

# Chapter 12: Outside Employment

## *Key Terms You Need to Know for Chapter 12.*

- **Outside Employment** – additional employment by a full-time, regular college employee during the contract period for which compensation is received. Such outside employment includes consulting and advisory services for pay. Honoraria for lectures or literary articles, private income from investments, and royalties from books are *not* considered compensation for outside employment.
- **Outside Activities** - include any activity; paid or unpaid, that requires time and energy from the employee that could have an impact on the college or the employee’s performance.

<b>Frequently Asked Questions</b>	
✓ <b>Can I enter into short term employment contract with another employer?</b>	✓ Yes, so long as the additional contract complies with immigration and labor laws, does not reduce your productivity in your job at the college, and work is not carried out during your normal working hours. Such employment shall not damage the image of the college, and the services provided under the contract shall not complete with college services.
✓ <b>Whom should I ask for permission if I am considering short term employment with another employer?</b>	✓ Your immediate supervisor.
✓ <b>Who is responsible for checking with the Immigration Office for compliance regarding my additional contract with the other employer?</b>	<ul style="list-style-type: none"> <li>✓ You are primarily responsible for checking before accepting a contract.</li> <li>✓ Your supervisor must also verify prior to authorizing your request.</li> </ul>
✓ <b>Do I need to ask permission from my supervisor even if my contract with another employer is outside my working hours at the college?</b>	✓ Yes. The supervisor must still know to verify any conflict with future work assignment load, to ensure no conflict of interest with the college and to assure compliance with immigration and labor laws.
✓ <b>Can I ask the college lawyer to review my contract with the other employer?</b>	✓ No. However, if you will pay for his services yourself, then you may contact him directly and on your own.
✓ <b>May I use a college car, computer or other devices given to me for use for job with the to conduct my work with the other employer?</b>	✓ No, normally. The only time you may use the college resources is when the work you are performing is the result of a signed agreement between the college and the employer and when you are

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providing free community services that the president has approved and that advance the positive image of the college.

## Process for Gaining Approval for Outside Employment and Activities

An employee considering additional outside employment must inform his or her immediate supervisor prior to accepting a job using the steps below.

**Step One.** The employee will inform the immediate supervisor of the following in writing by email or through internal memorandum:

- describe the nature of the work, the days and times work will be carried out, and the length of the contract;
- describe how the additional employment benefits the college;
- describe how the employee will handle functions of the job with the college so it is not negatively affected.

**Step Two.** The supervisor will consider the following:

- the impact of the additional employment commitment on the employee's job, unit's services, immigration and labor laws, potential enhancement of the college positive image and the employee;
- whether services described will be competing with college services.

The supervisor will then give careful and serious consideration to the request and inform employee of the decision in an internal memorandum that clearly indicates "approve" or "disapprove" and give the reasons for the decision (especially if the request is disapproved). The supervisor is encouraged to consult his/her own supervisor and/or vice president/president to ensure decision given is given full consideration.

### *A Note on Outside Employment*

Please note that the supervisor or the college may notify an employee anytime to discontinue the outside employment or outside activity if evidence of poor performance, incompliance with revised immigration and labor laws or image of the college is negatively affected as a result of, or in association with, the outside employment or activity. Such notices may also be issued when the outside employment/activity is found to compete with college services or employee's work assignment.

## **Grieving Disapproval of Request or Notice to Cease Outside Engagement**

An employee has the option to grieve either the disapproval of request or the notice to cease outside employment or activities using Board Policy No. 6021 *Grievance*. Likewise, a supervisor may impose discipline as appropriate using Board Policy No. 6019 *Employee Discipline and Protection*.