

EMPLOYEE SERVICES

Directive - 0519



Date: 03/010/2023

Previously Revised:
10/29/2021

Established: 09/01/2010

CONFLICTS OF INTEREST & SECONDARY EMPLOYMENT DISCLOSURE/REVIEW POLICY

SCOPE: The policy applies to all prospective and current employees of the City of Jacksonville (COJ) except for JSO employees.

PURPOSE

City jobs, by their very nature, place employees in a position of public trust. To ensure employees are acting in the public interest, all actual or potential conflicts of interest, including secondary employment, must be disclosed for review.

The purpose of this policy is to help protect employees from potential conflicts of interest under state ethics laws by identifying risk areas that require review. Risk areas that require review will be referred to as "risk area activity" throughout this directive and specifically reference the 13 activities listed on page four (4).

The City asks employees to disclose risk area activities to prevent:

1. Prohibited conflicts of interest
2. Misuse of City time, resources, and position. This includes:
 - Working on a risk area activity during the same hours an employee is paid for City work (except when on leave)
 - Using any City facility, equipment or resources, such as telephone, computer, software, IT resources & fleet vehicles, for risk area activity
 - Using or benefiting from information a City employee has only through employment with the City
3. Impairment of City job duties
4. Illegal gifts

Employees must review the list of risk area activities, including different types of secondary employment, that require disclosure on page four of this policy and complete a form(s), if applicable.

The following activities **do not** require disclosure:

- Serving in the Military Reserves
- Working as a Duval County Supervisor of Elections Poll Worker
- Serving on a Board of Directors if unpaid and organization receives no City funding
- Volunteering for a nonprofit or for-profit entity if no benefit is received, such as event tickets, stipends, etc.
- Owning rental properties that are managed by an outside management company

DEFINITIONS

Conflict of Interest

A prohibited conflict of interest under state law means a situation in which regard for a private interest may lead to disregard of public duties or interests. Florida Statutes Section [112.312\(8\)](#). There are many kinds of potential conflicts of interests that can arise. It is important that you carefully read page four (4) of the attached form that lists the specific risk area activities that require disclosure and review.

Secondary Employment

Secondary employment is the largest potential cause of a conflict of interest for full-time City of Jacksonville employees. Secondary employment includes contract, self-employment, and part time work, as well as any employment with another person or organization for any period of time while employed by the City of Jacksonville. Pursuant to [Section 602.403](#) of the Jacksonville Ordinance Code, an employee must not engage in secondary employment or other work outside the City of Jacksonville that could *reasonably be expected to impair independence in judgment or performance of City duties*. Additionally, employees shall not engage in any business, activity or interest that is in substantial conflict with City duties or the public interest.



There is no guaranteed right to any of the risk area activities listed on the attached form. An employee must not engage in any of the risk areas listed on the attached form if prohibited from doing so by the approving authorities. Additionally, an employee may be required to agree in writing to terms and/or conditions placed on the risk area activities (including secondary employment) by the approving authorities. If the employee disagrees with the decision, he/she may appeal the decision to the highest ranking managerial officer or his/her designee.



NOTE: If your risk area activity, including those previously approved, involves or requires you to (1) provide services, (2) obtain funding or (3) enter into a contract with the City or a City agency, please contact the Ethics Office to further discuss this matter.

PROCEDURES FOR DISCLOSURE AND REVIEW OF RISK AREA ACTIVITIES (INCLUDING SECONDARY EMPLOYMENT)

Employee Services, the Ethics Office and the Department Ethics Officers (“DEO”) will assist in identifying potential conflicts of interest through the following procedure:

1. Disclosure of risk area activities shall be submitted using the attached form. Complete each section of the disclosure form in detail and include all requested information.
2. The employee shall submit to their immediate supervisor a separate completed form for each risk area activity requiring disclosure. The supervisor must sign each form.
3. After the supervisor signs the form(s), the employee shall forward the signed form(s) to their DEO and wait for final approval prior to commencing secondary employment or engaging in other risk area activities listed in the attached disclosure form.

A list of DEOs may be reviewed at: [DEO Officers](#).

