



**OFFICE OF INSPECTOR GENERAL  
CITY OF JACKSONVILLE**

**REPORT OF INVESTIGATION  
CASE NUMBER: 2017-0013  
ISSUE DATE: MAY 11, 2018**

James R. Hoffman  
Inspector General

*"Enhancing Public Trust in Government Through Independent  
and Responsible Oversight"*

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**FORMER COJ EMPLOYEE OPERATED UNAPPROVED SECONDARY  
EMPLOYMENT OUT OF COJ SENIOR CENTERS**

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**EXECUTIVE SUMMARY**

On August 7, 2017, the Office of Inspector General (OIG) received a complaint regarding James Lee (Lee), Senior Services Grant Supervisor, Senior Services Division (Senior Services), Parks, Recreation, and Community Services Department (PRCS), City of Jacksonville (COJ). The complaint alleged Lee, in support of Lee's private business as a fitness instructor, solicited his fitness classes to COJ employees during work hours, conducted his fitness classes in COJ Senior Centers (Centers), and utilized Senior Services equipment while conducting his fitness classes.

The investigation revealed Lee conducted dance classes and line dance parties as *D & J Power Fitness* at the Lane Wiley Senior Center (Lane Wiley). The OIG reviewed 18 executed *COJ PRCS Senior Services Center Usage Agreements* (Agreements), between COJ and Lee, for the rental of Lane Wiley from July of 2013 through March of 2017. The review revealed Lee entered into four Agreements on behalf of *D & J Power Fitness* as either the renter and/or the responsible party for the payment of the rental fees. Each of these Agreements specified, "Center may not be used by any individual or organization, public or private, to raise funds except when all funds raised are to be used to improve or add to Center programs, properties or equipment. Selling or exchanging money, goods, or services, is prohibited in the Centers." Lee did not have an approved secondary employment form on file with COJ for *D & J Power Fitness* at the time Lee rented Lane Wiley on behalf of his private business, in violation of the COJ's secondary employment policy.

During the investigation, Lee admitted to participating in two private businesses outside his COJ employment. Lee stated he operated as a fitness instructor doing business as *D & J Power Fitness* (from 2012 to current) and as a disc jockey doing business as *DJ Semaj* (from 2013 to current). Lee did have an approved secondary employment form on file with COJ for *DJ Semaj*; however, this form was only recently approved (March 7, 2017) by the Director of Employee Services, as required by the COJ's secondary employment policy. The investigation concluded no other secondary employment form for *DJ Semaj* had been submitted to the Director of Employee Services prior to March 2017.

Additionally, the investigation concluded Lee misused COJ electronic resources to promote his outside businesses. Finally, the OIG discovered Lee was paid approximately **\$3,800** for providing disc jockey services through *DJ Semaj* and line dance services through *D & J Power Fitness* by the Office of Special Events between June 26, 2014 to March 1, 2017, for six events.

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At the time Lee provided these services, Lee did not have approved secondary employment forms on file for either *DJ Semaj* or *D & J Power Fitness*.

Based upon the records reviewed and the statements obtained, the OIG **substantiated** the allegations that Lee solicited his fitness classes to COJ employees during work hours, and conducted his fitness classes at the Centers. Additionally, the OIG **substantiated** additional findings Lee misused COJ electronic resources to promote his outside business and Lee was paid as a COJ vendor without approved secondary employment forms on file. However, the allegation Lee used Senior Services equipment during his fitness classes was **not substantiated** based on statements obtained during the investigation.

During the investigation, Lee resigned effective January 2, 2018.

## INVESTIGATIVE REPORT

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**ALLEGATIONS**

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James Lee, Senior Services Grant Supervisor, Senior Services Division, Parks, Recreation, and Community Services Department (PRCS), in support of Lee's private business as a fitness instructor, solicited fitness classes to City of Jacksonville (COJ) employees during work hours, conducted his fitness classes at COJ Senior Centers (Centers), and used Senior Services equipment while conducting his fitness classes<sup>1</sup>.

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**GOVERNING DIRECTIVES**

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***Florida Statutes:***

- §112.313(6), *Standards of Conduct for Public Officers (Misuse of Public Position)*

***COJ Ordinance Code:***

- §601.101, *Use of Public Property*

***COJ Policies and Procedures:***

- COJ Secondary Employment Policy Directive 0519, (effective September 1, 2010; May 8, 2015; April 1, 2016; and January 19, 2017)
- COJ Parks, Recreation, and Community Services Department Center Usage Policy, comprised of two sections: (1) Center Usage Agreement Basics and (2) Center Usage Policy

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**INVESTIGATIVE FINDINGS**

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***OIG Records Review:******State of Florida Applicable Statutes and Corporate Records******Florida Statute §112.313(6), Standards of Conduct for Public Officers***

*No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.*

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<sup>1</sup> Based on statements obtained from Lee and other witnesses, the OIG established Lee did not use any Senior Services equipment during his fitness classes. Therefore, this allegation was **not substantiated**.

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***Florida Division of Corporations Records***

A review of the Florida Division of Corporations (Sunbiz.org), the state's central repository for filing business entities, revealed *D & J Power Fitness* was a Florida Limited Liability Company. Lee was listed as the Manager of *D & J Power Fitness* from September 21, 2013 through April 6, 2017.

During the investigation, the OIG discovered Lee was also providing disc jockey services as *DJ Semaj* at various events including COJ sponsored events. A search of Sunbiz.org did not disclose any corporate records related to *DJ Semaj*.

***City of Jacksonville Ordinance Code and Policy Directives******§601.101, Use of Public Property, Ordinance Code***

*It is unlawful for an officer or employee of the City or an independent agency to knowingly use property owned by the City or an independent agency for his or her personal benefit, convenience or profit, except in accordance with policies promulgated by the council or by the governing body of the independent agency owning the property.*

***Secondary Employment Policy Directive 0519, (effective September 1, 2010 and May 8, 2015)***

The above states in part:

*Secondary employment refers to a second job held by a full-time City of Jacksonville employee...; This secondary employment includes contract, self-employment and part-time work...; Secondary employment includes.....operating a business....and employment that generates any taxable income on a W-2 form or a 1099 form...; This policy applies to all full-time employees...*

***Secondary Employment Policy Directive 0519, (effective April 1, 2016 and January 19, 2017)***

The policy was updated April 1, 2016, to include a "Violation" section that states:

*Not reporting secondary employment or any violations of the Secondary Employment Directive may result in disciplinary action, up to and including termination and/or preventing rehire, if deemed appropriate.*

***Employee Services Department Official Personnel Records***

A review of electronic COJ policy acknowledgements and Lee's personnel file revealed the following:

Lee electronically acknowledged the Secondary Employment Policy Directive 0519 (revised on January 19, 2017) on April 4, 2017. By electronically acknowledging this policy, Lee verified he reviewed and understood the policy.

