west virginia
DIVISION OF PERSONNEL

OTHER EMPLOYMENT AND CERTAIN VOLUNTEER ACTIVITY REQUEST INSTRUCTIONS

Prior to engaging in other employment and certain volunteer activities, an employee must request a written determination from their primary employing agency whether the proposed other employment/volunteer activity may interfere, conflict with, or have the appearance of a conflict with the duties and responsibilities of their primary employment with the State.

EMPLOYEE RESPONSIBILITIES:

1. Fully complete and submit Part I of the Request for Determination Regarding Other Employment and Certain Volunteer Activity form (DOP-OE1).
    - Mark the appropriate box to indicate if the request is for other employment or a voluntary activity requiring a determination. If the request is for other employment, indicate if the employment is with another State agency or outside employer.
    - Provide a functional job description of your primary duties. A class specification does not provide the specific information necessary to make a determination and will not be accepted.
2. Acknowledge your understanding of and compliance with the *Other Employment and Certain Volunteer Activities* policy (DOP-P21) by signing the Request for Determination Regarding Other Employment and Certain Volunteer Activity form (DOP-OE1).
3. Submit the completed request to your immediate supervisor of the primary employing State agency.
4. A separate determination request must be completed for each proposed employment/volunteer activity.

EMPLOYER RESPONSIBILITIES:

1. Appointing Authorities shall inform employees of the provisions of Section 17.1 of the DOP *Administrative Rule* and provide them with copies of this policy or a means to access it so that employees may submit timely requests for a determination regarding other employment and certain volunteer activities prior to engaging in such employment/activities.
2. After evaluating the request, the immediate supervisor will complete Part II of the Request for Determination Regarding Other Employment and Certain Volunteer Activity form (DOP-OE1) and forward the request to the Appointing Authority or designee for completion of Part III and final determination.
3. Within thirty (30) calendar days of receipt of the Request for Determination Regarding Other Employment and Certain Volunteer Activity form (DOP-OE1), the Appointing Authority or designee shall return the DOP-OE1 form to the employee with the Appointing Authority's determination. If the Appointing Authority determines a potential conflict exists, advise the employee that it is his or her responsibility to request an opinion from the Ethics Act Commission. Requests for an opinion must be submitted in writing to: West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301, or by email to ethics@wv.gov. Additional information may be found on the WV Ethics Commission website at https://ethics.wv.gov/advisory-opinion-information.
4. The original completed request shall be retained in the employee's agency personnel file, with a copy forwarded to the Division of Personnel.