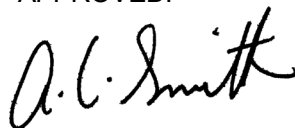




Department of  
Rehabilitation & Correction

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| SUBJECT:<br><b>Outside Employment</b>          | PAGE <u>  1  </u> OF <u>  3  </u>  |
|  | NUMBER: <b>31-SEM-10</b>   |
| RULE/CODE REFERENCE:<br>ORC 102, 2921, 5120.01 | SUPERSEDES:<br>31-SEM-10 dated 12/02/2019  |
| RELATED ACA STANDARDS:                         | EFFECTIVE DATE:<br><b>April 4, 2022</b>  |
|  | APPROVED:<br> |

## I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

## II. PURPOSE

The purpose of this policy is to establish rules for the employees of the Ohio Department of Rehabilitation and Correction (ODRC) governing outside employment.

## III. APPLICABILITY

This policy applies to all exempt and bargaining unit employees of ODRC.

## IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the policies page on the ODRC Intranet at the following:

### [Definitions Link](#)

- **Conflict of Interest**
- **Outside Employment**

## V. POLICY

It is the policy of ODRC to require an employee to obtain approval from their appointing authority prior to commencing any outside employment and to adhere to statutory requirements and ODRC procedures while working the outside employment.

**VI. PROCEDURES**

- A. An employee must obtain prior approval to work any outside employment by submitting an Outside Employment Request (DRC3548) to their appointing authority and regional administrator, bureau chief and/or managing officer if applicable as outlined below. An employee who has received approval to work outside employment but does not have a completed Outside Employment Request (DRC3548) on file must submit one in accordance with the procedures set forth in this policy. Documentation supporting the prior approval shall be submitted along with the Outside Employment Request (DRC3548). An employee who fails to obtain prior approval to work outside employment may be subject to discipline.
- B. An employee seeking to work outside employment in any medical or behavioral health services position must have the request approved by the ODRC Office of Correctional Health Care managing officer/designee in addition to their appointing authority. An employee seeking to work outside employment as an attorney or as a subject matter expert witness to provide consulting or testifying services in litigation related matters must have the request approved by ODRC chief counsel.
- C. An employee of the Division of Parole and Community Services (DPCS) seeking to work outside employment must have the request approved by their regional administrator or bureau chief in addition to the appointing authority/designee.
- D. The appointing authority shall review the “Outside Employment Request” according to the conditions stated below:
1. Outside employment shall not pose a conflict of interest as defined in this policy.
  2. Outside employment shall not affect the employee’s availability for shifts, assignments, official duties, and other responsibilities with ODRC.
  3. An employee may not perform outside employment job duties during the time they are assigned to perform their official duties for ODRC.
  4. If outside employment constitutes ownership of income producing rental property, employee must follow all requirements contained in ODRC Policy 31-SEM-07, Unauthorized Relationships.
  5. An employee may not use any state equipment, supplies, computer software or computer systems, including ODRC e-mail, to perform any outside employment duties.
  6. Employees working within the parole officer classification series may not work outside employment with any law enforcement agency where the outside employment with the law enforcement agency involves the possible exercise of arrest or other police powers.
- E. If the appointing authority has any concerns about the compatibility of the department position and the outside employment, the appointing authority shall immediately bring the matter to the attention of the agency’s legal counsel who shall make the final determination.

- F. The appointing authority shall provide the employee with written approval or denial of the request.
- G. Employees wishing to appeal a denial of permission to work outside employment shall contact the chief of the Bureau of Personnel in writing within ten (10) calendar days of the decision. The chief of the Bureau of Personnel shall review submitted documentation and make a final decision within ten (10) calendar days of receipt of request.
- H. A copy of the Outside Employment Request (DRC3548) shall be forwarded to the site personnel office and placed in employee's personnel file, regardless if authorization was approved or denied. A copy of the Outside Employment Request (DRC3548) shall also be forwarded to the Bureau of Personnel for tracking purposes.
- I. It is the responsibility of the employee to notify their appointing authority of any changes of outside employment. Approval of outside employment shall remain valid only for the outside employment position, work duties and work schedule described in the request. Changes to any elements addressed in the request shall require completion of a new Outside Employment Request (DRC3548). Additionally, if an employee changes positions within ODRC or if the employee's appointing authority changes, then a new Outside Employment Request (DRC3548) shall be submitted for review and approval.
- J. All approved Outside Employment Requests (DRC3548) must be resubmitted (as a new form) annually. ODRC may rescind such approval at any time if the outside employment violates any of the conditions or procedures within this document.
- K. An employee shall not use sick leave, FMLA or other medical leave to work the outside employment. An employee may be permitted to use other available leave if approved by the applicable appointing authority and managing officer or bureau chief/designee.
- L. If an employee changes positions within ODRC, the employee must submit a new Outside Employment Request (DRC3548) for review and approval in accordance with the procedures set forth herein.

**Referenced ODRC Policies:**

31-SEM-07 Unauthorized Relationships

**Referenced Form:**

Outside Employment Request      DRC3548