Additionally, a review of Lee's personnel file disclosed back in August of 2008, Lee signed and acknowledged he understood the following in part:

*I have read Sec. 602.403 and I have no moonlighting/secondary employment at this time...; I understand that I must file this disclosure if in the future I do obtain secondary employment.*

Debra Anderson, Labor Relations Officer I, Employee and Labor Relations Division, Employee Services Department (Employee Services), reviewed Lee's personnel file and provided a copy of the only secondary employment form on file. Lee listed his secondary employment as *DJ Semaj*. The form was signed and approved by the Director of Employee Services on March 7, 2017.

Per a review of this form, the OIG observed blue ink changes had been made to the date of both the employee's signature block and the Department Director's approval signature block. In both cases, the date had been changed from November 7, 2016 to January 24, 2017. The approval signature block for the Department Ethics Officer appeared to be signed by Claire Stine, Parks Finance Manager, PRCS, and dated January 24, 2017, in blue ink.

#### **Parks, Recreation, and Community Services Department (PRCS) Official Records**

A review of the COJ website in January of 2018, showed PRCS listed 20 Senior Centers (Centers) including the Lane Wiley Senior Center (Lane Wiley), located at 6710 Wiley Road, Jacksonville, Florida 32210, and the Mary Singleton Senior Center (MSSC), located at 150 East 1<sup>st</sup> Street, Jacksonville, Florida 32206.

A review of the undated *COJ Parks, Recreation, and Community Services Department Center Usage Policy* (Policy), Center Usage Agreement Basics, Sections 8 and 18, states in part:

*Rental rate is \$53.50 per hour (two workers at \$25/hour each = \$50 + 7% tax), 3 hour minimum, plus \$53.50 clean-up fee... Exception: Staff Rental. and;*

*Renter cannot raise funds during the event, unless the money goes to the Center's site council.*

Sections 5 and 6 of the Policy, Center Usage Policy, states in part:

*No money is to be collected and no alcohol or drugs are permitted on city property! This is listed in the contract which the responsible person signed. and;*

*Community and Senior Center Services employees must pay for use of the center, as defined in the Center Usage Agreement. CSCS employees renting the center must be one of the workers to get the Staff Rental rate (\$26.75 per hour).*

A review of an undated *COJ PRCS Senior Services Center Usage Agreement* (Agreement), indicated the Agreement served as the rental contract between the COJ and the responsible person for the rental of Centers. Section 12 of the Agreement, Terms and Conditions specifies:

*The Center may not be used by any individual or organization, public or private, to raise funds except when all funds raised are to be used to improve or add to Center programs, properties or equipment. Selling or exchanging money, goods, or services, is prohibited in the Centers. To do so would be a direct violation of the Center Policy.*

A review of 18 executed Agreements between COJ and Lee, for the rental of Lane Wiley during July 12, 2013 through March 31, 2017, revealed the following (as shown in the chart below):

- Lee signed as the renter on 16 Agreements; 2 of the 16 listed the renter as *D & J Power Fitness*
- *D & J Power Fitness* paid for 4 of the rentals, including the 2 listed above in which *D & J Power Fitness* signed as the renter on the Agreement

Reservation Date	Type of Event	Number of Guests	Renter	Paid For By
July 12, 2013	Line Dance Class	120-130	Lee	Lee
September 13, 2013	Dance Social	100	Lee	Lee
November 3, 2013	Baby Shower	40	Lee	Lee and C. Jackson
September 21, 2014	Dance Class	50	Lee	Lee
October 3, 2014	Dance Class	50	Lee(D & J PowerFitness)	D & J Power Fitness
October 4, 2014	Dance Class	50	Lee	D & J Power Fitness
October 19, 2014	Dance Class	65	Lee(D & J PowerFitness)	D & J Power Fitness
March 5, 2015	Birthday party	75	Lee	No record available
August 15, 2015	Birthday party	140	Lee	No record available
September 20, 2015	Piano Recital	75-100	Lee	No record available
June 25, 2016	Birthday party	75	Lee	Lee
August 26, 2016	Gathering <sup>2</sup>	None listed	Lee	D & J Power Fitness
October 22, 2016	Baby Shower	40	Lee	Lee
October 30, 2016	Party	100	Lee	Lee
November 12, 2016	Appreciation	70	Lee	Lee
December 4, 2016	Dance	40	Lee	Paid via money order
March 31, 2017	Event	100	Lee	Lee
September 24, 2017	Recital	30	Lee	Lee

<sup>2</sup> Based on records reviewed and statements obtained, the OIG confirmed the Red, White, and Blue Line Dance Party was held at Lane Wiley on August 26, 2016 and the cost was \$10.00 per person.

Per review of the 18 executed Agreements, on 11 occasions Lee paid the staff rental rate of \$133.75. On the other 7 Agreements, Lee paid a range of \$150 to \$214. There was no supporting documentation for how these charges were derived.

### **Other Records**

#### ***Social Media Records***

A review of *D & J Power Fitness's* Facebook confirmed Lee had been operating *D & J Power Fitness* since 2012. *D & J Power Fitness's* Facebook reflected postings and flyers for fitness classes and parties dating back to 2013.

Based on a review of COJ e-mails and social media records, the investigation identified Lee, conducted three *D & J Power Fitness* parties, as shown in the chart below:

Date	Type of Party	Cost/Donation Amount	Number of Guests <sup>3</sup>	Location
December 19, 2014	Christmas Gala Line Dance Party (Christmas Party)	\$20.00/person	200	Southside Women's Club
August 26, 2016	Red, White, and Blue Line Dance Party (Red Party)	\$10.00/person	100	Lane Wiley Senior Center
January 6, 2017	Winter White Party	\$20.00/person	200	The Eagle's Nest

### ***Testimony***

#### ***Statement of Debra Anderson, Labor Relations Officer I, Employee Services Department***

Debra Anderson (Anderson) provided the OIG with Lee's secondary employment form dated March 7, 2017, which reflected Lee's secondary employment as *DJ Semaj*. Anderson and the Labor Relations Executive Assistant conducted a file review and could not find any other approved secondary employment forms on file with COJ for either *D & J Power Fitness* or *DJ Semaj*.

#### ***Statement of Kysha Munn, Social Services Specialist, Social Services, PRCS***

Kysha Munn (Munn) stated in 2016, Lee met with her during their work hours at the MSSC and told her about *D & J Power Fitness* classes, prices, and the Red Party. Munn purchased a Red Party ticket from Lee for \$10 during work hours in her office at MSSC. In December 2015 or January 2016, she received an e-mail (e-mail address unknown) from *D & J Power Fitness* about a Winter White Party, which included the location and ticket prices. She believed the tickets for

<sup>3</sup> The number of guests indicated are based on statements made by Lee during his OIG interview.



the Winter White Party cost either \$10 or \$20 per person. She purchased two tickets from Lee at a non-work location. However, Lee refunded her money because she did not attend the party.

