



PERSONNEL POLICY

SUBJECT: OUTSIDE EMPLOYMENT

DATE: August 21, 2024

Number: 320-16

I. Statement of the Policy

Fulton County recognizes each employee's right to engage in activities outside of County employment unless they are inconsistent with the employee's obligations under the Fulton County Code of Ethics, or inconsistent with the employee's ability to satisfactorily perform their job duties in their County employment, or inconsistent with specific rules that apply to certain licensed or certified professions, or any other applicable state or federal law. Employees who engage in outside employment that creates an actual or perceived conflict of interest, or actual or perceived impropriety, shall be subject to appropriate disciplinary action up to and including termination of employment. In addition, Fulton County expects that any outside employment and related activities will be secondary to the employee's job duties for Fulton County, and that no employee shall engage in outside employment activities during their normal work hours for Fulton County unless performed pursuant to a written agreement with Fulton County and approved in accordance with applicable law.

To avoid violations of this Personnel Policy, employees shall be required to submit written notification of outside employment in accordance with the Procedure implementing this Policy. Such notifications shall be maintained and periodically evaluated by the Department of Human Resources Management.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.



PERSONNEL PROCEDURE

SUBJECT: OUTSIDE EMPLOYMENT

DATE: July 17, 2025

Number: 320-16

I. Definitions

“Outside employment” means the performance of any personal service for any business or professional activity or employment for compensation. This definition includes consultation work and self-employment.

II. Limitations on Outside Employment

While Fulton County does not prohibit employees from holding other jobs, the following types of outside employment are prohibited pursuant to this policy:

- Employment that conflicts with the employee’s work schedule, duties, and responsibilities;
- Employment that impairs or has a detrimental effect on the employee’s work performance with Fulton County;
- Employment that requires employees to conduct work or related activities during their scheduled Fulton County working times or use Fulton County’s tools, materials, or equipment (Note: The prohibition against the use of County tools, materials and equipment does not apply to sworn law enforcement personnel);
- Employment that impairs the employee’s ability to protect the public interest or impartially perform their public duties;
- Employment that could allow outside persons to improperly influence the employee in the performance of their official acts;
- Employment that directly or indirectly competes with the business or the interests of Fulton County; and
- Employment for and/or with a prohibited source as defined in the Fulton County Code.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

III. Employee Expectations

Employees should consider the additional demands, if any, that the outside employment will create as outside employment will not be deemed an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to work emergencies or overtime, or for failure to perform any other job duties. If job-related deficiencies arise because of the outside employment, normal disciplinary procedures will be followed to address the deficiency, up to and including termination of employment.

Employees shall not engage in outside employment during periods when they are unable to perform their job duties for Fulton County because they are either on sick leave and/or approved medical leave. Fraudulent use of sick leave will subject employees to disciplinary action, up to and including termination of employment. In general, employees who are on a leave of absence must also be on leave from any outside employment, unless the nature of the Fulton County leave is unrelated to the outside employment.

IV. Disclosure of Outside Employment

Employees must notify their supervisor and Department Head in writing of any outside employment and provide any needed and/or requested information to determine if the outside employment violates this policy. Employees are strongly encouraged to make such disclosure at least 30 days prior to accepting any outside employment and annually thereafter. By disclosing outside employment prospectively, Fulton County can assist employees in evaluating whether the outside employment violates this policy prior to the employee deciding to accept the outside employment.

The supervisor and Department Head will review notifications of outside employment and information provided and make a recommendation as to whether the outside employment violates this policy. The Department Head shall forward the employee's notification of outside employment, the information provided and the recommendations of the employee's supervisor and Department Head, to the Chief Human Resources Officer for a final decision as to whether the outside employment violates this policy.

Outside employment involving enforcement of penal laws and regulations by Fulton County's sworn law enforcement employees, however, must be approved in advance in writing by the Appointing Authority concerned in accordance with the law.

Employees of elected officials may be subject to different or additional requirements related to outside employment as determined by the elected official.

Employees that engage in outside employment which violates this policy may be directed to terminate the outside employment and/or be subject to discipline, up to and including termination. In addition, engaging in a conflict of interest may result in sanctions as allowed under Fulton County Code.

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V. Responsibility for Outside Employment

Fulton County will not assume any responsibility for employees' outside employment. Specifically, Fulton County will not provide workers' compensation coverage or any other benefit for injuries occurring from, or arising out of, such outside employment.

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