

(was MCCMH Policy (10-20-020))

Chapter: **DIRECTLY-OPERATED PROGRAM MANAGEMENT**
Title: **SUPPLEMENTAL EMPLOYMENT**

Prior Approval Date: N/A
Current Approval Date: 9/6/02

Approved by: _____
Executive Director Date

I. Abstract

This policy establishes standards and procedures of the Macomb County Community Mental Health Board (MCCMH) related to supplemental employment of MCCMH employees and independent contractors.

II. Application

This policy shall apply to the MCCMH administrative offices and to all directly-operated network providers of the MCCMH Board.

III. Policy

It is the policy of the MCCMH Board that MCCMH employees and independent contractors may not engage in supplemental employment which constitutes a conflict of interest as defined in MCCMH MCO Policy 10-010, "Conflict of Interest."

IV. Definition

A. Supplemental Employment

Work for which a MCCMH employee/independent contractor is reimbursed by an individual agency or business other than MCCMH.

V. Standards

A. MCCMH employees/independent contractors shall not engage in the following supplemental employment situations which would constitute a conflict of interest. (See MCCMH MCO Policy 10-010, "Conflict of Interest".)

1. Use of MCCMH or Macomb County facilities, materials, supplies, vehicles, etc., in supplemental employment.
2. Supplemental employment hours which conflict with assigned hours employed by or working at MCCMH.

3. Use of the name Macomb County Community Mental Health (or MCCMH) or the fact of an employee's/independent contractor's position at MCCMH to advertise or otherwise solicit for the employee's/independent contractor's supplemental purposes (except as used in listing employment in a resume or job application).
 4. If engaged in private care or treatment of consumers in supplemental employment, the acceptance of referrals from MCCMH programs by the employee/independent contractor to his/her own private practice.
 5. Advocating or promoting MCCMH policies or practices with the intent of personal, familial, or monetary gain other than the employee's MCCMH salary/independent contractor's payment from MCCMH.
- B. The following situations may constitute potential conflicts of interest by MCCMH employees/independent contractors engaged in supplemental employment:
1. Employment by or a contractual relationship with an individual, agency, or business which regularly engages in business with the MCCMH Board, or receives funds (e.g., contract network providers) from the MCCMH Board.
 2. Self-employment on behalf of agencies that receive funds from the MCCMH Board.
- C. The MCCMH Executive Director/designee shall issue approval or denial of requests for supplemental employment by MCCMH employees/independent contractors that come under V.B.1. and 2.
- D. The MCCMH Executive Director/designee shall review the specific circumstances and conditions related to V.B.1. and 2. (based on appropriate documentation and information supplied by the employee/contractor and reviewed by the employee's/contractor's supervisor, Program Manager and Division Director, as appropriate).
1. The review may result in a ruling that such employment does not represent a conflict of interest. In such instances, MCCMH Executive Director/designee approval shall be accompanied by written documentation providing the reason and circumstances leading to the exception, and any monitoring stipulations necessary to ensure against a conflict of interest.
 2. Where the circumstances of supplemental employment under V.B.1. and 2. could or would create or result in a conflict of interest, the MCCMH Executive Director/designee shall deny the request for supplemental employment and provide the rationale, as needed, with a copy to the employee/contractor, his/her Supervisor, Program Manager, Division Director and the administrative file.

VI. Procedures

- A. A MCCMH employee/contractor who is involved in, or considering involvement in, supplemental employment shall notify his/her Supervisor of the details regarding the

employment he/she is involved in or considering.

- B. The Supervisor shall determine whether a potential conflict of interest exists based on Standards V.B.1. and 2.
- C. If a potential conflict of interest exists or questions concerning interpretation of the standards arise, appropriate information, sufficient to determine whether an actual conflict exists or to answer the questions raised, shall be submitted to the appropriate Program Manager or Division Director.
- D. The Program Manager or Division Director shall forward the information and his/her recommendations to resolve all such potential conflict of interest situations to the MCCMH Executive Director/designee.
- E. The MCCMH Executive Director may confer with the MCCMH Deputy Director who may consult with and obtain interpretations or rulings from other County departments, e.g., Corporation Counsel, Human Resources, etc., to assist in resolving the supplemental employment issue.
- F. The MCCMH Executive Director/designee shall issue rulings and/or action upon receipt of the above information and recommendations. Such rulings or actions by the MCCMH Executive Director/designee shall be transmitted in accordance with V.D.2. or 3.
- G. In the event the MCCMH employee/contractor is in disagreement with the interpretation given or actions taken, he/she may request, in writing, of the Executive Director, reconsideration by the Personnel Committee of the MCCMH Board for recommendations to the full MCCMH Board for final action. As with other MCCMH Board actions regarding personnel issues, rulings or interpretations shall be consistent with current Macomb County Personnel Policies. Actions of the MCCMH Board in such matters shall be considered final. Requests for further review by the Personnel Committee shall not be construed as a grievance unless the MCCMH union-represented employee so wishes and follows the grievance procedures as outlined in the applicable Agreement between Macomb County and the recognized union.
- H. Failure to adhere to these standards or procedures, rulings, or actions that result from their application, may be cause for disciplinary action up to and including termination of employment or revocation of contractual status with the MCCMH Board.

VII. References / Legal Authority

- A. 1987 Michigan Department of Community Health Administrative Rules, R 330.2067(g)
- B. MCCMH MCO Policy 10-010

VIII. Exhibits

- A. None.