***Statement of Angie McKenzie, Program Manager, Senior Services, PRCS***

Angie McKenzie (McKenzie) stated Lee informed her about the Winter White Party during their work hours at MSSC. She recalled Lee sold tickets for the Winter White Party, which were \$20 per person. She met with Lee during her lunch break at a non-work location and purchased two tickets from Lee for \$40.

***Statement of Shay-La Evans, Centers Activities Specialist, Senior Services, PRCS***

Shay-La Evans (Evans), Centers Activities Specialist, stated her job duties included ensuring individuals who rented Lane Wiley signed the Agreement and acknowledged the Agreement's Terms and Conditions. Evans stated private citizens and COJ employees, including Senior Services employees, were allowed to rent the Centers. She believed the Center rental price was \$25.00 per hour (3 hour minimum) for COJ employees and \$50.00 per hour (3 hour minimum), \$25.00 per hour (set up fee), and \$50.00 (clean up fee) for private citizens.

Evans reviewed the Agreement, signed and dated August 24, 2016, with a reservation date of August 26, 2016, between COJ and Lee for a "gathering" at Lane Wiley. Evans confirmed she and Lee signed the Agreement on August 24, 2016. She understood Section 12 of the Agreement, Terms and Conditions, to mean renters were not allowed to collect funds (i.e. donations or entry fees) or sell tickets for events held at the Centers.

Additionally, Evans stated her understanding of the Agreement was that a renter would be in violation of the Agreement, if the renter collected funds or sold tickets for events held at the Centers. She was unaware Lee was requesting a \$10 donation via a flyer for the Red Party held at Lane Wiley on August 26, 2016. Evans stated if she had been aware Lee was requesting donations she would have terminated the Agreement. Lee never provided her with any funds he may have collected.

***Statement of Gloria Crawford, Chief of Senior Services, Senior Services, PRCS***

Chief Gloria Crawford (Crawford) stated her job duties include overseeing Senior Services programs to include the Centers. She reviewed a blank undated Agreement. She understood Section 12 of the Agreement, Terms and Conditions, to mean renters were not allowed to conduct fundraising for events held at the Centers. If the renters collected funds (i.e. donations or entry fees) from a Center rental, the renter should provide the funds collected to the Center.

According to Crawford, renters were not allowed to request donations or advertise for the collection of donations for events at the Centers. The collection of donations or the advertising for a donation was a violation of the Agreement. If she saw a renter advertising for an event being held at a Center, which included a request for donations and entry fees, she would have informed the renter you are not allowed to do that because that is fundraising. Crawford stated



fundraising was not allowed unless you gave all the funds back to the Center. She advised Senior Services employees were aware that no one was supposed to be making money from the Centers.

Crawford had first-hand knowledge of Lee renting the Centers for personal use. She was unaware Lee was having events such as parties and dance classes at Lane Wiley. She did not recall which Centers Lee used or how often Lee used the Centers. However, she stated she received a weekly list of the upcoming Center rentals, which included the renters' name(s), dates of the Center rentals, description of events, and the Centers name.

Crawford reviewed multiple flyers with donation/entry fee requests for *D & J Power Fitness's* Christmas Party held on non-COJ property in December of 2014; Red Party held at Lane Wiley in August of 2016; and Winter White Party held on non-COJ property in January of 2016.

After reviewing the flyers, Crawford stated she was unaware of *D & J Power Fitness's* Christmas Party; Red Party; and Winter White Party. Further, she stated she did not know about the Red Party or how much Lee made from the Red Party. She believed the Red Party was in violation of the Agreement due to Lee's donation request. If she had been aware, Lee was advertising and requesting donations for the Red Party, she would have terminated the event.

Crawford did not have first-hand knowledge or information concerning Lee soliciting his businesses, *DJ Semaj* or *D & J Power Fitness*, to COJ employees.

Crawford stated Senior Services employees completed and forwarded their secondary employment forms directly to her for review and approval. She approved or denied the forms as the Chief of Senior Services.

Crawford reviewed the secondary employment form, originally dated November 7, 2016<sup>4</sup>. Lee listed *DJ Semaj* as his secondary employment. She confirmed it was her signature on Lee's form, which she originally signed and approved on November 7, 2016. Crawford stated she did not make the blue ink date change from November 7, 2016 to January 24, 2017, within her signature block.

Crawford became aware of Lee doing business as *DJ Semaj* in May of 2014, while volunteering with Senior Services, prior to her COJ employment. At that time, Lee was providing disc jockey services at the Senior Services Fish-A-Thon. She was unaware if Lee was providing disc jockey services as a Senior Services employee or as a COJ vendor. She stated Lee had provided disc jockey services at various Senior Services events since her time as the Chief.

During the interview, Crawford stated she did not have first-hand knowledge about *D & J Power Fitness* classes. She advised she had not attended any of the *D & J Power Fitness* classes.

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<sup>4</sup> This form had the date of both the employee's signature block and the Department Director's approval signature block changed in blue ink from November 7, 2016 to January 24, 2017.

During the interview, Crawford stated she believed Lee submitted two secondary employment forms within the past two years. Following the interview, Crawford provided copies of two Request of Secondary Employment forms Lee had submitted to her, which she had retained in her office. One form was for Lee's secondary employment listed as "DJ" signed and dated by both Lee and Crawford on November 7, 2016. The second form was for *D & J Power Fitness* signed and dated by Crawford on January 24, 2017<sup>5</sup>.

***Statement of Claire Stine, Parks Finance Manager, PRCS***

Claire Stine (Stine) advised she serves as the Department Ethics Officer in addition to her duties as the PRCS Finance Manager. As the Department Ethics Officer, she is responsible for reviewing and approving PRCS employee's secondary employment forms prior to submission to Employee Services for approval. Stine explained generally secondary employment forms were forwarded by Crawford's Executive Assistant after having been reviewed and approved by Crawford. Stine reviewed the forms for accuracy and ensured there were no conflicts of interest. If no errors or conflicts of interest were identified, Stine approved and signed as the Department Ethics Officer.

Stine recalled receiving Lee's secondary employment form for "DJ" on or about January 24, 2017 and the form was incomplete. She spoke with Lee to get clarification and ensure there were no conflicts of interest. Based on her conversation with Lee, she added the "Semaj" to the form, which made Lee's secondary employment "DJ Semaj." She verified she made the blue ink date changes (originally signed by Crawford on November 7, 2016) and added "Semaj" to Lee's form based on her conversation with Lee. She also verified she signed and approved the form on January 24, 2017, with blue ink.

