

Non-City Employment/Private Business Entity Disclosure and Approval

The CITY OF TAMPA ETHICS CODE requires the mandatory disclosure by officials and employees of non-city employment or private business entity (see Sec.2-511). Approval of such non-city employment/active participation in a private business entity by the department director (or the Mayor for department directors) is required (Sec 2-512). Employees are considered to be "engaged in non-city employment" if they have or hold an employment relationship with any entity other than the City of Tampa. Employees are considered to be "engaged in a private business entity" if they own or operate a business entity defined as a corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual or trust, whether fictitiously named or not.

See the reverse side of this form for additional instructions and information for completion of the form.

Employee Name:	Department/Division:
Employee Identification Number:	City Job Title/Position Name:

Check one box in this section and follow the instructions for the box you selected.

- I am not engaged in any non-city employment or active participation in a private business entity.
If you checked this box, complete the final section of this form (employee/official signature area only).
- I am requesting approval of non-city employment or active participation in a private business entity.
If you checked this box, you must complete the information below.

Name and Address of non-city employment/private business entity:

Name: _____

Address: _____

Telephone #: _____

Brief description of the purpose and activities of the non-city employer or private business entity:

Position: _____

Relationship in and to the business: _____

Nature and extent of any ownership interest in the business: _____

If you have more than one outside employment/private business entity, you must attach additional sheets
 With information for each employment/private business entity.

Check here if continued on an additional sheet Total number of forms, including this page _____

I certify that the information disclosed above is correct. I further understand that any changes to the information completed on this form shall be filed within 30 days of the change(s).

Employee/Official Signature:	Date Signed:
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Non-City Employment/Private Business Entity is: Approved Disapproved

Department Director Signature:	Date Signed:
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On January 27, 2006, the Ethics Code was amended to **require that all employees must have approval** by their department director (or the approval of the Mayor for Department Directors) of any non-city employment or active participation in a private business entity (Section 2-512). The definition of a private business entity is provided on the front of this form. **Further clarification is provided below.**

As provided in Section 2-512: "In determining the acceptability of such employment or activity, the department director shall review all factors relevant to the successful and fair operation of city business, including but not limited to, potential conflict with business hours, misuse of confidential information, or impairment of the performance of the city employee's duties and responsibilities. **If the department director determines such non-city employment or engagement in a private business entity is prohibited, that decision shall be automatically appealed to the Ethics Commission for review.** All department directors must obtain prior approval from the Mayor before accepting non-city employment or actively participating in any business entity. The mere ownership of stock in a privately held or publicly traded company shall not constitute active participation in that business entity. Serving as an officer, director, or owning a controlling financial interest therein shall constitute active participation." Section 2-502 defines "controlling financial interest" as the "ownership, directly or indirectly, to ten (10) percent or more of the outstanding capital stock in any corporation or a direct or indirect interest or position in a business entity sufficient to allow him or her to control its operation."

- **Name, Address, and Telephone Number of non-city employment/private business entity:**

In the event that the paycheck or other remuneration is issued or received with a name different than the name of the business, specify this name as well as the name commonly known as the name of the business. This includes situations where the business uses a fictitious name, assumed name or D/B/A (short for "doing business as"). It is the employee's responsibility to ensure that the name of the non-city employment/private business entity is fully disclosed and fully understood. Sworn police and fire employees, in the event that the business operates from their own home address, are not required to disclose that address or telephone number on this form and should enter "Personal Residence" for the address to maintain confidentiality permitted by state law. Sworn police and fire employees are not required to disclose extra-duty positions when these positions are supplied and scheduled through their departmental programs.

- **Brief description of the purpose and activities of the non-city employer/private business entity; Position; Relationship in and to the business; Nature and extent of any ownership interest in the business:**

These sections are provided for the employee to further disclose information that permits the approval of the employee's non-city employment/private business entity. Include information that would answer the following questions:

- What is the purpose and activity of the non-city employer/business entity, such as to sell products, make investments, buy or sell real estate?
- Does the non-city employer or business entity have now, or in the past, any contract with, render any services to, submit any bids to contract with the city or any of its agencies or departments? Does the employee have a role in this process or make any decisions regarding these contracts on behalf of either the city or the non-city employer/private business entity?
- Does the non-city employer or business entity purchase, rent or lease realty, goods, or services to the city or any of its agencies or departments? Does the employee have a role in this process or make any decisions regarding these transactions on behalf of either the city or the non-city employer/private business entity?
- What position will the employee hold? Will the position cause the employee to improperly use confidential information that is available to the employee only because of their position with the city? Would the position impair or reasonably be expected to impair the employee's ability to make fair and independent judgments in performance of their city duties and responsibilities? Would the employee's involvement with non-city employment/private business entity cause the employee to misuse his city position in any manner, such as co-workers or subordinates thinking they should buy a product that the employee promotes or use services from a certain firm or business?
- Will the number of hours and the hours of the day that the employee participates affect or conflict with the employee's ability to perform city assigned duties? Employees are prohibited from performing non-city work during their city work hours and are prohibited from the use of city property, such as telephones, computers, copiers, vehicles, etc., for personal use/gain or any non-city purpose.
- Will the employee or any member of his or her immediate family or close personal relation receive any substantial benefit or profit from any contract or obligation entered into between the city department for which the employee works and the non-city employer or private business entity in which the employee is or may be involved?
- Does the employee have any active professional licenses, certifications, and/or permits and does the employee actively engage in or plan to actively engage in any activity requiring its use?

Approval of the participation in non-city employment/private business entity does not relieve an employee of responsibility for continued compliance with the City of Tampa Ethics Code. Prior approval of the participation may be removed at any time should activity by the employee or by the non-city employer/private business entity or any additional information result in a revised determination.