



## PA TURNPIKE COMMISSION POLICY

*This is a statement of official Pennsylvania Turnpike Policy*

**NUMBER:** 2.10

**APPROVAL DATE:** 05-05-2009

**EFFECTIVE DATE:** 05-20-2009

**REVISED DATE:** 04-17-2009

**POLICY SUBJECT:**

Secondary Employment

**RESPONSIBLE DEPARTMENT:**

Human Resources

**A. PURPOSE:**

To establish policy and procedures regarding secondary employment for all current and prospective Pennsylvania Turnpike Commission (Commission) employees. This policy supplements and is to be read in conjunction with the Commission's Code of Conduct Policy Letter (No. 3.10).

**B. SCOPE:**

This policy letter applies to all prospective and current Commission employees in all departments, including management employees and those employees covered by a collective bargaining agreement or a memorandum of understanding and those still in their probationary period.

**C. GENERAL POLICY:**

The Commission does not want to unduly limit or interfere with an employee's use of his or her free time; however, the Commission must insure that its employees' activities away from the job do not adversely affect their ability to satisfy their obligations as employees of the Commission or in any way compromise its interests or reputation.

Accordingly, all Commission employees who work or seek to work for compensation or remuneration in any capacity outside of their Commission employment, including self-employment, are required to file Secondary Employment Requests with their Departmental Head or designated official who will make a recommendation either to approve or disapprove the request. Such secondary employment does not include military duty. Approval for secondary employment must be obtained prior to accepting such employment for current employees and prior to employment with the Commission for prospective employees. Employees are required to resubmit their requests whenever the duties of their Commission or secondary employment positions change substantially.

Approval to engage in most volunteer activities generally is not required. Such volunteer or public service activities include but are not limited to emergency services or work performed for charitable institutions or non-profit entities. Approval may, however, be required of certain volunteer and public service activities where the Commission believes that the activity may present a conflict of interest with

the employee's regular job duties, the mission of the Commission, or any other applicable federal and state laws, rules or regulations.

**Current** Commission employees seeking outside employment must submit to their immediate supervisor a Secondary Employment Request. The request must contain sufficient information to enable the reviewers to determine whether any conflict of interest exists.

Commencing or continuing in secondary employment after receipt of notice that such secondary employment has been disapproved shall constitute grounds for discipline, up to and including termination.

Secondary employment is considered secondary to Commission employment and any conflicts of interest arising out of secondary employment will be resolved in favor of the Commission. Such conflicts include, but shall not be limited to, conflicts with the Commission's conditions of employment, including hour of work (i.e. availability for overtime, training, traveling, etc.) and conflicts with other applicable federal and state laws, rules or regulations.

Secondary employment will not be considered an excuse for poor job performance or breaking work rules.

Prospective Commission employees must have approval of their secondary employment prior to becoming employed with the Commission. Requests must be filed sufficiently in advance of commencing employment with the Commission to give the Commission a reasonable period of time to receive and process the Secondary Employment Request.

#### **D. DEFINITIONS:**

Secondary Employment- is defined as employment (other than Military duty) in addition to regular full-time employment with the Commission, for which any payments, compensation or remuneration of any nature is received for services rendered or to be rendered. It includes self-employment. An employee may not engage in any secondary employment that presents a conflict of interest with his or her Commission employment.

#### **E. PROCEDURES:**

It is the responsibility of the employee to notify the Commission of their desire to engage in employment outside of the Commission. Secondary Employment Request forms are available through the Human Resources Department or on-line.

Any employee who desires to work in any capacity outside their Commission employment (except military duty) shall file a Secondary Employment Request with his or her immediate supervisor. The supervisor shall review the request and make a recommendation to the Department Head or designee either to recommend approval or disapproval within five (5) workdays of receipt of the request. The Department Head shall forward the request to the Director of Human Resources with his or her recommendation either to approve or disapprove the request within five (5) workdays of receipt of the

request. If a possible conflict exists with Commission employment, the Human Resources Director will review the request with the Chief Counsel prior to approving or disapproving the request.

The Director of Human Resources shall notify the employee of approval or disapproval by mail within five (5) workdays of the receipt of the request. In cases of disapproval, the employee shall be provided specific reasons for the disapproval and advised of the review procedures.

Prospective employees must complete a Secondary Employment Request and submit the request to the Director of Human Resources prior to accepting an offer of employment with the Commission.

If the employee's request has been denied, the employee may, within ten (10) workdays of the date of the final disapproval letter from the Director of Human Resources, appeal to the Chief Executive Officer (CEO) or designee. The employee shall submit their written request of appeal to the CEO. The original request for secondary employment and the letter of disapproval by the Director of Human Resources should be included. The Director of Human Resources should be copied on this request for review. The decision of the CEO is final.

All Secondary Employment Requests will be reviewed on a case-by-case basis. The Commission is under no obligation to approve requests based solely on prior decisions or considerations.

Approval of secondary employment is at the discretion of the Commission and may be revoked at any time. Notification of withdrawal of Commission approval for secondary employment will be made to the employee, in writing, by the Director of Human Resources.

The Director of Human Resources may develop additional procedures to ensure compliance with this policy.

*This Policy Letter supersedes all previous Policy Letters on this subject.*