



## **Secondary Employment**

**(HC21)**

### **POLICY STATEMENT**

The New Orleans Regional Transit Authority (RTA) recognizes that some employees may need or want to hold additional jobs outside their employment with RTA. Employees of RTA are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns.

### **PURPOSE**

The agency expects its employees to observe high standards of professional and personal ethics in the conduct of their duties and responsibilities.

### **APPLICATION**

This policy applies to all full-time RTA employees. If a conflict occurs between this policy and a Collective Bargaining Agreement (CBA), the CBA prevails.

### **ADOPTED BY:**

The RTA Board of Commissioners on XX/XX/XXXX, Resolution XX-XXX

### **APPROVED BY:**

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Alex Z. Wiggins  
Chief Executive Officer

Effective Date: X/XX/XXXX  
Date of Last Review: X/XX/XXXX

## **1.0 GENERAL**

Any employee who holds a full time position with the state shall consider the state employment responsibilities as primary. Any employment outside of the primary state position is considered secondary employment.

The secondary employment cannot have an adverse effect on or create a conflict of interest with the primary employment. An employee shall obtain approval from the department head or designee before engaging in any secondary employment.

## **2.0 PROCEDURES**

RTA applies this policy consistently and without discrimination to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for secondary employment apply to all employees notifying their supervisors or managers of their intent to engage in outside employment:

- Work-related activities and conduct away from RTA must not compete with, conflict with or compromise the company's interests or adversely affect job performance and the ability to fulfill all responsibilities to RTA. Employees are prohibited from performing any services for customers of RTA that are normally performed by RTA. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any company confidential information. In addition, employees may not solicit or conduct any outside business during work time for RTA.
- RTA employees must carefully consider the demands that additional work activity will create before accepting secondary employment. Secondary employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If secondary work activity causes or contributes to job-related problems at RTA, the employee will be asked to discontinue the secondary employment, and the employee may be subject to the normal disciplinary procedures per (HC25) Progressive Discipline for dealing with the resulting job-related problem(s).
- Employees may not use RTA paid sick leave to perform work for another employer.
- If an employee's secondary employment presents a conflict of interest with RTA, as defined in (HC18) Ethics Policy, or if such secondary employment has any potential for negative impact on RTA, the employee will be asked to terminate the

secondary employment.

- Fraudulent use of company sick leave or an employee's refusal to comply with RTA's reasonable request to terminate outside employment may result in immediate termination of employment with RTA as defined in (HC17) Termination of Employment Policy.

### **3.0 DEFINITIONS**

**Secondary Employment** - any activity involving the production or sale of goods, the provision of services, the performance of intellectual or creative work for pay in either an employer/employee relationship or in a self-employment capacity such as an independent contractor

**Full Time** - an employee who works 40 hours or more

### **4.0 RESPONSIBILITIES**

#### **Agency Responsibility**

RTA shall use Attachment 1 Secondary Employment Form that will be kept in the employee's personnel file.

RTA shall send out a notification to all employees annually of the provisions and requirements of (HC21) Secondary Employment Policy.

#### **Employee Responsibility**

It is the responsibility of the employee prior to starting secondary employment to complete Attachment 1 Secondary Employment Form, and

It also is the responsibility of the employee:

- To update the form annually
- To notify their supervisor and submit a new form when any changes occur to their secondary employment.

### **5.0 FLOWCHART**

N/A

### **6.0 REFERENCES**

- (HC25) Progressive Discipline



- (HC18) Ethics
- (HC17) Termination of Employment

## **7.0 ATTACHMENTS**

1. Secondary Employment Form

## **8.0 PROCEDURE HISTORY**

N/A

## **9.0 SPONSOR DEPARTMENT**

Human Capital