

## RESOLUTION ON FACULTY OUTSIDE EMPLOYMENT

**WHEREAS**, the last sentence of the current consulting policy states: “Full-time faculty members are not permitted to accept regular outside employment except that described under consulting policies.” (*Faculty Handbook* section 2.17.1); and

**WHEREAS**, this statement constitutes a prohibition against faculty involvement in any additional employment (other than consulting), whether that employment takes place outside the individual’s normal work hours, or beyond any reasonable expectation the supervisor might have for special or occasional job assignments outside standard office or class hours; and

**WHEREAS**, the prohibition against outside employment has created a hardship for some lower-paid faculty employees, whose personal circumstances require additional income which university employment cannot provide, and outside consulting is not available or relevant; and

**WHEREAS**, a few faculty members have been subject to audit and found to be out of compliance with university policy for engaging without prior approval in outside activities that are not within the general understanding of consulting. In these cases, the faculty members did not understand such activities were prohibited or that it was necessary to report them for advance approval; and

**WHEREAS**, classified (and university staff) at Virginia Tech are subject to Policy 4070 “Additional/Outside Employment” that permits additional paid employment outside the normal work schedule with advance approval; and

**WHEREAS**, the university encourages active participation by faculty members in external activities that are integral to and/or enhance their professional skills and standing, or which constitute substantive outreach and public service activities through approved “consulting.” Outside consulting must have advance approval, may not interfere with performance of regular university duties, and ordinarily does not involve more than one day per week, or five days in a five-week period; and

**WHEREAS**, the university’s policy on conflicts of interest and commitment provides additional language warning against excessive outside employment and engagement in activities that may create a conflict of interest. The policy states, “Faculty members should make the fulfillment of their responsibilities the focal point of their academic activities. They are expected to arrange their external activities so that they do not impede or compromise their university duties and responsibilities. Responsibility for ensuring commitment rests with each faculty member in consultation with his/her unit administrator (typically the department head or chair, or school or center director) and dean. The primary judgment as to whether a faculty member is meeting his/her professional responsibilities to the unit and the university rest with the faculty member’s unit. The counsel of the unit administrator and colleagues, or dean, should provide

valuable perspectives on faculty commitment.” (See section 2.17.3.2 of the *Faculty Handbook*); and

**WHEREAS**, a review of policies available online concerning consulting and outside employment at SCHEV peer institutions and other selected universities found that the terms and conditions of the Virginia Tech consulting policy were similar in intent, available time, and oversight; however, most policies address consulting within the usual meaning of that term without referring to other outside employment; and

**WHEREAS**, it appears that cited statement in the Virginia Tech policy may be more restrictive than similar policies at peer institutions and create hardship for some faculty members whose salaries are low and options very limited;

**NOW, THEREFORE, BE IT RESOLVED**, that the last sentence of the consulting policy prohibiting “regular outside employment” be deleted and the following language permitting outside employment with advance approval of the supervisor and other university officials (to be reported on a revised form 13010 Request to Engage in External Activities...)” be adopted for the *Faculty Handbook*.

#### ***Outside Employment/External Activities Other Than Consulting***

*Outside employment, not meeting the definition or intent of the consulting policy, requires prior approval of the supervisor and relevant university officials. Approval is contingent on assurance that the primary commitment to Virginia Tech will be fulfilled and that the proposed employment does not constitute a conflict of interest. Release time from university work is not normally available for paid activities that are primarily personal in nature, do not enhance the faculty member’s professional skills, or that are not a potential benefit to the university. The faculty member must use pre-approved leave (or leave without pay) in cases where outside personal work creates a potential conflict with university responsibilities.*

#### **RECOMMENDATION:**

That the above revisions pertaining to outside employment and external activities other than consulting be approved.

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