

NORTH CAROLINA DEPARTMENT OF COMMERCE		POLICY # HR 34
Title: Secondary Employment Policy		
Effective Date: March 2006	Administering Authority: Human Resources Director	
Statutory Authority (if applicable): G.S. 126-4		

Policy The employment responsibilities to the State are primary for any employee working full-time; any other employment in which that person chooses to engage is secondary. An employee shall have approval from the agency head before engaging in any secondary employment. The purpose of this approval procedure is to determine that the secondary employment does not have an adverse effect on the primary employment and does not create a conflict of interest. These provisions for secondary employment apply to all employment not covered by the policy on Dual Employment.

Scope All Commerce Employees except ESC

- Agency Responsibility**
- (1) Secondary employment shall not be permitted when it would:
 - create either directly or indirectly a conflict of interest with the primary employment.
 - impair in any way the employee’s ability to perform all expected duties, to make decisions and carry out in an objective fashion the responsibilities of the employee’s position.
 - (2) If the secondary employment has any impact on, or may create any possibility of conflict with State operations, the form must be approved by the State Personnel Director in conjunction with the Board of Ethics.
 - (3) The employee shall have approval of the agency head, or designee, before beginning any secondary employment. After receiving all required approvals, the request for secondary employment form will be placed on file in the Human Resources office, separate from the employee files. Approval of secondary employment may be withdrawn at any time if it is determined that secondary employment has an adverse impact on primary employment. If previous approval is withdrawn, management will notify the employee of the decision.
 - (4) Secondary employment information is public information and may be disclosed to third parties.

The Department of Commerce shall give employees access to the secondary employment policy via the agency’s Intranet *Policy and Standards page*. Applicants selected for employment will be informed of the policy at the time the offer of employment is made, if not sooner, and the Employee Relations Manager will discuss the secondary employment policy with new employees during the New Employee Orientation session. All employees will be notified of revisions to the policy via email and the agency’s Intranet.

- Employee Responsibility**
- It is the responsibility of the employee:
- to complete a Secondary Employment Form for all employment that is not covered by Dual Employment and sign certification of policy compliance **AND**
 - to update the form annually, as well as to document changes as they occur.

Failure to provide accurate information on the secondary employment approval request form, or failure to follow all applicable policies regarding secondary employment, may be considered unacceptable personal conduct, and such failure(s) may subject employee to disciplinary action, up to and including dismissal from employment with the Department of Commerce.

If employees of the Department of Commerce have questions regarding the agency’s secondary employment policy and/or completion of required forms, they should contact the Commerce Human Resources Director or Employee Relations Manager at 919-733-2104.