

Outside Employment Disclosure Requirements for Management Personnel Plan (MPP) & Executive Employees

In accordance with Title 5 of the California Code of Regulations (Section 42740), full-time MPP and Executive employees are required to disclose all outside employment for the identification of and to preclude any conflict of commitment.

Definition of Outside Employment

For the context of this policy, outside employment refers to any employment not compensated through the CSU payroll. CSU foundation and CSU auxiliary employment are not paid through the CSU payroll and need to be disclosed. Volunteer work does not apply to this policy.

Disclosure Requirements

MPP and Executive employees are individually responsible and accountable for ensuring that their outside employment activities do not create any actual or perceived conflict of commitment and/or conflict of interest to the CSU. All full-time and part-time MPP and Executive employees are expected to monitor and report any and all outside work for which they are being compensated. These employees are required to submit a disclosure form at least annually, even if there is no outside employment to report.

Reporting Requirements

MPP and Executive employees are required to complete the outside employment disclosure form at the following times:

- **At the time of hire or appointment** - Prospective MPP and Executive employees must disclose all current outside employment as a precondition of hire.
- **Annually** - All MPP and Executive employees must submit an annual disclosure, reporting on outside employment held the previous calendar year (January 1 through December 31).
- **Within 30 days of accepting outside employment** - Employees must advise their supervisor of the outside employment opportunity within 30 days of accepting any outside employment.
- **Upon Request** - Employees shall provide any requested information within 10 days of an appropriate administrator's request.

The written disclosure statement includes the nature of outside employment held, time commitment, and expected duration. "Nature" in this context can be used to categorize the role or category of employment services being performed (e.g., supervisor, president, manager, consultant).

In addition to providing the information above, members of Senior Management (Executives and Vice Presidents) are required to disclose details of the outside employment, including the organization name, total compensation received, whether the business has had dealings with the CSU, and whether the employee was involved in making any decisions that affect CSU's dealings with the outside employer.

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Determining Conflicts of Commitment

The following is a partial list of possible conflicts of commitment that merit a case-by-case examination of the outside employment activity to determine whether the activity should be managed appropriately, reduced or eliminated. Conflict of commitment may be found if the outside employment activity results in:

- A reduction of the employee's time and energy devoted to CSU activities
- The use of CSU property or other resources without authority (other than de minimus)
- An influence over the way the employee performs his/her CSU responsibilities
- The disclosure of confidential or proprietary information acquired through the performance of CSU duties
- Acting against the CSU's best interest or in conflict with the CSU's mission and goals
- The violation of CSU policies, procedures or practices

The primary commitment of Executive employees must be to the fulfillment of their regular CSU university responsibilities. As a reminder, Executive employees may serve on up to two corporate boards. Approval from the Chancellor is required prior to accepting service on a corporate board. Notice and approval are not required for service on non-profit boards. These requirements protect the public interest and support reinforcement of this policy.

MPP Employees

- All MPP employees are expected to reduce or eliminate outside employment if any perceived or actual conflicts of commitment or interest are found.
- Outside employment disclosures should be reviewed for any perceived or actual conflicts of commitment or interest by an appropriate administrator.
- The appropriate administrator who reviews these forms shall be the person to whom the employee reports.
- If the employee's manager or the appropriate administrator determines there is a perceived or actual conflict of commitment and/or conflict of interest in the outside employment activity, and the employee disagrees with this determination, it should be noted on the outside employment disclosure form and escalated to the next level of review. This second and final level of review should be conducted by an independent review committee appointed by the President or Chancellor or his/her designee. The recommendation provided at this level shall be the final determination.
- Completed and approved [Outside Employment Disclosure Forms for Management Personnel Plan \(MPP\) Employees](#) are to be submitted to HR Operations (attention Janet Cain, HR Operations Analyst, SSB Building 121-2700-West).

Senior Management Employees (President and Vice Presidents)

- To protect the interests of the public and the CSU, all Senior Management employees are expected to perform outside employment free of any perceived or actual conflicts of commitment or interest.
- All outside employment disclosures should be reviewed for any perceived or actual conflicts of commitment or interest and approved by the President or his/her designee, and for all Executive employees, by the Chancellor or his/her designee.

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- In addition, the Board of Trustees shall annually review, provide the opportunity for public discussion, and approve the outside employment endeavors of all Senior Management employees.
- If the outside employment requires a second level of review for approval, an independent review committee appointed by the Chancellor (or the Board of Trustees for the Chancellor) or his/her designee and the Vice Chancellor of Human Resources, in consultation with the Office of General Counsel, shall review the outside employment disclosure. The recommendation provided at this level shall be the final determination.
- For vice presidents, the [Outside Employment Disclosure Form for Senior Management Employees](#) is to be submitted for approval by the president or the president's designee. After the president or president's designee review, the form is to be submitted to HR Operations.

Additional Information

- [Outside Employment Disclosure Form for MPP \(PDF\)](#)
- [Outside Employment Disclosure Form for Senior Management Employees](#) (PDF)(Senior Management employees includes campus president and vice presidents)
- [HR Letter 2016-06 \(PDF\)](#)
- [Outside Employment Disclosure FAQ Sheet \(PDF\)](#)

Questions

Please direct questions regarding this policy to Janet Cain, Analyst, Human Resource Services, Cal Poly Pomona, at (909) 869-3727.

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