

1.E. Civilian Employment During Off-Duty Hours

1.E.1. General

1.E.1.a. Policy

Coast Guard personnel on active duty are in 24-hour duty status, and their military duties shall at all times take precedence on their time, talents, and attention. However, subject to the conditions listed below, personnel are not prohibited from engaging in legitimate and ethical enterprise or employment during their off-duty hours. Personnel who accept off-duty employment must realize that even though they are on leave or liberty they are subject to recall and duty at any time.

1.E.1.b. Prohibited Employment

Personnel on active duty shall not engage in any civilian employment enterprise that, in the opinion of the commanding officer or officer-in-charge:

- (1) Detracts from unit readiness or poses a security risk of any kind.
- (2) By reason of the hours or nature of the work, interferes with or is not compatible with proper and efficient performance of their military duties.
- (3) May reasonably be expected to bring discredit on the Service.
- (4) Is unethical in view of the possible exercise of influence attending the member's military position.
- (5) Involves conflict of interest, or the appearance of conflict of interest. Generally, this restriction precludes employment by any individual or business organization having a direct business relationship with the Coast Guard as a vendor, contractor, or subcontractor.
- (6) Is contrary to the provisions of any Federal, State, or local law or ordinance.
- (7) Permits or appears to permit the employer to gain an advantage over his or her competitors in transacting business with the Government by virtue of the employee's Coast Guard affiliation.
- (8) Involves the solicitation of life insurance, mutual funds and other investment plans, commodities, and services on any U. S. Government installation with or without compensation.
- (9) Involves personal commercial solicitation and sale to military personnel who are junior in grade or rate. This prohibition is applicable to activities on or off an installation, in or out of uniform, while on or off duty, and includes, but is not limited

to, the personal solicitation and sale of life and automobile insurance, stocks, mutual funds, real estate, or other commodities, goods or services. As used in this subparagraph, "personal commercial solicitation" refers to those situations where a military member is employed as a sales agent on commission or salary and contacts prospective purchasers suggesting they buy the commodity, real or intangible, that he or she is offering for sale. This Article does not prohibit the one-time sale of a member's personally owned property. It is not the intent of this subparagraph to discourage the off-duty employment of military personnel but it is intended to prohibit business dealings among members where grade, rank or position may be brought to bear or appear to do so.

1.E.1.c. Labor Disputes

Off-duty employment of military personnel by an organization involved in a strike or lock-out is permissible if the member was on the payroll of such organization prior to the commencement of the strike, if the member will not be required to work at a site or location where a strike or lock-out actually is in progress, and if the employment otherwise conforms with this Article's provisions. No military member may accept initial employment by an organization at a location where the business is involved in a strike or lock-out after the onset and during the course of such a labor dispute. Members who have accepted employment in violation of the above prohibition must terminate such employment immediately.

1.E.1.d. Wearing a Uniform at Civilian Employment

No distinctive parts of the uniform may be worn by personnel while engaged in off-duty employment, nor shall a member engaged in such activity obligate or commit the Coast Guard or in any way create an impression to the public that he or she is acting in an official capacity.

1.E.1.e. Participation in Non-Federal Entities

- (1) Law and Regulation. By law and regulation, Federal employees are prohibited from participating in matters on behalf of the Government which might affect the interests of an organization they are affiliated with in a personal capacity. Coast Guard personnel who in their personal capacity (e.g., on their own time and at their own expense) are involved in managing non-Federal organizations, e.g., serve as officer, director, trustee, etc., shall notify their commanding officer of the nature of their involvement with a non-Federal organization. Coast Guard personnel who are required to file financial disclosure reports shall disclose such involvement when completing their new entrant or annual reports. (See Financial Disclosure Reports, COMDTINST M5370.9 (series).)
- (2) Department of Homeland Security Policy. By Department of Homeland Security policy, all employees are prevented from holding any management position (as described above) with a non-Federal organization in their official capacity unless

specifically authorized by statute. Employees are encouraged to maintain their relationships with such non-Federal organizations in a non-voting, official liaison capacity. An official liaison acts as an intermediary between the Coast Guard and the non-Federal organization, and informs the organization of Coast Guard views and policies on subjects of interest to the organization.

- (3) Coast Guard Policy. By agency policy, special rules govern service by officers, in grades O-7 through O-10, who serve as an officer or member of the board of any non-Federal entity. Flag officers wishing to serve on the board of such entities should contact the Office of General Law (CG-0944) for further guidance.
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1.E.2. Procedures

1.E.2.a. Commanding Officer's Authority

While personnel shall not normally be restrained from engaging in legitimate and ethical enterprise or employment during their off-duty hours, nothing herein is intended to unduly restrict a commanding officer in the exercise of his or her prerogatives and discretionary authority. Accordingly, all Coast Guard personnel shall notify their commanding officer in writing of their off-duty employment activities and obligations. The notification shall include a brief description of the specific responsibilities of the position and an estimate of the number of hours per week required for employment.

1.E.2.b. Decision-Making Authority

When a commanding officer has doubt as to the applicability of the foregoing restrictions to a member's outside employment or proposed outside employment, a request for determination will be addressed to Commandant (CG-1221) via the chain of command. Such requests shall not be prepared by units below the sector level.

1.E.2.c. Confidentiality

Information on an individual's off duty employment shall be treated as "for official use only" if disclosure might otherwise be a source of embarrassment to the member.