During the interview, Stine reviewed Lee's secondary employment form for *D & J Power Fitness*, signed and dated by Crawford on January 24, 2017. Stine was unaware of Lee doing business as *D & J Power Fitness* and had not seen this secondary employment form prior to the interview.

Stine reviewed a blank undated Agreement. She understood Section 12 of the Agreement, Terms and Conditions, to mean renters could not make any money from rentals at the Centers. She had previously spoken with the Office of General Counsel (OGC), regarding for-profit businesses at the Centers. The OGC concurred with Stine's understanding of this section. Stine stated the Centers were for community use and not meant to support private businesses.

Stine was shown the flyer for the Red Party held at Lane Wiley during August of 2016, which included a request for a \$10 donation. She believed the Red Party was in violation of the Agreement due to the donation request.

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<sup>5</sup> This form had the date of the employee's signature block changed in black ink from November 7, 2016 to January 24, 2017. Neither the Department Ethics Officer or the Director of Employee Services approval signatures or date were on this form.

***Statement of James Lee, Senior Services Grant Supervisor, Senior Services, PRCS***

Lee admitted to having two outside businesses and one outside employment in addition to his COJ employment. These businesses and employment included Open Arms Baptist Church (from 2007 to current), *D & J Power Fitness* (from 2012 to current), and *DJ Semaj* (from 2013 to current).

Additionally, Lee admitted to operating *D & J Power Fitness* at the various locations from 2012 to current. Since 2015, *D & J Power Fitness* conducted fitness classes on Mondays, Wednesdays, and Thursday from 7:00pm to 8:00pm, Saturdays from 9:00am to 10:00am, and Sundays at 6:00pm. Participants in the fitness classes paid \$5 per class or \$50 per month (for unlimited monthly fitness classes). He advised the participants were not required to pay the fees in order to participate in the fitness classes. He estimated the fitness classes fluctuated between 10 to 40 participants per class. He estimated *D & J Power Fitness* made approximately \$7,000 annually. Lee stated he owned his own equipment and did not use any Senior Services equipment during his fitness classes.

Lee admitted to holding *D & J Power Fitness* parties to include the Christmas Party (December 19, 2014); Red Party (August 26, 2016); and Winter White Party (January 6, 2017). Lee admitted to providing tickets to the various parties to COJ employees on COJ property during work hours.

Lee estimated 100 people attended the Red Party and purchased tickets for \$10 per person, therefore *D & J Power Fitness* collected approximately \$1,000. Individuals purchased and were provided the Red Party tickets during the fitness classes. He stated there was no exchange of money at Lane Wiley; however, individuals exchanged their tickets for bands at Lane Wiley to enter the Red Party. He estimated *D & J Power Fitness* spent approximately \$2,000 on the Red Party, which included catering and decorations. He stated there was no profit from the Red Party.

Lee believed the Red Party was not in violation of the Agreement because he was not raising money or making a profit. He had spoken to a former Senior Services Center Manager, and they agreed renters could rent the Centers as long as they were not raising money (timeframe of conversation unknown).

***Statement of multiple PRCS employees***

During the investigation, seven PRCS employees testified to attending *D & J Power Fitness* classes from 2013 to 2016, and paid either \$5.00 per class or \$50.00 per month to participate in the fitness classes.

Of these seven, four employees testified to attending *D & J Power Fitness's* Red Party held at Lane Wiley on August 26, 2016, and paying \$10.00 per person for their ticket. Of these seven, three employees testified to attending *D & J Power Fitness's* Winter White Party on January 6, 2017, and paying \$20.00 per person for their ticket, as shown in the chart below:

PRCS Employee	D & J Power Fitness	Red Party	Winter White Party
Program Manager Senior Services Division	X		
Community Activities Coordinator Senior Services Division	X		
Former Program Manager Senior Services Division	X		
Account Clerk Senior Services Division	X	X	
Program Aide Social Services Division	X	X	X
Social Services Specialist Social Services Division	X	X	
Program Manager Social Services Division	X	X	X

## CONCLUSION

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Based upon the records reviewed and the statements obtained, the OIG **substantiated** the allegation that Lee, in support of his private business as a fitness instructor, solicited fitness classes to COJ employees during work hours, and conducted his dance classes, fitness classes, and parties for a fee at Lane Wiley. The OIG determined the allegation Lee used Senior Services equipment during his fitness classes was **not substantiated**.

Lee did not submit a secondary employment form for *D & J Power Fitness* until November 7, 2016. This form was signed and approved by Crawford on January 24, 2017. However, no other approval signatures to include the Department Ethics Officer or the Director of Employee Services were listed on the form as required by COJ's secondary employment policy. Additionally, the form was not in Lee's official COJ personnel file.

## ADDITIONAL FINDING

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**James Lee, Senior Services Grant Supervisor, Senior Services, misused COJ electronic resources to promote his outside businesses, *DJ Semaj* and *D & J Power Fitness*.**

## GOVERNING DIRECTIVES

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### *COJ Policies and Procedures:*

- COJ Electronic Communications, Equipment, and Media Policy, (effective July 1, 2010 and October 14, 2015)
- COJ Technology Use Policy Directive 0516, (effective May 11, 2017)

## INVESTIGATIVE FINDINGS

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### *OIG Records Review*

#### *City of Jacksonville Policy Directives*

##### *Electronic Communications, Equipment, and Media Policy, (effective July 1, 2010 and October 14, 2015) and Technology Use Policy Directive 0516, (effective May 11, 2017)*

The Technology Use Policy (effective May 11, 2017) replaced the Electronic Communications, Equipment, and Media Policy. All three policies state in part:

*This policy applies to anyone who uses City technology resources including employees...; Specifically prohibited use includes, but is not limited to...; Conducting a private business...; Creating or forwarding ....solicitation, offer to buy or sell goods, or other non-business material of a trivial or frivolous nature...; Violations of this policy will be handled in accordance with the City's established disciplinary procedures.*

#### *Employee Services Official Personnel Records*

A review of Lee's personnel file revealed the following:

Lee signed two Electronic Communications, Equipment, and Media Policy Acknowledgment forms dated July 30, 2010, and November 12, 2015, which bears the signature of "James Lee." Per the forms, the employee signing these forms is verifying they have reviewed and understand the following in part:

*I acknowledge that I have been provided with a copy of the Electronic Communications, Equipment, and Media Policy...it is my responsibility to abide by its stipulations*

Lee was assigned to review and acknowledge the Technology Use Policy electronically on May 22, 2017; however, he did not acknowledge this policy.

#### *COJ Outlook (E-mail) Records*

A review of Lee's COJ e-mail account revealed Lee had been sending and receiving e-mails related to *D & J Power Fitness*, which included class flyers, the purchase of tickets, and potential training classes to and from COJ employees dating back to January of 2013. These e-mails were in violation of the *COJ Electronic Communications, Equipment, and Media Policy* (effective July 1, 2010 and October 14, 2015) and *COJ Technology Use Policy* (effective May 11, 2017).