4. The DEO will conduct an initial review for any potential conflict issues, conferring with the Ethics Office and General Counsel’s Office, as necessary.
5. The DEO will then forward the form(s) to the Director/Chief for departmental review.
6. Not more than five (5) workdays later, the department will forward the form(s) to the Director of Employee Services. Employee Services will make the final decision on non-appointed employees. For appointed employees, Employee Services will make a recommendation to the CAO or designee or to the appropriate Constitutional Officer or designee.

7. The CAO or designee or the appropriate Constitutional Officer or designee makes final decisions for appointed employees.

Note: Approval at any previous level is subordinate to final approval.

Employee Services will provide the employee feedback if additional action by the employee is deemed necessary.

- The employee may be directed to cease the risk area activity disclosed on the form, or
- The employee may be allowed to continue such conduct/employment risk area activity under specified circumstances.
 - Employees may be asked to agree to specified stipulations in writing or confirm they terminated the risk area activity. (See section on Terminating Risk Area Activities)

A copy of the disclosure form shall be placed in the employee's personnel file. The disclosure form will become a public record.

UPDATING APPROVED RISK AREA ACTIVITIES (INCLUDING SECONDARY EMPLOYMENT)

Employees must submit a new disclosure form following the reporting process outlined above within 10 days, if:

- The duties and responsibilities of an approved risk area activity (including secondary employment) changes, or
- The duties and responsibilities of City employment changes.

By March 31st of each year, employees that have an approved risk area activity disclosure form on file with Employee Services should review and update their disclosure form, or terminate a risk area activity, if applicable, per the instructions below.

TERMINATING APPROVED RISK AREA ACTIVITIES (INCLUDING SECONDARY EMPLOYMENT)

Employees that end a previously disclosed risk area activity (including secondary employment) must send a notification email (using their COJ email) to secondaryemployment@coj.net. Employees shall copy their DEO on the notification email.

VIOLATIONS

Not disclosing risk area activities (including secondary employment) as required by this Directive may result in being required to cease the risk area activity, disciplinary action, up to and including termination and/or preventing rehire, if deemed appropriate. Any violations of this Directive are to be reported to the Office of Ethics, Compliance and Oversight within three (3) work days.

QUESTIONS

Questions concerning this policy may be directed to the City's Ethics Office at ethics@coj.net, the appropriate DEO, or Employee Services.

If you are not sure that a situation requires the completion of a disclosure form, talk it over with your DEO or the Ethics Office. A list of DEOs may be reviewed at: [DEO Officers](#).

REVIEW THE FOLLOWING RISK AREAS. IF ANY APPLY TO YOU, FOLLOW THE INSTRUCTIONS BELOW.

To protect from unintentional violations of state and local laws, the following risk areas, require City review and approval:

1. You are paid for a job outside of the City (includes all FT, PT, temporary, seasonal, teaching, consulting and contract work)
2. You own or start a firm or business, or are self-employed, even if you have no income** (includes sole proprietorships, partnerships, and owning over 5% of a company's stock)
3. You have significant responsibility for or manage a business or nonprofit organization (whether you are paid or unpaid)
4. You set up an online store or web-based business** (includes online platforms like Etsy, Amazon, Square Up, etc. but not sporadic uses of eBay, Facebook Marketplace, or Craig's List)
5. You set up an online funding site** (includes Patreon, GoFundMe, etc.)
6. You perform professional services for pay or engage in the gig economy** (includes Taxis, Uber, Lyft, Rover, DJing at events, Photography, Bookkeeping, Marketing, etc.)
7. You own or manage three or more rental properties (includes properties personally managed and platforms like AirBnB etc.)
8. You have joined or serve on a Board of Directors (if you are paid or if the organization currently receives City funding)
9. You volunteer for a business or nonprofit in exchange for a benefit (benefits include things of value like event tickets, stipends, large discounts on services, etc.)
10. You volunteer for a nonprofit organization over which you have some oversight in your City job (Grant or contract monitoring, etc.)
11. Your relative falls within your Chain of Command at the City (relative includes your spouse, children/stepchildren, parents/stepparents, siblings/half siblings/step siblings, nephew, niece, aunt, uncle, first cousin and in-laws)
12. Your relative owns or works for a business that receives City funding or contracts (relative includes your spouse or children)
13. Other: You have a connection to an individual or entity that you would like to disclose to determine whether it could trigger a conflict or affect your public duties.

