

Policy #1304
Outside Employment of Faculty

Date of Current Revision: April 2008
Responsible Office: Vice President, Academic Affairs

1. PURPOSE

This policy provides guidelines for the reporting and monitoring of employment outside of the university by faculty members.

2. AUTHORITY

The Board of Visitors is given the authority to establish personnel policies for all employees of the university. This power is delegated to the President in areas in which the Board has not established policy.

3. DEFINITIONS

A&P:

Administrative and Professional faculty member. The members of the faculty who have responsibilities that include administration and the performance of professional services for the university.

Instructional faculty:

The members of the faculty who have responsibilities that include teaching, research and service as the majority of their duties. This designation is sometimes referred to as 'T&R Faculty'.

Outside employment:

Work performed outside of any relationship with the university. Work of this nature includes employment by any other entity, as well as all self-employment and self-initiated professional services such as consulting, workshops, seminars, conferences, institutes, or short courses accomplished for any source other than the university, if such employment or services are compensated.

4. APPLICABILITY

This policy applies to all full-time instructional faculty members and A&P faculty members at the university during the term of their employment with the university. It applies to all employment or work outside of the university for remuneration of any sort.

5. POLICY

No full-time faculty members may engage in outside employment, nor in any private business or profession during the period for which they are employed to work for the university, nor outside such employment period, in a manner or to an extent that affects or is deemed likely to affect their usefulness as employees of the university.

The employee/employer relationship between full-time employees and the university is continuous and it encompasses any and all work performed for the university. Employees may engage in outside employment only if such employment does not interfere with the individual's responsibilities to the university and there is no violation of the Virginia Conflict of Interests Act. Faculty members must report all outside employment to the university in order

for the university to evaluate any potential for such interference and to monitor the potential for interference during the course of the outside employment.

6. PROCEDURES

The following establishes university standards and guidelines for reporting outside employment.

6.1. The primary obligation of full-time faculty members is to fulfill the duties of their contracted positions with the university. Outside employment should in no way interfere with this responsibility. If it is determined that outside employment interferes with full-time contracted responsibilities, such interference will be specifically referenced in faculty performance evaluation reports, and such interference may result in imposition of a sanction.

6.2. Faculty members engaged in outside employment represent only themselves and not the university. This fact must be made known to outside employers and others as appropriate.

6.3. Faculty members engaged in outside employment will not use university equipment, supplies, services, manpower or facilities without prior approval and the payment of required fees and charges as determined appropriate by the Assistant Vice President for Finance.

6.4. No full-time faculty member may engage in part-time or full-time teaching during the semesters he or she is employed by the university for another institution without prior approval of the appropriate vice president. Any faculty member who accepts a tenured position with another institution may be considered to have resigned his or her position with the university.

6.5. APPROVAL AND CONFLICT OF INTEREST

Other than outside teaching during the contract period and work for other state agencies, no formal, written or verbal request for approval is required for a faculty member to engage in outside employment. However, faculty members engaging in outside employment must notify their vice president through channels in writing of this new relationship. This notice should state the faculty member's name and current position; the name and address of the other employer; the position and description of duties; and the estimated duration of the outside employment.

Employees considering contracting with another state agency should be aware of 2.2-3100 of the Virginia Conflict of Interests Act. This section requires an employee to give written notice in advance to both the current agency and the proposed contracting agency, of the employee's material financial interest.

7. RESPONSIBILITIES

Faculty members are responsible for informing the university of all outside employment.

Department heads, directors, deans and vice presidents are responsible for monitoring the potential for interference between a faculty member's outside employment and his or her primary duties at the university.

The Assistant Vice President for Finance is responsible for determining all fees and charges for invoicing a faculty member engaged in outside employment for the use of all university equipment, supplies, services, manpower or facilities.

8. **SANCTIONS**

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

9. **EXCLUSIONS**

Participation in paid military reserve drills and other military activities are not to be construed to be outside employment under this policy.

Full-time faculty members are exempt from the prohibition on teaching at another institution during any months when they are not under contract to teach or work at the university.

This policy does not apply to work for which no compensation or other remuneration is received, unless such work interferes with the responsibilities of the faculty member to the university.

10. **INTERPRETATION**

The authority to interpret this policy rests with the President, and is generally delegated to the Vice President for Academic Affairs.

Previous version: October, 2005

Approved by the President: October 2005

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