

Office of Human Resources  
***1203 Secondary Employment***

2025-06-18

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**Georgia Department of Human Services  
Human Resources Policy #1203**

**Secondary Employment**

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**References:** O.C.G.A. § 45-10-20 — Definitions  
O.C.G.A. § 45-10-22 — Full-time public officials with state-wide powers prohibited from transacting business with all state agencies public officials or employees with limited powers prohibited from transacting business with own state agency  
O.C.G.A. § 45-10-26 — Public officials and employees to file yearly disclosure statements concerning business transactions with state statements to be public records  
Rules of the State Personnel Board 478-1-.07 — Outside Employment

Department of Human Services (DHS) employees may seek employment and engage in a variety of activities outside of their work for the Department. However, secondary employment activities may not conflict with an employee's DHS work duties. Employees who desire to engage in secondary employment must notify their supervisor and abide by the guidelines of this policy.

## Section A: Secondary Employment

1. Examples of activities that are considered secondary employment include, but are not limited to:
  - a. Working as an employee for any employer (including another State Agency),
  - b. Owning a business,
  - c. Contracting to provide services for a fee,
  - d. Serving as a consultant for a fee or honorarium,
  - e. Self-employment,
  - f. Any elected or appointed public office (whether federal, state, or local), or
  - g. A position in a political party or organization (whether federal, state, or local).

## Section B: Secondary Employment Exclusions

1. Examples of activities which are not considered secondary employment include, but are not limited to:
  - a. Participating in yard sales,

- b. Hosting home parties (for items such as cosmetics, kitchenware, home decorations, etc.) provided that the employee is not a paid representative or commissioned sales representative of the company,
- c. Babysitting, or
- d. Boarding animals, provided that the service is not offered to the general public.

## Section C: Eligibility

1. A DHS employee may, under the conditions outlined in this policy, seek and secure additional employment provided it:
  - a. Does not constitute a violation of any Federal or State law, Rules of the State Personnel Board or DHS policy,
  - b. Does not constitute a conflict of interest with departmental employment, and,
  - c. Does not interfere or conflict with an employee's ability to effectively perform assigned duties and responsibilities with DHS. In all cases, the employee's job with DHS is considered primary.

## Section D: Additional State Employment

1. State employees who desire to work for more than one State agency must have prior written authorization from both their current and prospective employers before commencing employment with a second State agency, as outlined on the Secondary Employment Request Form (Attachment #1). The primary and secondary agencies must ensure that the request complies with State and Federal guidelines.

## Section E: Prohibitions

1. Employees are not to engage in secondary employment activities during working hours.
2. Prohibited activities include, but are not limited to:
  - a. Conducting an outside business or performing secondary employment duties while at work and/or on duty by any means such as wearing beepers, operating fax machines, copiers, computers, telephones, etc.
  - b. Being on call for secondary employment.
3. It is unlawful for a full time DHS employee to transact business with any organizational unit of DHS, either for the employee, on behalf of any business, or for any business in which the employee or employee's family has a substantial interest.
  - a. "Family" means spouse, child, or parent.
  - b. "Substantial interest" means the direct or indirect ownership of more than twenty-five (25) percent of the assets or stock of any business.
  - c. "Full time" means working at least 30 hours per week for the State for more than 26 weeks per calendar year.

4. An employee who owns, or whose family owns, any part of an entity seeking to transact business with any DHS organizational unit must immediately report the partial ownership to the supervisor.
5. It is unlawful for DHS employees to transact business with any organizational unit of DHS, either for the employee or on behalf of any business, or for any business in which the employee or employee's family has a substantial interest, with the exception of:
  - a. Any transaction made pursuant to sealed competitive bids,
  - b. Any transaction when the amount of a single transaction does not exceed \$250 and when the aggregate of all such transactions does not exceed \$9,000 per calendar year,
  - c. Any transaction involving the lease of real property to or from any agency if such transaction has been approved by the Department of Administrative Services, or,
  - d. Any transaction involving the purchase of surplus State property at public auction.
6. Employees are prohibited from serving for compensation as a corporate officer or director of any for-profit or publicly held company. Volunteering pro bono services on behalf of non-profit organizations may be permitted, as long as services to such organizations would not have the potential to create a conflict and do not impair the employee's ability to discharge his or her public duties fully, faithfully, and impartially.

## Section F: Request

1. A DHS employee seeking secondary employment must complete and submit the Secondary Employment Request Form (Attachment #1) to their supervisor. Employees are not to begin secondary employment prior to receiving written approval from their supervisor, Division/Office Director, and OHR Deputy Commissioner.
2. The supervisor is to review the request to ensure that the secondary employment does not conflict with the employee's current duties and responsibilities or provide the potential for improper decisions in departmental activities. In addition, the supervisor is to ensure that the secondary employment does not present an actual or perceived conflict of interest. If determined appropriate, the supervisor is to approve the request and forward it to the Division/Office Director.
3. The Division/Office director will review the request to ensure the secondary employment does not conflict with the employee's current duties and responsibilities, provide the potential for improper decisions in departmental activities, and does not present an actual or perceived conflict of interest. If determined appropriate, the Division/Office Director is to approve the request and forward it to their designated HR Representative.
4. If the request for secondary employment is approved by the OHR Deputy Commissioner, the employee will be provided a copy of the approved request form.
5. If the request is denied at any level, the reason for denial is to be written on the request form. The OHR Deputy Commissioner remains final reviewer even if the request is denied at the supervisor or Division/Office Director level. The employee is to be provided a copy of the final request form.

## Section G: Recordkeeping

1. Copies of request forms whether approved or denied should be sent to [OHRPersonnel-Records@dhs.ga.gov](mailto:OHRPersonnel-Records@dhs.ga.gov) for placement in the employee's personnel file.

## Section H: Employee Responsibilities

1. Employees are required to submit the Secondary Employment Request Form to their supervisor and notify their supervisor and their designated HR Representative of any changes in previously approved secondary employment. Employees may be required to renew their secondary employment on an annual basis.
2. Prior to January 31 of each year, employees must disclose to their designated HR Representative all business transactions occurring during the previous calendar year, which the employee has transacted with the State of Georgia and any agency of the State of Georgia on behalf of any business, or any business in which such employee or any member of their family has a substantial interest. This is a requirement of O.C.G.A. § 45-10-26.

For additional information or assistance, please contact your designated Human Resources Representative.

## 1203 A1 Secondary Employment Request