

TITLE: OUTSIDE EMPLOYMENT

POLICY NO: 3-21

EFFECTIVE DATE: 10/14/91

VCCS POLICY NO: [3.8.8](#) and [3.8.9](#)

REVISED DATE: 07/18/17

I. Purpose:

To describe college policy for full-time employees who desire to provide consulting services and/or engage in additional employment outside their employment with the college.

II. Definitions:

Full-time employee: full-time administrative, professional, and 9-,10- and 12-month teaching faculty, and full-time classified staff.

Outside employment: paid employment with another state agency, private business, or self-employment, including private practice of any kind.

III. Policy:

- A. Full-time faculty rank employees may engage in outside employment and consulting activities so long as such activities do not have an adverse effect on their regular/professional responsibilities and duties for the college and so long as such activities are not in violation of the [Code of Virginia, Title 2.2-3100](#), State and Local Government Conflict of Interests Act.
- B. Nine-month teaching faculty are required to comply with this policy only during the contractual period of August 16 through May 15 annually. Ten-month teaching faculty are required to comply with this policy only during the contractual period of August 16 through June 15 annually.
- C. Full-time classified employees may engage in outside employment and consulting activities so long as such activities do not have an adverse effect on their regular/professional responsibilities and duties for the college and so long as such activities are not in violation of the [Department of Human Resource Management \(DHRM\) Policy 1.60](#), Standards of Conduct.
- D. Current full-time employees shall consult with their immediate supervisor prior to the acceptance of any outside employment or consulting activities.
- E. Newly hired full-time employees shall inform their immediate supervisor, at the time of hire, of existing outside employment and consulting activities.

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- F. The college's Office of Human Resources shall ensure that current and newly hired employees are advised of this policy.
- G. Full-time college employees shall use the form identified in the following procedures to seek approval of outside employment or consulting activities. The approval must be granted prior to the start of the outside employment.
- H. College supervisors and managers shall ensure that full-time college employees are aware of this policy requirement. However, the responsibility of complying with this policy rests with the individual full-time employee.
- I. Full-time employees who fail to comply with this policy will be subject to formal disciplinary action, which may include suspension, and/or termination or dismissal.

IV. Procedures:

- A. All full-time employees will submit [JSRCC Form No. 35-0002](#), Request to Engage in Outside Employment, to their immediate supervisor prior to the start of any outside employment arrangement.
- B. [JSRCC Form No. 35-0002](#), Request to Engage in Outside Employment, must be completed and submitted for review and approval annually. Forms submitted for renewal of the outside employment arrangement must be submitted to the supervisor prior to the twelve (12) month ending period from the initial submission date.
- C. If an employee with an approved outside employment arrangement is assigned to a new supervisor, the employee must submit a new copy of the approved [JSRCC Form No. 35-0002](#), Request to Engage in Outside Employment, to the new supervisor. Unless there is a conflict, as defined by the policy, the new supervisor should honor that agreement until the year covered by the request expires.
- D. The immediate supervisor will complete the supervisor review section of the form within two (2) to three (3) business days.
 - 1. If the supervisor's review is favorable, the signed form is forwarded to the Office of Human Resources for review.
 - 2. If the supervisor's review is unfavorable, the supervisor should discuss the issue with the employee, attempt to resolve the issue with the employee, and forward the completed form to the Office of Human Resources for review.
 - 3. If the supervisor and the employee cannot resolve the issue, the employee may request consideration of the outside employment arrangement from his or her respective executive officer. If the executive officer determines an unfavorable review, the employee can request final consideration of the outside employment arrangement from the college president.

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- E. Based on the information provided on the form, the Office of Human Resources will determine within two (2) to three (3) business days any possible violation of the State and Local Government Conflict of Interests Act and indicate the finding on [JSRCC Form No. 35-0002](#), Request to Engage in Outside Employment.
- F. The Office of Human Resources will provide a copy of the completed form to the requesting employee by the third (3rd) business day.
- G. The college president or his/her designee will make the final decision on all requests deemed unfavorable by the college's Office of Human Resources. The college's Office of Human Resources will retain all original documents related to outside employment in the college's Office of Human Resources under separate cover from the employee's official personnel file.

V. Other Information:

[JSRCC Form No. 35-0002](#), Request to Engage in Outside Employment

Authority

[Virginia Community College System \(VCCS\) Policy 3.8.8, Outside Employment](#)

[Virginia Community College System \(VCCS\) Policy 3.8.9, Professional Duties and Consulting](#)

[Department of Human Resource Management \(DHRM\) Policy 1.60, Standards of Conduct](#)

Interpretation

The Office of Human Resources is responsible for the official interpretation of this policy and procedure. Questions regarding the application of this policy and procedure should be directed to that office.