



Authority <b>Office of State Personnel</b>
Title <b>Secondary Employment Policy</b>
Responsible Office <b>Human Resources</b>
Subject <b>Employment</b>
Applies to <b>SPA Employees</b>

**History:** First issued: January 1, 2004. Last revised:

**Additional References:** Request for Approval of Secondary Employment form

**Related Policies:** Conflicts of Interest Policy for EPA Employees

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## 1. POLICY STATEMENT

Employment responsibilities to the University are primary for any employee working full-time. Any other employment in which that person chooses to engage is secondary. Secondary employment shall not be permitted when it would:

- Create either directly or indirectly a conflict of interest with the primary employment, or
- Impair in any way the employee's ability to perform all expected duties, to make decisions and carry out in an objective fashion the responsibilities of the employee's position.

An employee shall have the approval of the agency head or designee before engaging in any secondary employment. The purpose of the approval procedure is to determine that the secondary employment does not have an adverse effect on the primary employment and does not create a conflict of interest.

Approval for secondary employment may be withdrawn at any time if it is determined that secondary employment has an adverse impact on primary employment.

## 2. DEFINITIONS

**"Secondary Employment"** is any employment, besides employment for the State of North Carolina, in which an SPA employee chooses to engage.

A “**Conflict of Interest**” exists when financial or other personal considerations may compromise, may involve the potential for compromising, or may have the appearance of compromising an employee’s objectivity in meeting University duties or responsibilities.

### **3. REPORTING**

Before accepting any Secondary Employment, an employee must complete a Secondary Employment Form and submit the form to his/her supervisor for review. This form must be updated annually as well as when changes occur to the reported secondary employment.

### **4. REVIEW PROCEDURES**

The Chancellor has designated the Vice Chancellor for Human Resources as the responsible official for approving Secondary Employment for NC A&T staff. Forms should be submitted to the immediate supervisor. The supervisor should review the forms to determine whether the secondary employment will create any direct or indirect conflict of interest or impair the employee’s ability to accomplish the expected duties. If no reason for denial exists, the supervisor should sign the form and forward it, through regular University channels, for approval.

If, at any review level, concern exists that the secondary employment may create a possibility of conflict with State operations, the form should be forwarded immediately to the Vice Chancellor for Human Resources who will forward the form to the Director of the Office of State Personnel for review.

Secondary employment is not approved until all necessary signatures have been completed and the employee has received a copy of the final form.

The nature of the employee’s proposed secondary employment cannot in and of itself prevent an employee from being allowed to pursue the secondary employment. Secondary employment may be denied only if it creates a direct or indirect conflict of interest or has an impact on, or creates the possibility of conflict with, State operations.

### **5. RECORDKEEPING PROCEDURES.**

Completed Request for Approval of Secondary Employment forms become a part of the employee’s personnel file in the Office of Human Resources.

Information regarding employees’ secondary employment is considered public information and may be provided to third parties upon request.

Employees must update forms for any continuing secondary employment annually. Forms should also be updated when any change occurs in approved secondary employment.

## 6. REVERSAL OF APPROVAL

A previously approved secondary employment may be rejected if, at any time, the supervisor becomes aware that an employee's secondary employment is creating a conflict of interest or a potential conflict of interest with operations.

If the supervisor believes that the secondary employment has caused or contributed to a decline in employee performance below the "good" performance level, the supervisor must first discuss the performance concern with the employee and provide an adequate opportunity for the employee to demonstrate improved performance. If the employee's performance does not improve within a reasonable period of time and the supervisor continues to believe that the secondary employment is the cause or a contributing case of these performance problems, the supervisor may, after consultation with HR, require the employee to terminate his/her secondary employment. The supervisor should allow the employee a reasonable period of time in which to give notice of termination to the secondary employer.

## 7. CONSEQUENCES OF FAILURE TO COMPLY

An employee's willful failure to report secondary employment may result in the requirement that the secondary employment be terminated.

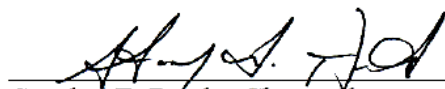
An employee's failure to end his/her secondary employment as directed is considered a matter of personal misconduct and may be subject to disciplinary action up to and including dismissal.

Approved:



Linda R. McAbee, Vice Chancellor for Human Resources

Date: 1/10/08



Stanley F. Battle, Chancellor

Date: 1/10/08