

RULES OF THE DEPARTMENT OF MANAGEMENT SERVICES PERSONNEL MANAGEMENT SYSTEM

CHAPTER 60L-32 COMPENSATION AND BENEFITS

60L-32.003 Dual Employment and Compensation

- (1) Agency approval is required for all requests for dual employment and compensation, including, but not limited to:
 - (a) Employment in excess of one full-time equivalent established position;
 - (b) Compensation of an employee simultaneously from any appropriation other than salaries; and
 - (c) Compensation of an employee simultaneously by more than one agency.
- (2) In considering requests for dual employment and compensation, agencies shall apply the following criteria.
 - (a) Compensation must be commensurate with assigned duties.
 - (b) There must be a demonstrated need for the proposed action.
 - (c) The services must not give rise to the appearance of a conflict of interest or otherwise violate legislative intent.
- (3) The employee seeking dual employment and compensation shall initiate a Dual Employment and Compensation Request (Form DMS/HRM/DUAL eff. 1/1/02) in accordance with the instructions on the form.
- (4) An employee of an agency who renders services to another agency shall not be paid an honorarium for such services, except when required by law to be paid an honorarium. In such cases, the employee's salary shall be reduced by an amount equal to the honorarium received, unless the agency approves payment of both salary and honorarium in accordance with this rule.

Specific Authority 110.1055, 110.131(3), 110.201(1), 110.2035(1), 110.403(1)(c), 110.605(1) FS. Law Implemented 110.131, 110.201, 110.2035, 110.403, 110.603, 216.262(1)(e) FS. History—New 1-6-02.

CHAPTER 60L-36 CONDUCT OF EMPLOYEES

60L-36.003 Relationships with Regulated Entities

- (1) Relationships between employees and regulated entities give rise to the potential for conflicts of interest. To ensure that agencies can monitor such relationships and avoid such conflicts, all employees exercising regulatory responsibility shall comply with this Rule 60L-36.003, F.A.C. An employee exercises regulatory responsibility if the employee has direct responsibility for any of the following:
 - (a) Determining an entity's compliance with federal, state, or local statutes or regulations.
 - (b) Determining or recommending whether the agency should issue, revoke, cancel or suspend an entity's license or other certificate of authority.
 - (c) Approving transactions between the agency and an entity.
 - (d) Custody, supervision, care, or treatment of prisoners, inmates, patients, clients, or other persons committed to a state institution.
- (2) If an employee holds himself or herself out, verbally or in writing, as available for employment by, or for a contractual relationship with, a regulated entity, or if the employee receives, verbally or in writing, an offer from a regulated entity for employment or for a contractual relationship, the employee shall notify the agency in writing within five days.
- (3) If an employee receives from a regulated entity, on his or her own behalf or on behalf of another, a gift the value of which is \$25 or more, the employee shall notify the agency in writing within five days. No employee shall accept any gift based upon an understanding that the official acts or judgment of the employee will be influenced thereby.
- (4) If an employee obtains a financial interest in a regulated entity, the employee shall notify the agency in writing within five days.

Specific Authority 110.1055, 110.201(1), 110.233(6), 110.403(5), 110.605(4) FS. Law Implemented 110.233(6), 110.403(5), 110.605(4) FS. History—New 1-1-02.