

## CHAPTER XII—FEDERAL MEDIATION AND CONCILIATION SERVICE

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## **PART 1400—STANDARDS OF CONDUCT, RESPONSIBILITIES, AND DISCIPLINE**

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APPENDIX TO PART 1400—CODE OF PROFESSIONAL CONDUCT FOR LABOR MEDIATORS

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### **Subpart A—General**

#### **§ 1400.735-3 Advice and counseling service.**

The Director will designate a counselor for the Service on all matters relating to the conduct and responsibilities of employees, and special Government employees, under the Executive order. The counselor is responsible for providing individual employees with interpretations on questions of conflicts of interest, and other matters covered by this part. (Due to the small size of the Federal Mediation and Conciliation Service, it is unrealistic to designate deputy counselors, and therefore, all questions concerning matters covered in this part should be directed to the one counselor appointed by the Director.)

### **Subpart B—Employees: Ethical and Other Conduct and Responsibilities**

#### **§ 1400.735-12 Outside employment, business activities, or interests (paid or unpaid).**

(a) *Outside employment.* (1) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment.

(2) Outside employment limitations in paragraph (a)(1) of this section do not preclude an employee from:

(i) Receipt of a bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under agency order.

(ii) Participation in the activities of national or State political parties not prohibited by law.

(iii) Participation in the affairs of, or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, non-profit educational and recreational, public service, or civic organization.

(3) Incompatible activities referred to in paragraph (a)(1) of this section include, but are not limited to:

(i) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interests; or

(ii) Outside employment if it is determined that engaging in the proposed outside activity might:

(a) Influence or conflict with the employee's decisions or actions in planning, interpreting, or executing policies, programs, and work assignments of the Service;