

**INDIANA DEPARTMENT OF CHILD SERVICES
ADMINISTRATIVE POLICIES AND PROCEDURES**

Policy Number: HR-3-5 Effective Date: July 1, 2005 Version: 1.0

POLICY TITLE: SUPPLEMENTAL EMPLOYMENT

OVERVIEW: DCS employees may engage in supplemental employment subject to applicable conflict of interest laws, rules and policy. Employees must get supervisory approval prior to engaging in such outside employment.

I. DEFINITIONS

- A. Supplemental (outside) employment: Receiving compensation for services rendered from an employer other than the State of Indiana.
- B. Conflict of interest: A situation in which regard for private interest tends to lead to disregard of a public duty or interest.
- C. State property: Materials, supplies, equipment, funds, and facilities that are owned by the State of Indiana.

II. REFERENCES

- A. [42 IAC 1-5: Ethics Rules](#)
- B. [42 IAC 1-5-5: Outside employment](#)
- C. [IC 4-2-6: Ethics and Conflicts of Interest](#)
- D. [IC 4-2-6-9: Conflict of economic interests; commission advisory opinions; disclosure statement; written determinations](#)

III. STATEMENTS OF PURPOSE

- A. No employee of DCS shall have any outside employment or hold any contractual relationship that is:
 - 1. With any business entity, agency or individual that is subject to regulation by, or is doing business with, DCS; **or**
 - 2. Capable of causing a continuing or recurring conflict between his/her private interests and the performance of his/her responsibilities to DCS, or that would impede the full and faithful discharge of his/her public duties.
- B. DCS employees wishing to engage in other employment outside their respective positions with DCS must assure that such additional employment does not interfere with their ability and availability to perform their job responsibilities with DCS, including scheduled work time and overtime requirements.
- C. Any supplemental employment shall not constitute a real or apparent conflict of interest and shall not require the use of State space, property, personnel, time, equipment or supplies. DCS employees may not solicit for-profit and non-profit products/services, or charitable contributions during work hours. Supervisors may not solicit their direct reports under any circumstances. The display of promotional materials (flyers, brochures) is limited to break areas.

IV. PROCEDURE

- A. All DCS full-time employees considering supplemental employment (including temporary employment) must complete the [Supplemental Employment Authorization](#) and submit it to their immediate DCS supervisor prior to accepting a position with an outside employer.

- B. The DCS supervisor will review the form and either:
 - 1. Approve the request and notify the employee; or
 - 2. Deny the request based on a perceived conflict of interest and provide a brief explanation on the form; or
 - 3. Forward the form to the DCS ethics officer for determination. The ethics officer will may approve or deny the employee's request, or escalate the request to the Indiana State Ethics Commission for an advisory opinion.

- C. In the event a DCS Employee is presently engaged in supplemental employment that was not previously approved, that employee is to immediately complete the [Supplemental Employment Authorization](#) and seek approval. Should the request be denied, the employee would be advised to cease the supplemental employment within thirty days or seek an opinion from the State Ethics Commission.
- D. In all cases where the [Supplemental Employment Authorization](#) has been approved, a signed copy of the form will be forwarded to human resources and placed in the employee's personnel file.
- E. When the secondary employment ceases, the employee shall complete Part D of the approved [Supplemental Employment Authorization](#) and submit it to the immediate supervisor who will send it to human resources for placement in the employee's personnel file.
- F. Violation of this procedure shall result in appropriate disciplinary actions.

V. FORMS

[Supplemental Employment Authorization](#)

DATE: 06/15/05

James W. Payne, Director
Department of Child Services