**** Numbers 2, 4, 5 and 6 apply regardless of whether you have started earning money.**

INSTRUCTIONS

- If you are engaged in any of the risk areas above and have not yet disclosed that information for approval, or if you need to make a change to a previously approved form:** For each of the above risk areas that apply, complete a separate Secondary Employment and/or Potential Conflict of Interest Review and Approval Disclosure (page 5), listing which activity requires the disclosure in box 5. Have your supervisor acknowledge the disclosure. Submit all completed forms to your Department Ethics Officer for review and approval. A list of Department Ethics Officers can be found by clicking [here](#)
- If you have ended a previously disclosed risk area activity,** send an email to Employee Services at secondaryemployment@coj.net to notify them of the change.
- If none of the risk areas above apply to you, there is NO need for disclosure (page 5) at this time. Please note, the following do not require disclosure:** (1) Serving in the Military Reserves, (2) Working as a Duval County Supervisor of Elections Poll Worker, (3) Serving on a Board of Directors if unpaid and organization receives no City funding, (4) Volunteering for a nonprofit if no benefit is received, (5) Volunteering for City promoted volunteer events, (6) Owning rental properties that are managed by an outside management company and (7) Passive Investments.

Any questions regarding this directive and disclosure, please contact your [Department Ethics Officer](#) or the Office of Ethics, Compliance and Oversight at ethics@coj.net or the Ethics Helpline at (904) 630-1015.

SECONDARY EMPLOYMENT AND/OR POTENTIAL CONFLICT OF INTEREST REVIEW AND APPROVAL DISCLOSURE

Instructions: Read Page 4, then complete a separate disclosure form for each of the risk areas from page 4 that apply (for example, if you have secondary employment and serve on a nonprofit board that receives City funding, complete a separate form for each activity). Once completed, sign, date, and submit to your Department Ethics Officer for review.

1. Employee Name:	2. COJ Employee Number:	3. Dept/Division:
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4. City Job Title and brief description of City job duties:

5. Which activity or connection from the previous page requires disclosure and review? (Provide a description OR enter the number from the list of scenarios provided on previous page. Examples include starting a new business or job, volunteering with a benefit, managing an entity outside COJ, relative falls in COJ Chain of command.)

6. Name of the Business/Nonprofit/Individual that requires disclosure and brief description of the types of products/services provided and to whom (please be as descriptive as possible and attach additional pages if needed):

7. Is the Business/Nonprofit/Individual that requires disclosure doing business with the City of Jacksonville or receiving funding from the City, either directly or indirectly? No Yes
If yes, explain:

8. What is your role/connection to the entity or individual above (Relationship OR Job Title plus duties if applicable):

9. Number of hours worked or volunteered per week if applicable:

X	X
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Employee Signature: I hereby certify that the information set forth above is true and complete	Date	Supervisor Signature: I acknowledge receipt of disclosure	Date
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Review Process: Once you and your supervisor have signed this form, send the original completed form or scanned copy or photo to your Department Ethics Officer (DEO) for processing. Your DEO will review and submit this form to the appropriate approval authorities for review. (For example, JFRD employees send this form to the DEO at EthicsOfficer-JFRD@coj.net after they and their immediate supervisor or JFRD's equivalent of an immediate supervisor sign the form.)

Department/City Ethics Officer Review: Approve Disapprove (If denied, or approved with restrictions, please explain) Comments: _____
Name: _____ Signature: _____ Date: _____

Department Director/Designee Review: Approve Disapprove (If denied, or approved with restrictions, please explain) Comments: _____
Name: _____ Signature: _____ Date: _____

Director of Employee Services/Constitutional Officer/ Council President/ Designee Review: Approve Disapprove (If denied, or approved with restrictions, please explain) Comments: _____
Name: _____ Signature: _____ Date: _____

Mayor/Designee Review (for appointed employees only): Approve Disapprove (If denied, or approved with restrictions, please explain) Comments: _____
Name: _____ Signature: _____ Date: _____

Any questions regarding this directive and disclosure, please contact your [Department Ethics Officer](#) or the Office of Ethics, Compliance and Oversight at ethics@coj.net or the Ethics Helpline at (904) 630-1015.