



# POLICY AND PROCEDURE

SUBJECT:

OUTSIDE EMPLOYMENT

**EFFECTIVE DATE: APRIL 26, 2023**

**NUMBER: HR 23-04**

## **1.0 PURPOSE**

The purpose of this Policy is to establish standards regulating the outside employment of the City of Riviera Beach and Community Redevelopment Agency (CRA) employees (collectively referred to as the "City"). This Policy also gives the City the right to ask the employee to terminate the outside employment for various performance-related reasons.

## **2.0 APPLICABILITY**

- 2.1** This Policy applies to all City of Riviera Beach employees and all CRA employees.
- 2.2** The City has adopted this Policy to promote and maintain the highest standards of personal and professional conduct in city government. Employees are required to subscribe to this Policy and to the State's and County's Codes of Ethics for Public Officers and Employees.

## **3.0 POLICY STATEMENT**

Public Service is a public trust requiring employees to uphold the policies, procedures, rules and regulations of the City above private gain for themselves or others. In carrying out public trust, the City finds it in the best interest of its citizens to establish a Policy regulating outside employment. Generally, it is the City's Policy that an employee may be engaged in outside employment so long as it is determined that such employment does not present a conflict with the employee's employment with the City.

## **4.0 PROCEDURE**

Outside employment is defined as a paid activity such as, but not necessarily limited to, consulting, advising, testing or assaying, performing analyses or examinations, the practice of one's profession, or similar work performed in addition to the official responsibilities of an employee. Outside employment shall be deemed to include, but shall not be limited to, employment or work performed by a City employee for monetary gain with an outside person, business or entity, including businesses owned by the employee, to provide labor, services or materials.

- 4.1** Upon approval by the City, City employees are not restricted from engaging in outside employment during their off-duty hours. However, City employment shall be considered the primary employment for all employees. Employees must receive

approval from the Department Director, Human Resources Director, and City Manager prior to obtaining outside employment.

- 4.2 Employees may accept outside employment so long as such employment does not present a conflict of interest and is not contrary, detrimental, or adverse to the interests of the City.
- 4.3 No employee may accept or engage in outside employment, either incidental, occasional, or otherwise, where City time, equipment, or materials are to be used or where such employment or any part thereof is to be performed on City time.
- 4.4 Employees who seek outside employment must fill out the “Outside Employment Disclosure Form” (Disclosure Form) and receive approval from the employee’s Department Director, Human Resources Director, and City Manager prior to commencing employment. City employees who have already engaged in outside employment at the effective date of this Policy must also fill out the Disclosure Form and receive approval to continue the outside employment on an annual basis.
- 4.5 If the City, in its sole discretion, determines that the employee’s outside employment causes absences, tardiness, or otherwise interferes with the employee’s work performance, including, but not limited to, availability for scheduled and unscheduled overtime and/or call-ins, inattentive or neglect of job duties or assignments, failing to work the required hours, or causes a conflict, permission for outside employment may be revoked. Further, permission to engage in outside employment may be withdrawn at any time if, in the opinion of the City, the responsibilities of the job are inconsistent with the employee’s responsibilities to the City, causes a conflict, or in any way interferes with the employee’s duties as an employee of the City.
- 4.6 Employees are not permitted to use any type of leave, i.e. PTO, vacation, sick, leave of absence, Family Medical Leave Act, etc., to work in an outside employment capacity.
- 4.7 Employee’s refusal to discontinue outside employment after being requested to do so by the employee’s Director or Human Resources will result in termination of employment.
- 4.8 Employees sustaining injuries while not engaged in work on behalf of the City are ineligible to receive benefits under the City’s workers’ compensation plan. This subsection does not include employees who are performing work for the City, but in a different Department.
- 4.9 Employees are not permitted to use City vehicles or equipment or wear City badges, uniforms, or clothing or to otherwise hold themselves out as representatives of the City while engaged in outside employment. Violations of this directive may result in discipline, up to and including termination.

**4.10** Before accepting outside employment, employees are required to complete the Disclosure Form located on the Human Resources website or available upon request.

Employee shall provide a completed copy of the Form to Human Resources. A final determination will be made after consultation with the Department Director, Human Resources Director, and City Manager. An employee shall be promptly notified of the City's decision. A copy of the completed Disclosure Form is kept in the employee's personnel file. The employee has an obligation to update the form as appropriate.

## **5.0 ENFORCEABILITY**

Refusal of the City's request to terminate outside employment or violation of this Policy may result in disciplinary action, up to and including, termination of employment. Failure to comply with the terms of this Policy shall lead to disciplinary action, up to and including termination.

## **6.0 APPLICATION WITH OTHER LAWS AND CITY AND CRA POLICIES**

This policy shall be applied consistently with the provisions of all state, federal and local law and ordinances regarding discrimination and harassment.

## **7.0 AUTHORITY OF THE CITY MANAGER**

The City Manager or designee shall have the authority to amend this Policy as necessary to ensure the continued operations of City services and benefit the best interests of the City.


**Department Sponsor:**  
HUMAN RESOURCES DEPARTMENT

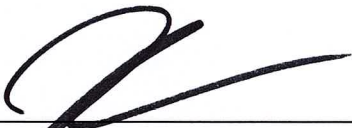
**Policy Review Date:**  
JULY 1, 2025

**References:**

**Departments affected:**  
ALL EMPLOYEES OF THE CITY, UTILITY SPECIAL DISTRICT, AND COMMUNITY REDEVELOPMENT AGENCY

  
\_\_\_\_\_  
Elizabeth T. McBride  
Deputy City Manager/Interim Human Resources Director

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jonathan Evans, MPA, MBA, ICMA-CM  
City Manager

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jonathan Evans, MPA, MBA, ICMA-CM  
CRA Executive Director

  
\_\_\_\_\_  
Date