Employment and check the appropriate item(s) below:

I am not presently employed other than by the County or involved in any activity or enterprise prohibited by the regulations.

I request the written approval of the Department Head to be exempted from item(s) _____ of the regulations.

Please describe the outside employment, activity or enterprise for which an exemption is sought, including name and address of employer.

Number of hours per week _____

I have previously received written approval of the Department Head to be employed in a non-County position or to be involved in an activity or enterprise that is prohibited. (Please attach a copy of the written approval.)

I have read the regulations and declare that the above information is correct to the best of my knowledge. I understand that I must resubmit this form in the event of a change in outside employment, activity, or enterprise status or if I am employed by a different department within the County.

Signature of Employee

Date

To be completed by Department Head if an exemption is requested.

Action on requested approval

Approve

Disapprove

Comments: _____

Signature of Department Head

Date

Received notification of Department Head's action

Signature of Employee

Date

When complete, this document is to be placed in the employee's departmental personnel file.