Additionally, Lee periodically sent Senior Services monthly reports from his COJ e-mail account to his personal e-mail accounts from 2013 to 2015; and used the COJ scanners/copiers for personal use from 2014 to 2017, in violation of the *COJ Electronic Communications, Equipment,*

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*and Media Policy* (effective July 1, 2010 and October 14, 2015) and *COJ Technology Use Policy* (effective May 11, 2017).

### ***Testimony***

#### ***Statement of Gloria Crawford, Chief of Senior Services, Senior Services, PRCS***

Crawford reviewed e-mails and attachments from Lee's COJ e-mail account, which included Senior Services monthly reports sent to and from his COJ work e-mail account and his personal e-mail accounts. After reviewing the e-mails, Crawford stated she had not given Lee permission to forward Senior Services monthly reports to and from his COJ e-mail account and his personal e-mail account. She advised Lee teleworked from home and completed Senior Services monthly reports as a part of his job duties. However, she instructed Lee to log into the Citrix Receiver to complete Senior Services monthly reports when working remotely.

Crawford reviewed e-mails and attachments from Lee's COJ e-mail account, which included *D & J Power Fitness* documents including class flyers, ticket purchases, and potential training classes. After reviewing the e-mails, she stated she did not give Lee permission to use his COJ e-mail account for his outside businesses or non-COJ related business.

Crawford also reviewed e-mails and attachments from Lee's COJ e-mail account, which included Lee's use of COJ scanners/copiers. After reviewing the e-mails, she stated she did not give Lee permission to use COJ scanners/copiers for his outside businesses or non-COJ related business.

#### ***Statement of James Lee, Senior Services Grant Supervisor, Senior Services, PRCS***

Lee admitted using his COJ e-mail for his outside businesses. Further, he disclosed using his COJ e-mail account to sell *D & J Power Fitness* t-shirts for between \$12 to \$15. Lee also admitted using his COJ e-mail account to sell tickets to COJ employees for *D & J Power Fitness* line dance parties, specifically the Christmas Party. He stated using his COJ e-mail account for his outside business was inappropriate because he should not be promoting his business through his COJ e-mail account.

Lee admitted sending Senior Services monthly reports to and from his COJ e-mail account and his personal e-mail account. He disclosed he occasionally teleworked from home as a part of his job duties. During this time, he had to complete Senior Services monthly reports. He confirmed he did have the credentials to log into the Citrix Receiver to work remotely when teleworking. However, he had problems logging into the Citrix Receiver; therefore, he sent Senior Services reports to and from his COJ e-mail account and his personal e-mail accounts. He advised Crawford gave him permission to forward the reports to and from his COJ e-mail account and his personal e-mail accounts. He also admitted using COJ scanners/copiers for non-COJ related business.



## CONCLUSION

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During the course of the investigation, the OIG discovered e-mails indicating Lee used COJ electronic resources (computer, e-mail, and scanners/copiers) in support of his outside businesses and non-COJ related business. Based upon the records reviewed and the statements obtained, the OIG **substantiated** the allegation Lee misused COJ electronic resources to promote his outside businesses, *DJ Semaj* and *D & J Power Fitness*.

## ADDITIONAL INFORMATION

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As part of the OIG investigation, the OIG reviewed COJ Finance and Administration Department (Treasury) records, which included invoices, artist agreements, and purchase requests. The review revealed Treasury, on behalf of the Office of Special Events, paid Lee, approximately \$3,800 for providing disc jockey services through *DJ Semaj* and line dance services through *D & J Power Fitness* services from June 26, 2014 through March 1, 2017, for six events.

### *Statement of Gloria Crawford, Chief of Senior Services, Senior Services, PRCS*

Crawford reviewed the Treasury records pertaining to the payments made to Lee's *DJ Semaj* and *D & J Power Fitness* occurring on various dates from June 26, 2014 through March 1, 2017. After reviewing the Treasury records, she stated she did not have first-hand knowledge of Lee receiving payments from COJ for providing disc jockey and line dance services to the Office of Special Events. However, she did have first-hand knowledge Lee had performed as a DJ at one or two World of Nations events.

### *Statement of James Lee, Senior Services Grant Supervisor, Senior Services, PRCS*

Lee admitted to providing disc jockey services through *DJ Semaj* and line dance services through *D & J Power Fitness* to the Office of Special Events from June 26, 2014 to March 1, 2017. He confirmed COJ paid him approximately \$3,800 for providing the aforementioned services at COJ sponsored events to include the World of Nations, July 4<sup>th</sup> Fest, and Party Park. He believed there were no conflicts of interest because the events were held outside of his COJ work hours. He stated he used his annual leave while performing at the World of Nations events.

### *Conversation with Dave Herrell, former Sports and Entertainment Officer, Office of Sports and Entertainment*

Dave Herrell advised the Office of Special Events did not verify whether COJ employees, who provided vendor services to COJ, had approved secondary employment forms on file with COJ.

## CONCLUSION

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During the course of the investigation, the OIG discovered Treasury, on behalf of the Office of Special Events, paid Lee approximately **\$3,800** for providing disc jockey services through *DJ Semaj* and line dance services through *D & J Power Fitness* to the Office of Special Events from

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June 26, 2014 through March 1, 2017, for six events. At the time Lee provided these services, Lee had no approved secondary employment forms on file for *DJ Semaj* or *D & J Power Fitness*. The Office of Special Events did not verify Lee, a COJ employee, had an approved secondary employment form on file prior to Lee performing his services.

#### RECOMMENDED CORRECTIVE ACTIONS

The OIG recommends the following corrective actions:

1. Review and consider revising the Secondary Employment Policy Directive 0519 (effective March 22, 2018), to include the following:
  - a. Update Section D, Applicability, to include specific language regarding a time frame for the submission of the secondary employment form, i.e. within ten days of commencing secondary employment, an employee will submit a Request/Notification/Termination of Secondary Employment form to their immediate supervisor.
  - b. Include a procedure whereby approved secondary employment forms are either: (1) accessible for viewing and printing by employees; or (2) a copy of the fully executed and approved secondary employment form is returned to the employee. This will ensure all COJ employees are aware when their secondary employment forms have been approved by the Employee Services Department.
  - c. Include a procedure that requires COJ employees to provide verification of any approved secondary employment to any COJ agency when providing vendor services directly to COJ.
  - d. Update the Request/Notification/Termination of Secondary Employment form to include a section for printed names next to or below the signature lines. Additionally, add language on the form that instructs COJ employees and authorized signers to initial and date any changes or corrections made on the secondary employment form.
  - e. Please provide OIG with any updated or established policies. Also, provide verification that any updated or established policies have been distributed to COJ employees.
2. Review and consider revising the PRCS Center Usage Policy, comprised of two sections: (1) Center Usage Agreement Basics; and (2) Center Usage Policy into one unified policy, with an effective date. During the OIG investigation, PRCS employees identified these documents as “rental training documents” rather than as a Center Usage Policy. Additionally, consider revising the Center Usage Policy, Section 6, Employee Use of Centers, to include specific language prohibiting COJ employees from selling or exchanging anything of value while using a City Center, pursuant to a rental, to include

but not limited to prohibiting fundraising, operating businesses, charging an entry fee, purchasing tickets and/or donations to gain entry. Ensure the revised policy has an effective date. Also, provide verification the updated policy has been discussed and/or distributed to COJ employees. Please provide a copy of the updated policy.

