

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
355**

EMPLOYEE SECONDARY EMPLOYMENT

Supersedes: AR 355 (01/05/12); and AR 355 (Temporary, 05/06/14)
Effective Date: 09/16/14

AUTHORITY

NAC 284.738, NAC 284.742, NAC 284.754, NAC 284.766

RESPONSIBILITY

Employees are responsible to devote full time, attention, and efforts to State employment.

Appointing Authorities are responsible to ensure that all employees follow the provisions of this regulation in requesting and engaging in secondary employment.

355.01 PROHIBITED EMPLOYMENT AND ACTIVITIES

1. Employment with the State of Nevada shall be considered primary.
2. Employees will not engage in any off duty employment, activity or enterprise, which has been determined to be inconsistent, incompatible, or in conflict with their duties as employees of the Department. The Appointing Authority shall determine and describe those specific activities which are considered inconsistent, incompatible, or in conflict with their duties as an employee of the Department.
3. It is not the intent of the Department to discourage secondary employment.
4. An employee shall not wear or use a Department uniform, badge, ID card, equipment or property to work for another employer.
5. The following types of employment activity are examples of those considered to be inconsistent, incompatible or in conflict with the policies and regulations of the Department and are therefore prohibited. This list is not all-inclusive and the Director may determine that other secondary employment is not permissible.
 - A. Employment in any business or activity for personal gain or profit which takes advantage of the employee's position with the Department.

- B. Employment which would cause the employee to violate any provision contained in NAC 284.650, or Administrative Regulation 339.
 - C. Employment or participation in any activity of an illegal nature.
 - D. Employment that will prevent the employee from returning to their institutional assignment in the event of a recall.
 - E. Any employment or other activity that will prevent the employee from performing their duties in an efficient and capable manner or that would tend to bring discredit upon the Department.
 - F. Employment within organizations, which deals with at-risk youth or adults.
 - G. Employment related to adult entertainment.
 - H. Employment in a business where it is expected that there would be routine contact with offender's, family members, or ex-offenders which is likely to result in the development of an adversarial relationship, a friendship or an improper relationship of any other kind.
 - I. Serving either as an officer, member of the Board of Directors or in any capacity for any corporation, company, association, partnership, or private business which transacts business with the State for profit when such employee holds a State position of review or control even though remote over such business transactions.
 - J. Involvement in any employment, enterprise or activity that results in the receiving or accepting of money or other considerations from anyone other than the State for performance of an act which the employment would be required or expected to render in the regular course of employment or as part of the duties as a State employee.
 - K. Any employment which would utilize inmate labor or participation.
 - L. The Director/designee will consider secondary employment requests from employees to work in any type of other correctional or law enforcement agency and make a determination on a case-by-case basis. Prior to approval of a request for secondary employment, the employee must provide a signed indemnity agreement from the secondary employer as well as confirmation of release if call backs are required. The employee must also sign a non-disclosure agreement.
6. The employee must inform their secondary employer that their primary responsibility is to the Department.
7. Should secondary employment job duties change or end it is the employee's responsibility to notify the Appointing Authority.
8. The Appointing Authority reserves the right to revoke previously approved requests at any time.

355.02 PROCESS FOR PARTICIPATION IN SECONDARY EMPLOYMENT

1. An employee contemplating secondary employment or activities, or a newly hired employee already engaged in such employment will promptly submit, a Request for Secondary Employment Form DOC-1014. The request will be sufficiently detailed to allow for a determination regarding the propriety of the employment.

A. Secondary Employment Requests must be submitted through the employee's Chain of Command.

B. If the request is denied at any level the request is returned to the employee and will not be forwarded.

C. An appeal may be forwarded in writing to the Director for review.

D. The Director or designee shall have final approval/denial. The Director's decision is final.

2. Once a determination has been made by the Director or designee the request will be returned to the Department's Human Resources Division.

A. The request and disposition shall be maintained on a log stored on the Stewart shared drive.

B. The request will be maintained in the employee's Department Personnel file.

C. A copy will be returned to the Appointing Authorities and the employee.

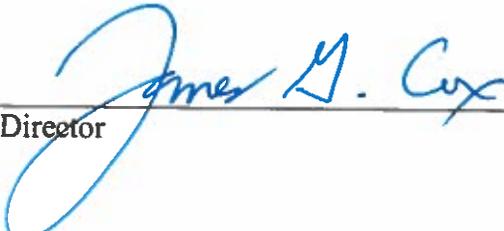
3. Employment shall not commence until final approval is received from the Appointing Authority.

APPLICABILITY

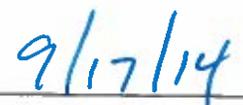
1. This regulation applies to all employees of the Department.

2. This regulation requires an operational procedure.

3. This regulation does not require an audit.



Director



Date