

INFORMATION PAPER

MCCS-BJA-AL
5 May 2000

1. **PURPOSE:** To explain the procedures, responsibilities, and limitations pertaining to seeking off-duty employment.

2. **PERMISSION:**

a. All active duty military personnel and DOD civilian employee health care practitioners assigned or attached to AMEDDC&S and its subordinate activities are required to obtain approval prior to engaging in off-duty employment.

b. Off-duty employment includes self employment, as well as uncompensated volunteer activities involving the delivery of health care or related services.

c. In addition, any military or civilian employee who files a financial disclosure report (OGE 450 or SF 278) is required to obtain written approval from their Ethics Counselor before engaging in a business activity or compensated outside employment with a prohibited source.

3. **PROCEDURE:**

a. If you are active duty military or a civilian health care practitioner, the procedures for applying for permission are found in MEDCOM Regulation 600-3, Off-Duty Employment, dated 8 July 1998.

b. All health care practitioners engaging in medically related off-duty employment will request permission using the format at Appendix A. Personnel engaging in nonmedical off-duty employment will request permission using the format at Appendix B. All requests will be routed through your immediate commander or supervisor to the Adjutant, Center Brigade, AMEDDC&S, for the Commander, Center Brigade. For personnel stationed at the U.S. Army School of Aviation Medicine (USASAM), requests will be forwarded to the Dean, USASAM.

c. The request must include a written certification (located at Appendix E) from the prospective employer accepting the regulatory limitations placed on AMEDD employees.

d. Health care practitioners must also submit a statement from the prospective employer or local medical society explaining the impact of the proposed off-duty employment on the civilian community and practitioners.

e. Personnel interested in off-duty employment at more than one location must submit a justification with their application. A new application is required for each off-duty employment site for individuals who have been previously approved to engage in off-duty employment.

f. Each individual participating in off-duty employment will submit a report (Appendix D) to his or her commander/supervisor not later than the 10th of each month stating the number of hours worked the preceding month. This report must be verified and signed by the civilian employer or his/her designee.

g. Each individual must submit a yearly statement updating the individual's current off-duty employment status.

4. LIMITATIONS:

a. An applicant may not seek employment with a person or company if the applicant is participating personally and substantially in an official matter concerning the prospective employer. 18 U.S.C. §208(a).

b. A federal employee may not seek employment which involves representation before any Federal agency. 18 U.S.C. §203(a).

c. Off-duty employment for military and civilian health care practitioners may not exceed 16 hours per week, unless the Center Brigade Commander has granted an exception. There must be at least a 6 hour rest period between the end of the individual's off-duty employment and the start of his/her government duties.

d. Military personnel, not on official leave, will not be granted approval for off-duty employment if the work site is not close enough to allow the individual to return to his or her place of duty within 2 hours time using land transportation.

e. Officer trainees enrolled in graduate training programs are prohibited from engaging in off-duty employment.

f. Health care practitioners engaging in off-duty employment will not assume responsibility for the medical or dental care of any patient on a continuing basis nor engage in private practice.

g. AMEDD personnel are prohibited by AR 27-40, para. 7-10, from providing expert opinion or expert testimony in support of private litigation, regardless of whether you are to be compensated, and even if actual in-court testimony is neither required nor desired by the firm or attorney.

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