3. Review and consider revising the PRCS Senior Services Center Usage Agreement, to include the following:
  - a. Update Section 12, Terms and Conditions, to include more specific language prohibiting the selling or exchanging of anything of value while using a City Center, pursuant to a rental, to include but not limited to prohibiting fundraising, operating businesses, charging an entry fee, purchasing tickets and/or donations to gain entry. Ensure the revised Agreement has an effective date.
  - b. Update the Type of Activity Section, to ensure the activity or purpose for renting the Center is more clearly explained by the renter, avoiding non-specific general language such as “gathering” to describe the type of activity.
  - c. Revise the PRCS Center Usage Agreement to include a payment breakdown section, i.e. rental charges, clean up charges, etc. to ensure clarity of rental charges. Ensure the payment section indicates if the rental rate charged is for a COJ employee or non-COJ employee.
  - d. Please provide a copy of the updated agreement. Provide verification the updated agreement has been discussed and/or distributed to PRCS employees.
4. Please advise the OIG if any personnel action(s) (including all outcomes) are taken as a result of this investigation.

#### IDENTIFIED, QUESTIONED, AND AVOIDABLE COSTS

##### **Questioned Costs: \$3,800**

The investigation concluded Lee, through his outside businesses, was paid \$3,800 to provide services to the COJ in violation of the COJ Secondary Employment Policy Directive 0519, (effective September 1, 2010; May 8, 2015; April 1, 2016; and January 19, 2017). At the time Lee provided these services, Lee did not have approved secondary employment forms on file for either *DJ Semaj* or *D & J Power Fitness*.

#### LEE'S RESPONSE

On April 16, 2018, the OIG forwarded via certified mail a copy of the draft Report of Investigation to Lee's residence. Lee was provided the opportunity to submit a written explanation or rebuttal to the findings in the draft Report of Investigation within ten (10) calendar days, due on or before April 27, 2018. No response was received from Lee.

**MANAGEMENT COMMENTS AND CORRECTIVE ACTIONS**

On April 16, 2018, the Chief Administrative Officer, Office of Mayor Curry, City of Jacksonville, Florida, was provided the opportunity to submit a written explanation or rebuttal to the findings as stated in this Report of Investigation within twenty-one (21) calendar days, due on or before May 7, 2018. On May 4, 2018, the Office of Mayor Curry requested an extension which the OIG granted until May 14, 2018. On May 9, 2018, a written response was received from the Office of Mayor Curry and is attached in its entirety to this report.

The Office of Mayor Curry agreed with the OIG recommendations. The response included an updated Secondary Employment Policy, Directive 0519, effective May 7, 2018. The Administration is in the process of revising and updating both the PRCS Center Usage Policy and Senior Services Center Usage Agreement. These policies will be updated by May 31, 2018, and employees will be notified through the Employee Services electronic acknowledgement process.

Attachment: Management's Response, dated May 9, 2018

cc: IG Distribution A

**This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.**



# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

ONE CITY. ONE JACKSONVILLE.

**DATE:** May 9, 2018  
**TO:** James R. Hoffman, Inspector General  
**FROM:** *ME* Sam E. Mousa, Chief Administrative Officer *[Signature]*  
**SUBJECT:** DRAFT Report of Investigation Number 2017-0013

The subject report was reviewed by the Parks, Recreation and Community Services Department and the Employee Services Department. Listed below are the following responses to the recommended corrective actions:

**OIG Recommendation 1:** Review and consider revising the Secondary Employment Policy Directive 0519 (effective March 22, 2018), to include the following:

- a. Update Section D. Applicability, to include specific language regarding a time frame for the submission of the secondary employment form, i.e. within 10 days of commencing secondary employment, an employee will submit a Request/Notification/Termination of Secondary Employment form to their immediate supervisor.
- b. Include a procedure whereby approved secondary employment forms are either: (1) accessible for viewing and printing by employees; or (2) a copy of the fully executed and approved secondary employment form is returned to the employee. This will ensure all COJ employees are aware when their secondary employment forms have been approved by the Employee Services Department.
- c. Include a procedure that requires COJ employees to provide verification of any approved secondary employment to any COJ agency when providing vendor services directly to COJ.
- d. Update the Request/Notification/Termination of Secondary Employment form to include a section for printed names next to or below the signature lines. Additionally, add language on the form that instructs COJ employees and authorized signers to initial and date any changes or corrections made on the secondary employment forms.
- e. Please provide OIG with any updated or established policies. Also, provide verification that any updated or established policies have been distributed to COJ employees.

**Employee Services Department response to Recommendation 1:** Employee Services revised the Secondary Employment Policy Directive 0519 and is attached. As a point of information, Employee Services for the last two years, has sent a copy of the fully executed and approved secondary

employment form to the requesting employee for his/her file. This action is now included in the directive. The revised policy will now be included in the new hire packages and the revised directive will be distributed to all employees by June 30, 2018.

**OIG Recommendation 2:** Review and consider revising the PRCS Center Usage Policy, comprised of two sections: (1) Center Usage Agreement Basics; and (2) Center Usage Policy into one unified policy, with an effective date. During the OIG investigation, PRCS employees identified these documents as “rental training documents” rather than as a Center Usage Policy. Additionally, consider revising the Center Usage Policy, Section 6, Employee Use of Centers, to include specific language prohibiting COJ employees from selling or exchanging anything of value while using a City Center, pursuant to a rental, to include but not limited to prohibiting fundraising, operating businesses, charging an entry fee, purchasing tickets and/or donations to gain entry. Ensure the revised policy has an effective date. Also, provide verification the updated policy has been discussed and/or distributed to the COJ employees. Please provide a copy of the updated policy.

**PRCS response to Recommendation 2:** The Parks, Recreation and Community Services Department agree with revising the Center Usage Policy as recommended. The revised policy will be distributed through the Employees Services Department electronic process. The revised policy will be completed by May 31, 2018, and a copy of the revised policy will be forwarded to the OIG as requested.

