

Fauquier County Department of Fire Rescue

Rule and Regulation

No. 118

Outside Employment

Effective Date: July 1, 2010
Revision Date: January 30, 2018

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Forms: FRF 912

Approved By: Darren L. Stevens, Fire Rescue Chief



PURPOSE

To eliminate conflict of interest and/or conflict of duty occurring as the result of an employee's off-duty employment or volunteer activities and to ensure that the employee's performance is not impaired as a result of these off-duty activities.

SCOPE

This regulation applies to all Fauquier County Department of Fire, Rescue and Emergency Management personnel (operational and administrative).

I. DEFINITIONS

- A. Conflict of Interest and/or Conflict of Duty: Engaging in any employment, activity, or enterprise that has been or may be determined to be inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of Fauquier County Department of Fire, Rescue and Emergency Management employment.
- B. Impairment of Duty: Reporting for duty in a condition that prevents employees from performing all assigned and related duties of their position in an effective manner.

II. POLICY

- A. Outside employment shall be in accordance with all applicable Human Resource Policies.
- B. Outside employment shall not be allowed when said employment is deemed a conflict of interest and/or duty.
- C. Employees are expected to report for work prepared to perform in a satisfactory manner. Documented impairment, as the result of off-duty employment that adversely affects performance shall be grounds for review of authorization for that employment.

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III. PROCEDURE

- A. All outside employment, including off-duty employment for another Fauquier County department shall be approved by the chief of the department. Employees cannot earn pay from another county department for part-time work while they are on leave from the fire department to work the second job.
- B. Employees shall be responsible for keeping all pertinent information regarding their part-time employment current at all times by completing a Request for Outside Employment form, FRF 912, and the appropriate county form for each part-time job. Separate forms shall be completed for each job if the employee is engaged in multiple off-duty employment activities.
- C. All requests shall be submitted for approval through the chain of command to the chief of the department.
 - 1. Approved/Denied Outside Employment forms shall be distributed in the method listed below.
 - a. Original: Maintained in Human Resources personnel file
 - b. Copy: Forwarded to the employee via email and placed in their SharePoint employee file
- D. Status Change in Part-Time Job
 - 1. If the employee changes part-time jobs, a new Request for Outside Employment form is required for approval.
 - 2. If the employee ceases to work the part-time job, notification shall be made through the chain of command to the chief and the Request for Outside Employment Form shall be removed from the fire administration employee file and the SharePoint employee file.
- E. Appeal Process
 - 1. An unfavorable decision may be appealed through the chain of command to the chief.
 - 2. Documented approved/denied appeals shall be distributed in the method listed below:
 - a. Original: Maintain in fire administration employee file.
 - b. Copy: Forwarded to the employee via email and placed in their SharePoint employee file

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F. Recall to Duty

1. Because employees may be required to report for duty outside of their normal work schedules, prospective outside employers shall be made aware of the potential of the employee being required to return to duty if recall is required.

G. Work Related Light Duty/Injury Leave

1. Upon being placed on light duty, employees must have their outside employment re-evaluated and approved to ensure their outside employment is within the physical restrictions defined in their Environmental Demands Summary form, FRF-901.

H. Employees on injury leave shall not be permitted to work their secondary job.

- I. Employees on approved family medical leave must resubmit their outside employment request as outlined in B above for re-evaluation and approval.

J. Injuries or Illnesses Related to Outside Employment

1. Uniformed employees who participate in outside volunteer firefighting and/or emergency medical care activities may potentially impact coverage under Workers' Compensation relating to certain injuries and/or occupational illnesses and diseases (e.g., cancer, hepatitis, etc.). This may also hold true for uniformed employees who participate in part-time (paid) firefighting and/or emergency medical care activities. In addition, other off-duty employment positions where uniformed employees are exposed to micro-organisms, particulates, and/or other various toxins causing illnesses and/or diseases may impact coverage under Workers' Compensation.
2. Uniformed employees who become physically or mentally incapacitated and cannot perform their regular duties with the fire department as a result of outside employment (and such incapacity is likely to be permanent), may be considered for ordinary disability retirement. The employee must have completed a minimum of five years of continuous service to be eligible for ordinary disability retirement.