



Administrative Policy No. 18.18

Subject: Outside Employment

Information Contact: DSHS Human Resources

Authorizing Source: RCW 42.52
Administrative Policy 18.60
Administrative Policy 18.64
Washington Federation of State Employees Collective Bargaining Agreement
Service Employees International Union 1199 Collective Bargaining Agreement
Coalition Collective Bargaining Agreement

Effective Date: July 1, 2005

Revised: September 16, 2010

Approved By: 
Senior Director, DSHS Human Resources

Sunset Review Date: September 16, 2012

Purpose:

This policy establishes Department of Social and Health Services (DSHS) requirements to approve outside employment by DSHS employees.

Scope:

This policy applies to all full-time and part-time DSHS employees who hold, or intend to hold, employment outside of the agency. This policy also applies to DSHS employees whose spouses or domestic partners are private business owners.

Definitions:

Compensation: Anything of economic value, regardless of form, that is paid, loaned, granted or transferred, or promised to be paid, loaned, granted or transferred, or in consideration of services

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to any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

Outside employment: Work that results, or is intended to result, in compensation and/or reward and includes, but is not limited to:

1. Private and/or self-employment (to include consultation, sales, property rentals, etc.);
2. Private business ownership and/or operation by employee, spouse, domestic partner, or household member. Household member is any persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. The term does not include persons sharing the same house when the living style is primarily that of a dormitory or commune;
3. Employment as a consultant or advisor;
4. Employment in another DSHS subdivision, government agency, or non-profit organization;
5. Personal service contracts with the state;
6. Employment with persons or organizations who are clients of, do business with, or try to influence policies or regulations in which DSHS has an interest; or
7. The performance or non-performance of any activity, transaction or professional activity, that causes a person or entity to provide an employee of DSHS with anything of economic value, regardless of form, in consideration for the performance or non-performance of such activity, transaction, or professional activity.

Policy:

- A. A DSHS employee may engage in outside employment that does not interfere with the performance of his or her official duties or result in a conflict of interest under RCW 42.52 – Ethics in Public Service; Administrative Policy 18.60 - Employee Relationships with Clients, Vendors and Outside Organizations; Administrative Policy 18.64 - Standards of Ethical Conduct for Employees; or applicable Collective Bargaining Agreements.
- B. A new DSHS employee holding outside employment must submit a completed Notification of Outside Employment form (DSHS 03-023) to his/her supervisor within 30 calendar days of entering DSHS employment.
- C. A DSHS employee must notify his or her immediate supervisor of the employee's intent to gain outside employment using the Notification of Outside Employment form.

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- D. An employee currently engaged in outside employment must update and submit a Notification of Outside Employment form to their supervisor annually. He or she must submit a new Outside Employment form within 30 calendar days if the duties of the outside employment changes significantly.
- E. The supervisor will recommend to the appointing authority whether the outside employment is a conflict of interest or will interfere with the performance of official duties. When appropriate, the immediate supervisor should seek guidance from the next higher-level supervisor in the chain-of-command and/or DSHS Human Resources.
- F. A DSHS employee must submit an Outside Employment form if his or her spouse or domestic partner is a private business owner, whether or not the employee performs the work for the privately owned business. The supervisor will recommend to the appointing authority whether the spouse or domestic partner's business is a conflict of interest or may interfere with the employee's performance of official duties.
- G. The appointing authority determines whether the outside employment or spouse's business is a conflict of interest or will interfere with the employee's performance of official duties. The appointing authority may, at any time, require re-application or may withdraw approval for any situation determined to present a perceived, potential, or actual conflict of interest.
- H. An employee may submit a written request for reconsideration if his or her outside employment or spouse's business is determined to be a conflict of interest or interferes with the performance of his or her official duties. The next step in the chain of command after the appointing authority who determined a conflict of interest existed will reconsider the request for outside employment and make a final determination. The Secretary, Chief of Staff, Assistant Secretaries, Senior Directors, Division Directors, Institutional Superintendents, or Hospital Chief Executive Officers, may determine whether actions can be taken to remove the conflict of interest or interference with official duties caused by the outside employment or business. DSHS Human Resources will be consulted when appropriate.
- I. If the outside employment or business will or does interfere with the performance of official duties, the employee must resolve the interference to the satisfaction of the appointing authority within 30 calendar days of receiving the determination. If not, the employee will be subject to disciplinary action up to and including dismissal.

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