



CONFLICT OF INTEREST/ EMPLOYMENT IN SECOND JOB

PM-62-01

Section: 62-00, MISCELLANEOUS PERSONNEL POLICIES

PURPOSE AND SCOPE:

Employment with City of Memphis Government is a public trust. Employees may not engage in any activity of work or business venture either in a private or official capacity where a conflict of interest may exist. Fundamental loyalty of any employee of City of Memphis Government must be to the public interest and the employee must not enter into any engagement or employment that conflicts or interferes with the full discharge of the employee's assigned City job duties.

POLICY:

Full-time or part-time employment, in addition to the employee's City job, will not be permitted if the employment, in any way is in conflict with the employee's assigned City duties, the general business of the city, or interferes with the employee's regularly scheduled working hours. In addition, an employee may not own a business; be a partner in a business venture; or hold any financial or vested interests in a business that is in conflict with the employee's assigned City duties or the general business of the City. No employee shall make, participate in making, or use an official position to influence a City Government decision in which the employee has any financial interest.

In no event will second employment or business venture be allowed which adversely affects the employee's attendance, efficiency, or productivity in the City position, or the image of City Government or City employees. No City employee may use City telephones, equipment, or supplies for any business venture other than City business.

NOTICE OF INTENT:

Note: This process applies to all non-Police Division employees. Police Division employees must follow their division's process to receive approval. When a non-Police Division employee is considering employment or a business venture outside the employee's City position official notice of that intention must be given to the employee's Division Chief or Director per the on-line process. For all on-going secondary employment, this review process will be followed on an annual basis as prescribed by the Division of Human Resources. The written notice must include:

1. The name of the company for which the employee will work or be involved;
2. The type of business the company conducts;
3. A description of the position and the involvement the employee anticipates; and
4. The hours the employee expects to work.



CONFLICT OF INTEREST/ EMPLOYMENT IN SECOND JOB

PM-62-01

Section: 62-00, MISCELLANEOUS PERSONNEL POLICIES

Upon receipt of the employee's notice of intent to accept employment or enter into any type of business venture outside of the employee's City position, the employee's Division Chief or Director or designee must recommend approval or denial, if a conflict of interest exists, to the Human Resources Division (the Equity, Diversity and Inclusion Officer or other position designated by the Chief Human Resources Officer) per the on-line process.

EXISTENCE OF A CONFLICT OF INTEREST:

If the City Equity, Diversity and Inclusion Office rules that a conflict of interest exists, the employee may:

1. Elect not to pursue the second employment or business venture;
2. Elect to resign from the employee's City position; or
3. Appeal the decision to the Chief Human Resources Officer.

If appealed, the Chief Human Resources Officer must notify the employee, whether a conflict of interest exists. The decision of the Chief Human Resources Officer will be final. If the Chief Human Resources Officer determines that a conflict of interest exists, the employee may elect not to pursue the second employment or business venture; or to resign from the employee's City position.

EMPLOYEE RESPONSIBILITIES:

City employees are prohibited by the City of Memphis Charter from accepting any monies or gifts of any character whatsoever from organizations, business concerns, or individuals in the course of work, or in connection with work, other than that stipulated for performing the duties of the assigned job. Before any presentation to the City Council, or any fact-finding or quasi-judicial tribunal or board or commission whose members are appointed or approved in whole or in part by the City Council, of any matter involving property in which an employee has an ownership interest, the employee must first publicly declare the ownership interest, either on the face of the application or petition concerning said property, or by separate written statement if no written application or petition is required. The employee shall abstain from voting or discussion on any subject matter in which the employee has an ownership interest.

City of Memphis Government employees are bound in all matters of conflict of interest by the City of Memphis Code of Ordinances, Section 2-42, Conflict of Interest of Officers and Employees, and City of Memphis Charter, Section 346, Acceptance of Money or Gifts Declared Felony. Failure to comply with this policy will lead to disciplinary action



CONFLICT OF INTEREST/ EMPLOYMENT IN SECOND JOB

PM-62-01

Section: 62-00, MISCELLANEOUS PERSONNEL POLICIES

up to and including termination. The individual Divisions of City of Memphis Government must make Division employees aware of this policy.