

PPM #8

Policy Name: *Ethics and Dual Employment*
Effective Date: *July 15, 2011*
Revision Date: *December 1, 2011, February 1, 2018*

Authorization:



Bill Cody, Deputy Secretary

I. POLICY

It is essential to the proper operation of government that employees carry out their official duties in a manner that is independent and impartial; that public employment is not used for personal gain; and that there is public confidence in the integrity of government. These goals are impaired when public officials hold two or more public offices or jobs that conflict with the duties and interests of one another or that result in the accumulation of governmental power. These goals are also jeopardized when employees have conflicting interests. The Office of the Lieutenant Governor (OLG) and Department of Culture, Recreation and Tourism (DCRT) have established this policy to avoid conflicts of interest and to prohibit illegal dual employment relationships by its employees.

II. PURPOSE

The purpose of this policy is to provide employees information about the standards set forth in the Louisiana Code of Governmental Ethics (La. R.S. 42:1101 et seq.) and Louisiana's dual employment prohibitions (La. R.S. 42:61 et seq.) and consequences for non-compliance.

III. APPLICABILITY

This policy applies to all OLG/DCRT employees, regardless of status, including part-time and student employees.

IV. PROHIBITIONS

1. ETHICS

Employees will be subject to disciplinary action, up to and including termination, if an employee is determined to have violated the Code of Governmental Ethics (La. R.S. 42:1101 et seq.)

2. DUAL EMPLOYMENT

Employees will be subject to disciplinary action, up to and including termination, if it is determined that an employee has violated the prohibitions on dual office holding and dual employment set forth in La. R.S. 42:61 et seq.

V. RESPONSIBILITIES

1. Appointing authorities are responsible for reporting possible Code of Governmental Ethics or dual employment violations to the Board of Ethics, Louisiana Attorney General and/or Department of State Civil Service, depending upon whose jurisdiction the violation may fall, and for enforcement of this policy.
2. All employees are responsible for reporting possible Code of Governmental Ethics or dual employment violations to their appointing authority, the Human Resources Division, the Board of Ethics, Louisiana Attorney General, Department of State Civil Service or any other person or entity of competent authority or jurisdiction.
3. Every public servant is required to receive a minimum of one hour of education and training on the Code of Governmental Ethics during each year of his public employment or term of office (La. R.S. 42:1170).
4. All employees are encouraged to obtain advisory opinions prior to engaging in any activity that could result in a violation of this policy. The Board of Ethics renders written advisory opinions with respect to situations covered by any law it administers (e.g., the Code of Governmental Ethics). The Attorney General will render written advisory opinions to governmental entities and officers on matters pertaining to prohibitions on dual office holding and dual employment. It is recommended that employees consult with OLG/DCRT HR and Legal staff prior to submitting a request for an opinion.

VI. NON-RETALIATION

It is a violation of the Code of Governmental Ethics for any employee to be disciplined or otherwise subjected to acts of reprisal for reporting to any person or entity of competent authority or jurisdiction information which he reasonably believes is in violation of any law, order, rule or regulation within the jurisdiction of the Board of Ethics or any other alleged acts of impropriety within a governmental entity.

VII. ENFORCEMENT

Employees found to be in violation of this policy will be subject to disciplinary action, up to and including termination. In addition, employees may face enforcement action by the Board of Ethics, Louisiana Attorney General's Office and/or the Department of State Civil Service which may include, but not be limited to, loss of employment and monetary fines/penalties.

VIII. QUESTIONS

Questions regarding the interpretation and enforcement of this policy should be addressed to the Human Resources Director.

Summary of Changes: Revised policy number (December 1, 2011), Revised to remove policy language that contradicted statutory language (October 2017)

Dual Office holding and Dual Employment	State Elective Office	Local Elective Office	State Full-Time Appointive Office	State Part-Time Appointive Office	Local Full-Time Appointive Office	Local Part-Time Appointive Office
State Elective Office	Prohibited § 63 C	Prohibited § 63 C & D	Prohibited § 63 C	Prohibited except in same branch § 63 B	Prohibited § 63 C	Allowed
Local Elective Office	Prohibited § 63 C & D	Prohibited § 63 D ³	Prohibited § 63 D ³	Allowed	Prohibited § 63 D ³	Allowed ¹
State Full-Time Appointive Office	Prohibited § 63 C	Prohibited § 63 D	Prohibited § 63 E	Prohibited except in same branch § 63 B	Prohibited § 63 E	Allowed
State Part-Time Appointive Office	Prohibited except in same branch § 63 A	Allowed	Prohibited except in same branch § 63 B	Prohibited except in same branch § 63 B	Allowed	Allowed
Local Full-Time Appointive Office	Prohibited § 63 C	Prohibited § 63 D ³	Prohibited § 63 E	Allowed	Prohibited § 63 E ³	Allowed
Local Part-Time Appointive Office	Prohibited § 63 C	Allowed ¹	Allowed	Allowed	Allowed	Allowed
State Full-Time Employment	Prohibited § 63 C ²	Prohibited § 63 D ²	Prohibited § 63 E ²	Prohibited except in same branch § 63 B ²	Prohibited § 63 E ²	Allowed
State Part-Time Employment	Prohibited § 63 C ²	Prohibited § 63 D ²	Prohibited except in same branch § 63 B ²	Prohibited except in same branch § 63 B ²	Allowed	Allowed
Local Full-Time Employment	Prohibited § 63 C ²	Prohibited in same political subdivision Allowed in different political subdivision ^{1,2,3,4}	Prohibited § 63 E ²	Allowed	Prohibited § 63 E ^{2,3}	Allowed
Local Part-Time Employment	Prohibited § 63 C ²	Same as above	Allowed	Allowed	Allowed	Allowed

1. Sheriffs, assessors, and clerks of courts are prohibited from holding any office or employment under a parish governing authority or school board and vice versa.
2. A school teacher or other person employed in a professional educational capacity in an educational institution or in a parish or city school board may at the same time hold an appointive or elective office.
3. A municipal officer or employee may hold another municipal office or employment as authorized by R.S. 33:381 C. A municipal and/or parochial officer or employee may hold another municipal and/or parochial office or employment if specifically authorized by a legislative or home-rule charter.
4. An elected police juror may be employed as a parish manager or assistant parish manager as authorized by LSA R.S. 33:1236.1.