

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: ADDITIONAL EMPLOYMENT AND DUAL STATE EMPLOYMENT

CATEGORY: HUMAN RESOURCES

Policy

The Idaho Department of Juvenile Corrections (IDJC) recognizes employees may seek to obtain additional employment, either with another State of Idaho agency (State), a public or private employer, or self-employment. Self-employment does not generally include an employee's selling of hobby craft or similar items on an infrequent or occasional basis.

Any additional employment endeavors must be compatible with the employee's role as a public servant and must not conflict with the best interest of the IDJC or the performance of the employee's job responsibilities with the IDJC.

In the case of dual State employment, the State of Idaho is considered one employer for the purposes of determining the number of hours worked. Dual State employment can result in errors in accrual of credited State service and benefits, and can create an overtime situation. Therefore, any request for dual State employment must be carefully considered and under no circumstances will a full-time IDJC employee be approved for employment in another State agency or to work a second position, full or part-time, within the IDJC. A temporary part-time employee may be approved for employment in another State agency provided the combined total hours worked per week are less than 19 ½ hours.

It is therefore the policy of the IDJC that all employees must seek prior approval for additional State employment. Additionally, employees will notify the Division Administrator in writing prior to engaging in non-State, outside employment in order to evaluate and to ensure there is no, real or perceived, conflict of interest. Refer to the Conflict of Interest (311) policy/procedure.

Operating Procedures

- I. Conditions for Additional Employment or Dual State Employment
 - A. A current employee may only accept additional State employment after written approval is obtained, as outlined in Section II., below.
 - B. IDJC scheduled shifts, including any schedule changes, take priority over additional employment activity.

- C. The job duties of the additional employment are such that the employee has no opportunity to influence the relationship between the additional employer and the IDJC.
- D. The additional employment does not interfere with IDJC official duties, hours of work, or, in the case of dual State employment, create any adverse benefit or overtime issues.
- E. The employee does not have any opportunity to use State property or the potential to use IDJC information obtained in connection with official duties that is not generally available to the public for benefit to the other State agency or additional employment.
- F. The additional employment does not conflict, nor give the appearance of conflict, with interests of the IDJC. Careful consideration must be given if the additional employment directly or indirectly serves the same juvenile population as the IDJC.
- G. No employee shall use a position in the IDJC to influence or secure compensation for themselves, their family members, or for the other State agency or additional employers.

II. Approvals

- A. A request for additional State employment requires approvals by the immediate supervisor, and the appropriate Division Administrator as well as approval by the directors of both State agencies.
- B. Employees obtain approvals by completing the Request for Approval of Dual State Employment (DJC-054) form **prior** to obtaining additional State employment. Approval of dual State employment by agency directors is obtained by Human Resources (HR) after receipt of the DJC-054 form.
- C. Supervisors reviewing requests for an employee to work for two State agencies, or to work in more than one LUMA Position Number, or who have questions regarding possible conflict of interest issues, will work with their Division Administrator and HR to review and address the concerns. Division Administrators or HR can contact the agency's assigned Deputy Attorney General with questions or possible conflict of interest concerns.
- D. After all approvals are obtained, a copy of the signed DJC-054 form is given to the employee and immediate supervisor and the original will be filed in the employee's personnel file.
- E. The employee informs the supervisor of any changes in the additional State employment status, including hours, job duties, or other circumstances that may impact performance of IDJC job duties and responsibilities.
 - 1. All additional State employment is reviewed during the employee's annual performance evaluation.

2. If at any time the supervisor determines that an employee's job performance is negatively affected by the additional State or other employment, the approval for additional employment may be revoked by the Division Administrator or disciplinary action initiated upon recommendation of the supervisor. HR will be notified of any revoked approval.

III. Denials

If any request for additional State employment is not approved, an explanation for the decision will be attached to the DJC-054 form and provided to the employee with a copy to Human Resources.

IV. Non-Compliance

- A. Employees who participate in dual State employment without first obtaining approval may be subject to disciplinary action, up to and including dismissal from IDJC employment.
- B. A supervisor who knowingly allows an employee to engage in or continue to engage in dual State employment without prior approval may also be subject to disciplinary action, up to and including dismissal.

V. Schedule/Use of Leave

- A. If an employee is scheduled to work at the IDJC and at the additional employer on overlapping days and times, the employee prioritizes the IDJC position over any additional employment activity, as agreed to on the DJC-054 form. The IDJC may request that the employee provide a copy of the work schedule for the additional employment.
- B. Sick leave cannot be utilized by an employee to perform duties for any additional employer. Use of sick leave for this reason will be grounds for disciplinary action, up to and including dismissal.
- C. An employee on approved Family Medical Leave Act (FMLA) leave from the IDJC cannot engage in work for any other State employer.
- D. An employee may engage in work for a non-State employer while on approved FMLA with the IDJC, as long as the work tasks are approved by completing the DJC-054 form and the work does not present a conflict of interest.
- E. A violation of FMLA-approved leave will be grounds for disciplinary action, up to and including dismissal, and cancellation of the FMLA leave.

Reference: [Glossary of Terms and Acronyms](#)
 [IDAPA 15.04.01.026 \(DHR Rule\)](#)
 [Records Retention Schedules](#)
 [Records Destruction Logs](#)

Desk Manual(s): *None*

Related Policies: [Conflict of Interest \(311\)](#)
 [Ethics and Standards of Conduct \(324\)](#)
 [Sick Leave \(353\)](#)
 [Vendors on State Property \(364\)](#)
 [Records Management Program \(117\)](#)
 [Public Records \(901\)](#)

Related Forms: [Request for Approval of Dual State Employment \(DJC-054\)](#)
 [Records Destruction Worksheet \(DJC-279\)](#)