**OIG Recommendation 3:** Review and consider revising the PRCS Senior Services Center Usage Agreement, to include the following:

- a. Update Section 12, Terms and Conditions, to include more specific language prohibiting the selling or exchanging of anything of value while using a City Center, pursuant to a rental, to include but not limited to prohibiting fundraising, operating businesses, charging an entry fee, purchasing tickets and/or donations to gain entry. Ensure the revised Agreement has an effective date.
- b. Update the Type of Activity Section, to ensure the activity or purpose for renting the Center is more clearly explained by the renter, avoiding non-specific general language such as “gathering” to describe the activity.
- c. Revise the PRCS Center Usage Agreement to include a payment breakdown section, i.e. rental charges, clean up charges, etc. to ensure clarity of rental charges. Ensure the payment section indicates if the rental rate charged is for a COJ employee or non-COJ employee.
- d. Please provide a copy of the updated agreement. Provide verification the updated agreement has been discussed and/or distributed to PRCS employees.

**PRCS response to Recommendation 3:** The Parks, Recreation and Community Services Department agree to revise the Senior Services Center Usage Agreement as recommended by the OIG’s office. The revised policy will be distributed through the Employee Services Department electronic process. The revised policy will be completed by May 31, 2018, and a copy of the revised agreement will be forwarded to the OIG as requested.

May 9, 2018  
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Page Three

**OIG Recommendation 4:** Please advise the OIG if any personnel action(s) (including all outcomes) are taken as a result of this investigation.

**PRCS response to Recommendation 4:** No actions were taken as a result of this investigation as the employee who was the focus of this investigation resigned his position with the City of Jacksonville after he was interviewed by the Office of Inspector General, and prior to the release of this draft report.

**Attachments:** Secondary Employment Policy Directive 0519 (revised)

**CC:** Daryl Joseph, Director of Parks, Recreation and Community Centers  
Diane Moser, Director, Employee Services Department  
Marlene Russell, Director Organizational Effectiveness  
OIG File 2017-0013

# EMPLOYEE SERVICES

## Directive - 0519



Date: 5/7/2018

Previously Revised:  
01/19/2017

Established: 09/01/2010

## SECONDARY EMPLOYMENT POLICY

### PURPOSE/OBJECTIVES

The purpose of this policy is to provide guidance in assisting City employees in meeting their obligations and responsibilities under the City's secondary employment requirements of the Jacksonville Ethics Code. The Ethics Code provision on secondary employment, Section 602.403, can be reviewed at <http://www.coj.net/Departments/Ethics+Office/Ethics+Code+.htm>. Employee Services, the Ethics Office and the Departmental Ethics Officers (DEO) will assist in identifying conflicts of interest that may arise by engaging in secondary employment. Employee Services will serve as the main contact for secondary employment and the required forms. This Secondary Employment policy supplements the law and addresses:

- Employees appointed by the Mayor seeking approval to undertake secondary employment.
- Employees appointed by a Constitutional Officer or City Council President seeking approval to undertake secondary employment.
- Notification of secondary employment by all other full time employees.

Employees of the Jacksonville Sheriff's Office (JSO) are excluded from this policy and are governed by JSO Secondary Employment policy as determined by the Ethics Director.

A list of DEOs may be reviewed at <http://www.coj.net/Departments/Ethics+Office/Ethics+Officers+.htm>.

### DEFINITIONS

#### **Secondary Employment**

Secondary employment refers to a second job held by a full-time City of Jacksonville employee. This secondary employment includes contract, self-employment and part time work as well as any employment for another person or organization for any period of time while employed by the City of Jacksonville.

Secondary employment includes:

- operating a business.
- providing paid consultancy services to another person or organization.
- partnerships and directorships of companies; (Note: any position that involves being engaged in the business of the company in an employee's spare time).
- paid work outside; and/or,
- voluntary employment in return for a benefit.
- employment undertaken while on approved leave (either paid or unpaid).
- employment that generates any taxable income on a W-2 form or a 1099 form, and work that an employee is doing that is not currently generating income (example: a business the employee is



"getting off the ground" or one in which the employee's spouse is receiving the salary and the employee is not generating income.) Any outside work is covered.

If in doubt, declare it or discuss it with your DEO. Military duties are not considered to be secondary employment.

**Conflict of Interest** - exists when the outside employment could reasonably be expected to impair independence in judgment or performance of a City employee's duties. Some examples of conflicts occur when:

- the company the employee works for has any business dealings with the City of Jacksonville.
- secondary employment is undertaken during the same hours that an employee is being paid as a City employee, if not on approved leave.
- secondary employment makes use of any City of Jacksonville facility, equipment or resource including but not limited to telephone, computer software and information technology resources and fleet vehicles.
- secondary employment makes use of or may commercially benefit from information the employee possesses by virtue of their employment with the City of Jacksonville.
- COJ employees are required to provide verification of any approved secondary employment to any COJ agency when providing vendor services directly to COJ.

#### **SECONDARY EMPLOYMENT POLICY STATEMENT**

An employee must not engage in private employment or contract work outside the service of the City of Jacksonville that could reasonably be expected to impair independence in judgment or performance of City duties.

Employment with the City of Jacksonville carries with it an obligation to act in the public interest. Accordingly, employees must abide by the standards provided in the Ethics Code, obey the law and consider the spirit of the law.

An employee must not engage in secondary employment outside the services of the City if prohibited from doing so by the appropriate approving authority or unless the employee has agreed in writing to any of the terms and/or conditions placed on the secondary employment by the appropriate approving authority.

#### **APPLICABILITY**

This policy applies to all full-time employees as described below:

##### **A. Appointed Officials and Appointed Employees Reporting to the Mayor**

Appointed officials and appointed employees are responsible for reporting proposed secondary employment falling within the scope of this policy. Such employment must be approved and the secondary employment must not commence prior to the Mayor's designee's approval. All secondary employment of appointed officials and employees is posted on the City's website. This is required by the Ethics Code.

##### **B. Appointed Officials and Employees Reporting to the City Council**

All employees appointed by the City Council, while full-time employees of the Council, must obtain prior approval from the Council President/Designee before accepting secondary employment.

##### **C. Elected Constitutional Officials and their Employees**

All employees appointed by a Constitutional Officer, while full-time employees of the

Constitutional Office, must obtain **prior** approval from the Constitutional Officer /designee before accepting secondary employment.

**D. All other full-time City employees**

All other employees must provide notification of secondary employment, by completing the attached form within ten days of commencing secondary employment. The review of conflict of interest standards by the employee's department official (department head or DEO) may result in notification to terminate the secondary employment relationship.

- E.** New employees with the City of Jacksonville will receive a copy of the Secondary Employment Policy during their on-boarding session. At this time they will acknowledge receipt of the Secondary Employment Policy by signing the Policy Acknowledgment and Loyalty Statement. Any updates to the Secondary Employment Policy will be sent to each department, with an acknowledgment form, to distribute to all employees. The departments will send all signed acknowledgment forms back to Employee Services.

