



Commissioners

Peter L. Cruise, Chair

Michael S. Kridel, Vice Chair

Carol E. A. DeGraffenreidt

Michael Kugler

Rodney Romano

BE IN THE KNOW ABOUT OUTSIDE EMPLOYMENT

May a public employee or official have secondary outside employment?

Yes, as long as their outside employer or business does not have contracts with the government they serve.

What if my outside employer has a contract with my public employer?

If you are employee, you will need to (1) show that no conflicts exist between the business and your public employer, (2) obtain approval from your supervisor and chief administrator, and (3) file a waiver with the COE.

If you are an advisory board member, depending on the board type and whether the board has contract oversight, (1) the outside employment may be prohibited, or (2) you will need to make a disclosure, or (3) you will need to obtain a waiver from your local governing body.

What is a waiver?

The waiver promotes full and complete transparency of your employment outside of work. Essentially, the waiver is an acknowledgement that you have a "conflict" because your outside employer has a contract with your public employer, but your public employer has waived that conflict.

How do I get a waiver?

***** You only need a waiver if your outside employer has contracts or other transactions with your public employer*****

For an employee to obtain a waiver, you must show that (1) you (or your relative) do not work in the department that enforces, oversees, or administers the

contract with your outside employer and you (or your relative) did not participate in determining the contract requirements or awarding the contract; 2) you will not be involved in the contract in any way; (3) the outside employment will not impair or interfere with you performing your public duties; (3) you obtained permission from your supervisor for the outside employment; and (4) you obtained a signed waiver from the chief administrative officer and your supervisor and included all pertinent facts and relevant documents. The waiver can be obtained from the Commission on Ethics and the completed form must be filed with your public employer, which will submit a copy to the Commission on Ethics.

Without
"ethical culture,"
there is no
salvation
for humanity.

- Albert Einstein

I own my own business. Am I eligible for a waiver?

No. If you own your own business, you cannot obtain a waiver, and the Code prohibits you from contracting with your public employer unless you meet one of the exceptions in Section 2-443(e)(1-4), of the Code of Ethics.

Ask First, Act Later

561.355.1915 ethics@pbcgov.org