

<b>Policy Number and Title:</b>	10.03 Secondary Employment
<b>Policy Section and Chapter:</b>	Human Resources – Employee Relations
<b>Policy Owner &amp; Contact:</b>	Human Resources – (940) 349-8355
<b>Policy or Directive:</b>	Policy
<b>Last Revision Date:</b>	00.00.0000

## **POLICY PURPOSE STATEMENT**

The City of Denton (COD) is committed to fostering a collaborative and inclusive environment while ensuring that quality service is delivered to the public. The purpose of this policy is to establish guidelines for employees regarding secondary employment. COD aims to protect both employees and the City from unintended consequences from secondary employment. Employees may engage in secondary employment provided that it does not conflict with their primary job responsibilities, negatively impact performance, or disrupt the operational efficiency of the organization.

## **POLICY**

### **I. Secondary Employment Guidelines**

The City is the primary employer for all employees (excludes temporary and seasonal employees). Employees must recognize the City’s operational needs and scheduling flexibility requirements. Employees may engage in secondary employment in any business, trade, occupation, or profession, provided that such employment:

- Does not bring discredit to the City or the employee into disrepute, reflect discredit upon the employee
- Does not impair judgement or create a conflict of interest (or appearance of one)
- Does not interfere with primary job duties or availability for performance recall
- Does not utilize City time, resources, personnel, facilities, uniforms, equipment, or City branded items unless authorized in advance by the City Manager or designee.
- Does not negatively impact an employee’s health, safety, or well-being.
- Does not result in poor job performance, absenteeism, or tardiness. Refusal to work overtime due to secondary employment may result in corrective action, up to and including termination (See [Overtime policy #106.04](#) and [Corrective Action policy #109.01](#)).

Military reserve service is not considered secondary employment (See [Military Service Leave policy #111.04](#)).

### **II. External Secondary Employment**

A. Employees seeking secondary employment outside the City must:

1. Submit a Secondary Employment Form before engaging in external work. If

already employed elsewhere at the time of hire, approval must be obtained within 30 calendar days of hire.

2. Supervisors must consult department heads before approval. Requests are forwarded to the Human Resources Department for final review.
3. Supervisors must respond in writing within three (3) business days of submission. If additional time is needed, the employee must be informed of the delay including an expected decision timeline.
4. Secondary employment approvals must be renewed annually and updated for changes in employers, positions, or work hours.
5. The department head, upon consultation with the Human Resources Director, or designee, may deny or rescind approval if the employment conflicts with City policies or interests. Decisions must be documented in writing.
6. Failure to obtain prior approval may result in corrective action per City policy.
7. Employees injured while engaged in secondary employment are not covered by the City's workers' compensation program. The City shall not be held liable for any external employment activities undertaken by its employees.

### **III. Internal Secondary Employment**

A. Employees may hold part-time positions in other City departments if they:

1. Obtain supervisor and department head approval before starting secondary employment
2. Human Resources Director, or designee, must approve a full-time employee working a part-time position with the City
3. Ensure that the full-time job is considered the primary employer and job duties remain unaffected
4. Understand that for non-exempt employees, hours from all City jobs will be combined to determine overtime eligibility under the Fair Labor Standards Act (FLSA). Overtime pay will be calculated on the regular rate of pay across positions (See [Overtime policy #106.04](#))

B. Employees holding multiple part-time City positions:

1. The first-hired position is the primary employer and is responsible for maintaining employment and timekeeping records
2. The secondary employer must coordinate hours, pay rate, and work schedules with the primary employer

NOTE: Police and Fire Departments may have additional employment regulations that supersede this policy.

### **IV. Exceptions**

Employees may request policy exceptions through Human Resources or the City Manager's

Office. Exceptions must comply with the law and not compromise public trust. Exceptions are granted on a case-by-case basis and may be reviewed periodically to ensure continued compliance.

Requests for exceptions are subject to the Texas Public Information Act, and all approved exceptions must be reported to the City Council.

## **ROLES AND RESPONSIBILITIES**

This section outlines roles and responsibilities for implementing the policy/directive.

### **I. Responsible Department/Position 1**

a. Activity 1

b. Activity 2

## **DEFINITIONS**

- **Conflict of Interest** – a situation where personal, financial, or relational considerations may influence decisions or actions in the workplace. Examples include:
  - Financial: Accepting gifts, favors, or other benefits from a vendor that could influence purchasing decisions.
  - Familial/Personal Relationships: Favoring family members or friends in hiring, promotions, or other employment decisions.
  - Extracurricular Employment: Engaging in outside employment or activities that could create a conflict of interest with the employee's role in the City, such as using City resources for personal gain.
  - Romantic/Relational: Having a romantic relationship with a subordinate or a colleague that could create an unfair or biased work environment.
- **Secondary Employment** – Any job, contract work, or self-employment where an employee receives compensation outside of their City position. Examples include:
  - Ride share or delivery drivers
  - Lawn care or home maintenance
  - Retail or direct sales (e.g., cosmetics, wellness products)

## **REFERENCES**

- City Policy 10.00 – Ethics
- City Policy 106.04 – Overtime
- City Policy 109.01 – Corrective Action
- City Policy 111.04 – Military Service Leave
- City Policy 409.01 – Workers' Compensation/Salary Continuation Program
- Fair Labor Standards Act (FLSA)

## **REVISION HISTORY**

Revision Date	Policy Owner	Summary
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