



WAYNE COUNTY POLICY STATEMENT

Title:	Outside Employment Policy		
Wayne County Policy #		Date Issued:	4/30/2013
Category:	Personnel / Human Resources	Date Revised:	9/1/2022
Approved By:	PHR Director of Personnel		Page 1 of 4

I. PURPOSE

It is the policy of the County of Wayne that employees maintain a working environment that follows effective and ethical behavior and business dealings. To that end, this policy aligns with the County Ethics Ordinance to ensure compliance. Outside employment must be approved and disclosed upon initial hire, annually from the date of the latest approval and when changing positions, departments or divisions within Wayne County. Request of Outside Employment must be submitted by the employee to their Department Director and to the Department of Personnel/Human Resources (P/HR) If any outside employment interferes with this policy and the Ethics Ordinance, brings discredit on Wayne County, fellow employees, other public servants and/or others who benefit from the services of the County is prohibited.

II. POLICY PROVISIONS

Wayne County employees shall not engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with their duties as County employees or with the duties, functions, or responsibilities of the County department to which assigned.

No employee shall simultaneously be employed with the County and any other governmental jurisdiction or in private employment, which would have the effect of reducing the efficiency of that employee in their service to Wayne County. Outside employment should not exceed twenty (20) hours per week for full-time employees unless exceptional circumstances apply and are approved by their Department Director. The hours for less than full-time employees will be reviewed on a case-by-case basis.

Any employee who desires to simultaneously have outside employment, including self-employment and professional services on a commission or fee basis, shall inform their Department Director of the extent and nature of such outside employment on Outside Employment Request Form (P/HR Form 492.)

The Department Director will determine whether the outside employment conflicts with the duties and responsibilities of the employee to the County and forward a copy of the form with the determination to the Department of Personnel/Human Resources. The Department of Personnel/Human Resources will consult with the Department Director or others, and provide employees of the final decision.



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Employees on any type of leave of absence shall not engage in any outside employment unless otherwise authorized by the Director of Personnel/Human Resources.

Employees must resubmit their requests for approval **annually from the date of the latest approval, or when changing positions, departments or divisions within Wayne County.** The Department of Personnel/Human Resources may inquire from time to time as to the affect such outside employment may have on an employee's efficiency and service to Wayne County.

(a) Pursuant to Public Act 566 of 1978, MCL 15.181 et seq., a public servant, as defined in the Ethics Ordinance, shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the public servant's official duties or when that employment may tend to impair their independence of judgment or action in the performance of official duties.

(b) For one (1) year after employment with Wayne County, an elected official shall not be hired or appointed to a compensated County position, nor shall a contract be awarded to the elected official or a business in which the elected official has a substantial financial interest.

(c) A member of an appointed board or commission may not be appointed or hired to a compensated County position created by that board or commission until at least one (1) year after the completion of their term of office.

(d) A public servant shall not solicit or receive, for themselves or for a relative or domestic partner, compensation or a gratuity from a board, committee, agency, or entity if the public servant serves on or otherwise participates in the board, committee, agency, or entity on behalf of Wayne County, in any capacity, including, but not limited to, a member, director, employee or consultant.

(e) Unless he or she is a county elected officer or unless granted a waiver pursuant to subsection (f), a public servant who is on the contract managers list shall not be nor agree to be a paid employee of or independent contractor to a county business.

(f) Upon request of a public servant, the Ethics Board shall make a recommendation to approve or deny a waiver to the County Commission. If a waiver is recommended by the County Ethics Board, it may be granted by a majority vote of the County Commission, unless a greater majority is required, or a waiver is prohibited by state law. If a waiver is not so recommended, a two-thirds vote of the County Commission is required to grant a waiver.



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(g) A waiver from the contemporaneous employment prohibition (Section 4.2(e)) may be granted upon written determination that:

1. The contemporaneous employment or financial interest of the public servant has been publicly disclosed;
2. The public servant will be able to perform their employment duties without actual or apparent bias or favoritism; and
3. The waiver will be in the best interests of the County.

III. ENFORCEMENT

The Outside Employment Policy applies to all employees of Wayne County.

The Department of Personnel/Human Resources is responsible for the development, revision, and communication of this policy, as prescribed by Wayne County Ordinance. In conjunction with the Department of Personnel/Human Resources, the Department Director is responsible for the enforcement of this policy. The Department of Personnel/Human Resources will assist the Ethics Board in the interpretation and monitoring of adherence to this policy.

Violation of this policy may result in remedial action ranging from verbal to written discipline, suspension from work without pay, to immediate termination.

IV. DISCLAIMER

If in direct conflict with other internal or departmental policy, this policy will be the overriding policy unless otherwise directed by the Director of Personnel/Human Resources or their designee.

If any provision of these policies conflicts with the terms and conditions of existing collective bargaining agreements (CBA), the terms and conditions of the agreements shall take precedence. On those topics where the CBA is silent, the provisions of these policies shall apply.



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V. RELATED DOCUMENTS

- a. Civil Service Rules and Regulations
- b. Collective Bargaining Agreements
- c. Wayne County Charter
- d. Ordinance – Ethics No. 2014-734
- e. Ethics Acknowledgement
- f. Public Act 566 of 1978, MCL 15.181 et seq
- g. Work Rules
- h. Code of Conduct Policy
- i. Wayne County Employee Handbook
- j. Form 492 - Report of Outside Employment – Annual Request Form
- k. Annual Conflict of Interest Disclosure

VI. REVISION HISTORY

ACTION	DATE	BY WHOM	REASON
Created	4/1/2005		
Revised	4/30/2013	Tish King – P/HR Dir	Updated
Revised	4/1/2018	Steve Mahlin – P/HR Dir	Updated
Revised	9/1/2022	Donna Wilson – P/HR Dir	Updated