**ANNUAL RENEWAL**

On an annual basis, by March 31st of each year, **all** employees with approved Secondary Employment will be required to verify their information with Employee Services. Employees must send an email to [secondaryemployment@coj.net](mailto:secondaryemployment@coj.net) stating there has been no change and they request their approval be extended for another year or follow the directions below to update their request.

Any failure to follow this renewal process by the deadline will result in the immediate termination of the employee's Secondary Employment authorization.

**PROCEDURE FOR APPOINTED OFFICIALS AND EMPLOYEES**

1. Requests to engage in secondary employment shall be submitted using the attached form. The employee shall submit the form with the required information to his/her DEO with a copy to the direct supervisor for approval prior to commencing secondary employment.
2. The DEO will conduct the initial review of the secondary employment for any potential conflict issues, conferring with the Ethics Officer and General Counsel's office as necessary.
3. The DEO will then forward the recommendation to the Director/Chief for departmental recommendation.
4. The department recommendation shall be submitted, within five (5) days of receipt, to the Director of Employee Services /designee or appropriate appointing authority for approval.
5. The Employee Services recommendation shall be submitted to the Mayor's designee for final approval.
7. The employee shall be notified of the recommendation of approval or denial. A copy of the request/notification form shall be placed in the employee's personnel file.
8. After receipt of this approval, Employee Services will update the master list of Appointed City employees engaged in secondary employment for publication to the coj.net website and the Employee Portal.

**PROCEDURE FOR ALL FULL-TIME EMPLOYEES (OTHER THAN APPOINTED)**

1. Notifications of secondary employment shall be submitted using the attached form. The employee shall submit the form with the required information to his/her DEO with a copy to the direct supervisor within ten days of commencing secondary employment.
2. The DEO will conduct the initial review of the secondary employment for any potential conflict issues, conferring with the Ethics Officer and General Counsel's office as necessary.
3. The DEO will then forward the form to the Director/Chief for the departmental review.

4. After review, the department shall submit, within five (5) days of receipt, to the Director of Employee Services/designee or appropriate appointing authority for final disposition.
5. The employee shall be notified if any conflicts of interest are apparent. This may result in a direction to cease the secondary employment. A copy of the notification form shall be placed in the employee's personnel file and a fully executed copy will be sent to the employee for his/her records.
6. After receipt of this approval, Employee Services will update the master list of City employees engaged in secondary employment.

#### **UPDATES OF APPROVED SECONDARY EMPLOYMENT**

Employees must provide a new request through the same procedure used for initial submittals, for the following reasons:

- The duties and responsibilities of secondary employment changes,
- termination of secondary employment, or
- duties and responsibilities of City employment changes.

If any of these conditions are met:

1. All full time employees must provide secondary employment information updates, within thirty (30) days of the change, by using the attached form. The DEO will review the change and confer with the City Ethics Officer and General Counsel's Office as necessary to determine if a conflict of interest exists.
2. The DEO will then forward the recommendation to the Director/Chief for the departmental recommendation.
3. Directors/Chiefs are responsible for ensuring notifications of secondary employment are appropriately evaluated and forwarded to the Director of Employee Services /designee or appointing authority for consideration and/or approval within five (5) days of receipt.
4. For Appointed Officials and Appointed Employees, the Employee Services recommendation shall be submitted to the Mayor's designee for final approval.
5. The employee shall be notified of any conflicts that may result in a denial or a direction to cease the secondary employment. A copy of the notification form shall be placed in the employee's personnel file and a fully executed copy will be sent to the employee for his/her records.
6. After receipt of this approval/notification Employee Services will update the master list of City employees engaged in secondary employment and post to the [coj.net](http://coj.net) website and the Employee Portal as appropriate.

#### **VIOLATIONS**

Not reporting secondary employment or any violations of the Secondary Employment Directive may result in disciplinary action, up to an including termination and/or preventing rehire, if deemed appropriate.

Any violations identified are to be reported to the Office of Ethics, Compliance and Oversight within three (3) calendar days.

Questions concerning this policy may be directed to the City's Ethics Officer at [ethics@coj.net](mailto:ethics@coj.net) or the appropriate DEO.

**REQUEST / NOTIFICATION / TERMINATION OF SECONDARY EMPLOYMENT**

Please complete form and submit to Department Ethics Officer (DEO) for approval. If any changes or corrections are needed on the form, please initial and date next to the items changed or corrected.

Employee Name: \_\_\_\_\_ EIN: \_\_\_\_\_ Dept/Div: \_\_\_\_\_  
 Supervisor: \_\_\_\_\_ Supervisor's Signature: \_\_\_\_\_ Date \_\_\_\_\_

Via: Department Director/Chief \_\_\_\_\_

**SUBJECT:** Request for Permission or Notification of Secondary Employment

Pursuant to the City's **Ethics Code Section 602.403 Moonlighting Provisions**, I am submitting my request and/or notification, as applicable, to engage in secondary employment. I have read and understand the City's Directive on Secondary Employment.

\_\_\_\_\_  
 Employee Signature                                      Print Name                                      Date

1. City Job title, brief description of duties and responsibilities in City position:  
 \_\_\_\_\_

2. Outside Employer/ Employment:  
 Name of Entity: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Does the entity conduct business with the City of Jacksonville or receive funding, either directly or indirectly?  Yes  No  
 If yes, explain: \_\_\_\_\_

3. Brief description of business conducted by entity:  
 \_\_\_\_\_

4. Position title, duties and responsibilities of secondary employment, please also include number of hours worked per year in the secondary position:  
 \_\_\_\_\_

Pursuant to the City's **Ethics Code Section 602.403 Moonlighting Provisions**, I am submitting notification, my secondary employment ended effective \_\_\_\_\_.

\_\_\_\_\_  
 Employee Signature                                      Print Name                                      Date

Recommendation of Your Department's Ethics Officer (The Ethics Director may sign for the DEO if the Director is involved in reviewing the case.) Approve \_\_\_\_\_ Disapprove \_\_\_\_\_ (state specific reasons for denial)  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Department Ethic Officer or /COJ Ethics Officer signature      Print Name                                      Date

Dept. Director:  
 Approve \_\_\_\_\_ Disapprove \_\_\_\_\_ (state specific reasons for denial)  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Department Director/Chief or designee signature      Print Name                                      Date

Director of Employee Services/Constitutional Officer/Council President:  
 Approve \_\_\_\_\_ Disapprove \_\_\_\_\_ (state specific reasons for denial)  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Director/Officer/Council President or designee signature      Print Name                                      Date

Mayor's Office:  
 Approve \_\_\_\_\_ Disapprove \_\_\_\_\_ (state specific reasons for denial)  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Mayor's signature or designee signature      Print Name                                      Date