



OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

(R75-60)

75-316

BRUCE E. BABBITT
ATTORNEY GENERAL

August 28, 1975

John J. Moran, Director
Department of Corrections
1601 West Jefferson
Phoenix, Arizona 85007

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Dear Mr. Moran:

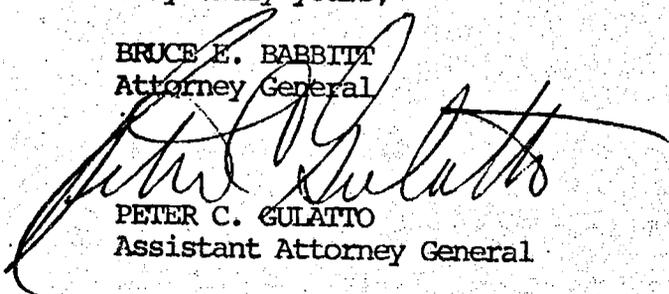
This is in response to your letter of February 11, 1975 which sets forth the following questions:

- A. Can a Department of Corrections' employee be employed and paid during his off-duty hours by some other organization?
- B. If the answer to the above is yes, is that any conflict of interest if the employee is employed by another State Agency and is being paid for services rendered by that Agency?

The question of dual employment for state employees has arisen at various times over the past several years. The opinion of this office now, as it has been in the past, is that there is no restriction against an employee holding down two jobs so long as his secondary employment is not for periods of his regular working hours with the state and so long as there is no conflict of interest between the duties that he is performing for his state employer and his other employer. These restrictions apply to his secondary employment whether it is by another state agency or a private employer. Nothing herein should be construed to authorize or permit a state employee to act as a paid consultant in any capacity for the agency with which he is regularly employed. It is incumbent upon the employee to be responsible for avoiding any conflict of interest while engaging in his secondary employment. Failure to do so may constitute grounds for dismissal from his state employment.

Very truly yours,

BRUCE E. BABBITT
Attorney General


PETER C. GULATTO
Assistant Attorney General

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