



Legislation Details (With Text)

**File #:** ID16-350      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Passed

**File created:** 3/22/2016      **In control:** City Council

**On agenda:** 3/31/2016      **Final action:** 3/31/2016

**Title:** \*\*\*BILL NO. B-10 - (Intro. 3/17/2016) (For adoption) - Amending Section 3-102 of the Fresno Municipal Code concerning employment outside city service

**Sponsors:** Esmeralda Z. Soria

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Employment Outside City Service.pdf

Date	Ver.	Action By	Action	Result
3/31/2016	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**March 31, 2016**

**FROM:** ESMERALDA SORIA, Councilmember for District 1  
City Council Offices

**SUBJECT**

\*\*\*BILL NO. B-10 - (Intro. 3/17/2016) (For adoption) - Amending Section 3-102 of the Fresno Municipal Code concerning employment outside city service

**RECOMMENDATION**

It is recommended the Council introduce an amendment to Fresno Municipal Code Section 3-102, to codify the procedure for granting work permits to City employees who wish to engage in outside employment.

**EXECUTIVE SUMMARY**

The City's current policy regarding outside work permits is found in FMC 3-102 and Resolution 93-323. Currently, the City Manager has the authority to grant work permits. The existing policy does not address who has authority to grant work permits for employees of Councilmembers or officers appointed by Council (City Attorney and City Clerk). This proposed ordinance will codify the policy in Resolution 93-323, and clarify that, for employees who work for Council, City Attorney, or City Clerk, an employee's appointing authority may grant an outside work permit.

## **BACKGROUND**

Consistent with existing policy, employees who work for a City Department under the purview of the City Manager may submit an application for an outside work permit to their Department Head. The Department Head and Personnel Services shall make a recommendation to the City Manager, who shall issue or deny the permit in accordance with the criteria set forth in the ordinance. Employees who report to a Councilmember, City Attorney or City Clerk shall submit their application to their appointing authority, who shall issue or deny the permit.

Cause for denial or revocation of an outside work permit include:

- The outside employment is inconsistent or incompatible with the employee's duties as a City employee
- The hours of outside employment would impair an employee's City position
- The employee is required to be on call and the proposed outside work would restrict their availability
- A physical disability or infirmity may be aggravated by the outside work in such a way that would affect the employee's efficiency in their City position
- Failure to provide proof of workers' compensation insurance in the outside employment
- Misstating any facts regarding the nature of the outside employment

A denial or repeal of a work permit may be appealed to a review committee. Consistent with existing policy, the maximum number of hours for which an outside work permit may be issued is sixteen hours per week for eight and ten hour shift employees, and twenty four hours per week for twenty four hour shift employees.

## **ENVIRONMENTAL FINDINGS**

This is not a project for CEQA purposes.

## **LOCAL PREFERENCE**

Not applicable.

## **FISCAL IMPACT**

There is no fiscal impact.

Attachment: Ordinance