

DST POLICIES AND PROCEDURES

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| DST Reference: | OST-POL-3610-ALL |
| Title: | Secondary Employment Policy |
| Chapter: | Human Resources |
| Current Effective Date: | November 9, 2021 |
| Original Effective Date: | April 1, 2003 |

Applies to: NC Department of State Treasurer – All Divisions

Keywords: Secondary employment; second job; dual employment; self-employment

Purpose

The purpose of the policy is to ensure a consistent method that employees may use to seek approval for secondary employment. The procedure serves as a tool to assist management in the approval and disapproval of secondary employment requests.

Policy

Employees may accept employment in addition to their employment with the North Carolina Department of State Treasurer upon satisfying the requirements set forth in this policy. The employment responsibilities to the State are primary for any employee working full time. Any other employment in which that person engages is secondary to the State position and these procedure for approval help determine that the secondary employment does not have an adverse effect on the primary employment and does not create a conflict of interest. This policy is compliant with State Human Resources Policy found in Section 3 of the State Human Resources Manual.

The term "secondary employment" does not include a second job or assignment paid from State funds. Such jobs or assignments are covered in a separate policy governing dual employment. Nothing in this policy is intended to supersede the regulations of the Office of State Human Resources regarding dual employment.

The term "employment" includes self-employment, if the self-employment is income producing.

Provisions

- 1) Secondary employment shall not be permitted when it may reasonably be expected that such employment would:
 - a) Impair in any way the employee's ability to perform all required duties and responsibilities or any other duties and responsibilities as assigned.
 - b) Impair in any way the employee's ability to make decisions and/or carry out the responsibilities of the employee's position in an objective fashion.
 - c) Result either directly or indirectly in a conflict of interest with the primary employment. The term "conflict of interest" shall include, but is not limited to, those situations where the secondary employment would compromise the position of the employee or the Department with respect to firms or individuals doing business or desiring to do business with the Department.
- 2) Approval for secondary employment may be revoked at any time for the following reasons:
 - a) Negative impact upon the employee's work performance in their primary employment.

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- b) Use of state time and/or resources for the benefit of secondary employment.
- c) Failure to notify immediate supervisor of any major change in the nature of the secondary employment.
- d) The submission of falsified information to secure approval of secondary employment.

The aforementioned actions may also be grounds for disciplinary action up to and including dismissal.

Procedures

1. An employee planning to undertake secondary employment shall disclose all facts concerning such employment in writing on the Request for Secondary Employment form to the appropriate manager/supervisor. This disclosure shall contain the name of the employer's business, the type of work to be performed by the employee, the proposed work schedule, and a stipulation that the employee will not be allowed to leave the primary job during working hours for the performance of any secondary work.
2. In reviewing the request, the immediate supervisor and the employee should discuss the various ramifications of the secondary employment upon the employee's primary job.
3. The request shall be reviewed by the appropriate manager/supervisor and approved by the Division Director or designee(s). Division management will maintain the written disclosure and signed approval.
4. The employee's secondary employment must be reviewed for approval on an annual basis. It is suggested this coincide with the annual performance appraisal so that any potential impact to performance as a result of the outside job can be addressed at that time.

Special Note 1: It is the employee's responsibility to notify his or her manager/supervisor of any major changes in the nature of the secondary employment.

Special Note 2: Employee requests for approval of secondary employment accompanied by any required supporting information shall be treated confidentially for all purposes other than review and action by appropriate officials. Secondary employment is a private matter in all other respects.

Enforcement

The Director of Human Resources shall have the authority to interpret and apply this policy. This policy may be modified or amended at any time. Failure to comply with this policy may result in disciplinary action up to and including dismissal.

Related Statutes, Rules, and Policies

Office of State Human Resources NCAC rules – Title 25, Chapter 01C, Section .0700 “Secondary Employment”
[Secondary Employment Policy](#) – Office of State Human Resources Manual, Section 3, Page 35, revised Dec. 3, 2020.

Revision/Review History

| Version | Date Approved | Description of Changes |
|---------|---------------|--|
| 1.0 | 4/1/2003 | New Policy |
| 1.1 | 10/11/2016 | Updated name of agency and page # references |

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| 1.2 | 11/29/2017 | Tech change, corrected name of OSHR. |
| 1.3 | 7/31/2019 | Technical change to add suggestion that annual review of an employee's secondary employment coincide with annual state performance appraisal |
| 1.4 | 10/22/2019 | Added HR Request for Secondary Employment Form to policy as an appendix that had been omitted. |
| 1.5 | 10/9/2020 | Technical changes to include "related statutes, rules and policies" and "enforcement" sections |
| 1.6 | 11/9/2021 | Tech changes to update information on OSHR's Secondary Employment Policy |

Appendix

Appendix A – Request for Secondary Employment Form

For questions or clarification on any of the information contained in this policy, please contact the policy owner or designated contact point: [DST Human Resources](#). For general questions about department-wide policies and procedures, contact the [DST Policy Coordinator](#).

**NC DEPARTMENT OF STATE TREASURER
REQUEST FOR SECONDARY EMPLOYMENT**

EMPLOYEE INFORMATION

| | | |
|---------------------------------|-----------|----------------|
| Employee Name (Last, First, MI) | | Title |
| Division | Work Unit | Contact Number |

DETAILS OF PROPOSED SECONDARY EMPLOYMENT

| | | |
|---------------------------|---------------------|---|
| Employer Name and Address | | Telephone Number |
| Location of Employment | Proposed Start Date | Proposed Schedule and # of scheduled hours per week |

Does the Department of State Treasurer have any connection with the proposed secondary employment? Yes No
If yes, please provide details.

Does a State board or agency license regulate the proposed employer? Yes No
If yes, please provide details.

Is there a possible conflict of interest with your present employment with the Department of State Treasurer? Yes No
If yes, please provide details.

Do you have a financial interest in the business? Yes No

If necessary, attach additional pages to more fully answer these questions. Also, you should be familiar with policies of the Department and your employing division regarding secondary employment.

Employee Signature _____ Date _____

As immediate supervisor, I do /do not recommend the approval of this request.

Supervisor's Signature _____ Date _____

As Division Director, I am /am not approving this request. *Please note supporting documentation in the comments section, especially if the request is not approved.*

Division Director Signature _____ Date _____

Comments: