

POLICY ON EXTERNAL PAID EMPLOYMENT

The Formal Policy

External paid employment is defined as any outside professional activity (e.g., consulting, teaching, research which is outside the normal scope of employment, training, or service) that is undertaken for compensation by faculty, administrative, and professional staff members with full-time appointments.

The first obligation of faculty, administrative, and professional staff members is to fulfill their duties to the College. External paid employment must not interfere with this obligation, and approval therefore must be obtained by staff members before any commitments are made.

A system of precise time accounting is not consistent with the basic character of academic work because the activities performed are multifaceted, closely related, and they do not conform to any simple definition of a standard work week. Accordingly, this policy does not impose a maximum amount of time that can be devoted to external paid employment. Rather, it relies on the professionalism of faculty, administrative, and professional staff members to ensure that such employment is not excessive.

To assist those engaged in or having responsibility to oversee external paid employment at the College, the following general guideline is offered:

- ! While the particulars of each individual case will need to be considered carefully, external paid employment normally should not involve more than one day per calendar week, on average, during the term of annual employment (academic year or twelve months). This includes preparation time as well as the time required for travel to and from the location of external paid

Such activity during the summer months by staff members on academic year contracts is exempt from this policy, but any other external paid employment that involves more than a single and small honorarium (more than \$500) must be approved in advance.

In addition, any use of College facilities and resources in external paid employment requires prior approval by the Provost, as does any use of the College's name if it implies an endorsement by the College of any product or service resulting from external paid employment. Finally, faculty, administrative, or professional staff members engaged in external paid employment must be in compliance with the College's related policy on financial conflict of interest. External paid employment must be approved in writing by the President or, as has been the customary delegation, by the Provost *or his designee*.*

Approval of external paid employment is subject to the following expectations:

- ! The external paid employment may not interfere with the obligations of the staff member to the College or create any conflicts of interest.

- ! A staff member's private office and the College's libraries may be used in conjunction with the external paid employment, after hours or during regular hours if it does not interfere with a staff member's duties. All other uses of College facilities and resources (e.g., classrooms, secretarial assistance, postage, fax machines, copy machines, telephone charges, laboratories, Computer Center resources and services) are not allowed unless approved in writing by the Provost *or his designee*.^{*} Such approval may be contingent on payment to the College of some *or* all costs related to the use of its facilities and resources.
- ! The College's name may not be used or implied in conjunction with the external paid employment unless the Provost *or his designee*^{*} approves in writing.
- ! If a staff member's external paid employment involves undergraduate or graduate students of the College who are being academically supervised and/or evaluated by that staff member, the work should be of educational value and must not exploit the students financially or otherwise.
- ! The College reserves the right to consider fairly any relevant information, such as the staff member's performance record at the College and the demands of the external activity.

The above policy does not modify or contravene any section of the Virginia Code. It is the responsibility of faculty, administrative, and professional staff members to be familiar with and to comply with the State and Local Conflict of Interest Act. That Act, for instance, generally prohibits staff members from accepting anything of value, other than the compensation paid by the College, for services performed within the scope of official duties owed to the College. The Act also prohibits accepting any business or professional opportunity that may reasonably tend to influence the performance of official duties, or using confidential information for personal gain, or having certain personal financial interests in College contracts (see Virginia Code, Section **2.2-3100**^{*} et.seq.).

Implementation Procedure

Questions about any of the expectations of this policy should be discussed by staff members with their immediate supervisors before petitions for external paid employment are submitted. However, supervisors have no authority to modify or waive any of the provisions in this policy, the final interpretation of which lies with the President or his or her designee. Staff members should provide all relevant information that will assist the College in making a fair judgment as to the best use of its resources or the impact of external paid employment on its operation.

Copies of the approval form are available *on the Provost's Office website*.^{*} Before the form is sent to the Provost's Office for approval, faculty must seek endorsement signatures from the department chair (where relevant) and the appropriate dean; and administrative and professional staff members must seek endorsement signatures from the relevant administrative officer. Copies of approved petition forms are sent to the petitioner and those who have endorsed the form. Every reasonable effort must be made to decide such petitions within five work days so

that the staff member may make appropriate commitments. It is in the staff member's interest to file such petitions in a timely manner.

Approval for an external paid employment must be sought in advance of the beginning date of the commitment. A separate petition must be submitted for each identifiably distinct employer or client and activity. In the case of activities with an open duration, a new petition for approval must be sought annually by the staff member. Also, if the nature of the activity changes significantly after an approval is given (e.g., new tasks are to be performed, more time commitment is required), another petition must be submitted promptly to the signatories above. The College reserves the right to revoke any approval at any time if the activity in fact interferes with the staff member's obligation to the College.

If approval of external paid employment is denied by the staff member's immediate supervisor, that action may be appealed to the next highest level and ultimately to the Provost. When relevant, procedures from the Faculty Handbook may be applied.

This policy is subject to amendment by the Board of Visitors. Amendments will be applied prospectively unless otherwise required by law.

Approved by the Board of Visitors
February 2, 1996

*Updated July 26, 2010