

Additional or Outside Employment

Personnel – General Provisions

EWU Policy 401-02

Authority: EWU Board of Trustees

Effective: January 27, 2012

Proponent: Human Resources, Rights and Risk

Purpose: This policy establishes standards for university employees engaged in or seeking to engage in employment beyond their regular position with the university.

History: This policy supersedes UGS Policy 590-060-040, Compensation Policy for Additional or Outside Employment and incorporates material previously contained in EWU Policy 901-01, Ethical Standards. It was adopted by the EWU Board of Trustees (BOT) on January 27, 2012.

Applicability: This policy pertains to all officers and employees of Eastern Washington University, including student and non-student temporary employees.

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CHAPTER 1 – GENERAL

University employees may be employed outside of their regular university position so long as such employment complies with RCW 42.52, Ethics in Public Service, EWU Policy 901-01, Ethical standards, and all other state laws and university policies.

CHAPTER 2 – OUTSIDE EMPLOYMENT

2-1. General

University employees may be employed by other state agencies or by businesses or organizations that are not affiliated with the University or with other State agencies.

2-2. Restrictions

a. outside work activities must not be within the course of the employee's official duties;

b. outside work activities may not constitute a conflict of commitment or interest;

c. outside work activities may not be to the detriment of official duties and obligations;

d. the outside work must not have been created or authorized by the employee in his or her official capacity;

e. no university resources may be used for outside work activities; this includes the use of university facilities, equipment, and materials, including academic materials that were prepared using university resources or were prepared for university purposes.

2-3. University Approval

University approval is required whenever outside employment:

- a. is for another state agency; or,
- b. occurs during the employee's regular working hours; or,
- c. creates a potential conflict of interest

2-4. University Approval Process

a. The employee must submit a request detailing the beginning and ending dates, salary, schedule and the nature of the additional employment. .

The supervisor shall forward the request, with recommendations, through appropriate intermediaries, to the president/vice-president for final approval. Supervisor recommendations shall include, if necessary, approval of applicable vacation, personal leave time or leave without pay to permit the performance of the outside employment.

b. The president/vice president will review and either approve or deny the request. They will then return the request to the employee's supervisor and provide a copy to human resources.

2-5. Additional Rules for Outside Work Performed for another State Agency

Special standards govern award of a grant or contract from another state agency directly to an employee while already employed by the state. In addition to the restrictions of section 2-2 and the

requirement for university approval described in section 2-3, such employment must also:

- a. be entered into through a legitimate process as described in section 42.52.120(2) RCW; and,
- b. be coordinated with the Washington State Executive Ethics Board as described in section 2-6.

2-6. Executive Ethics Board Coordination

Per section 42.52.120(3) RCW, university employees who awarded a contract or issued a grant with another state agency must file the contract or grant with the Executive Ethics Board within thirty days after the date the contract or grant was executed. The employee shall include in their filing the following:

- a. A description of the employee's current state duties;
- b. A statement of the work to be performed under the contract/grant and a copy of the proposed contract/grant;
- c. A statement that no EWU resources will be used to perform any of the work under the contract or grant; and,
- d. A copy of the university approval letter that was provided by human resources.
- e. A description of how the work can be performed without the use of EWU time or resources.

A copy of the final determination is forwarded to human resources for filing in the employee's personnel file.

CHAPTER 3 – ADDITIONAL UNIVERSITY EMPLOYMENT

3-1. General

University employees may perform additional work for the university, outside of their normal work, and receive additional compensation.

3-2. Eligibility

- a. Classified: The additional work must fall outside of the employee's civil service position or the work must be exempt from overtime (salaried and meets the administrative, executive, or professional exemption tests of the act). Otherwise, the overtime rules and contract will apply.
- b. Exempt: The work performed must fall outside of the employee's regular assignment as determined by the employee's supervisor. For overtime eligible exempt employees, the work must be unrelated to the to the employee's regular work; otherwise, overtime rules will apply.

- c. Faculty: Eligibility is as determined under the current Faculty Collective Bargaining Agreement.

3-3. Restrictions

- a. Prior approval is required in all cases.
- b. additional work may not constitute a conflict of commitment or interest;
- c. additional work may not be to the detriment of official duties and obligations;
- d. the additional work must not have been created or authorized by the employee in his or her official capacity;
- e. Additional work must be of a nonrecurring nature when it occurs during the employee's regular working hours.
- f. Employees whose written position descriptions include instruction, consultation or other job-related duties which correspond to those in the employee's request for additional duties will normally not receive additional pay.

3-4. Process

- a. Requests for additional university employment, which would occur during an employee's regular work hours, must be made by the employing department to the employee's supervisor.
- b. Requests shall stipulate the beginning and ending dates, salary, budget, schedule and the nature of the additional duties.
- c. The employee's regular supervisor must determine whether the duties are eligible for additional compensation as described in this section.
- d. This request along with the supervisor's recommendations shall be submitted, through appropriate intermediaries, to the appropriate president/vice president for final approval.
- e. For non-faculty appointments, the supervisor shall forward a copy of the request, with approvals, to human resources for further processing and filing.
- f. For faculty appointments, payroll action forms shall be prepared by the college and forwarded to human resources for processing and filing

**APPENDIX A – ADDITIONAL OR OUTSIDE EMPLOYMENT FORM
(LAST UPDATED: MARCH 3, 2012)**

All officers and employees of Eastern Washington University, including student and non-student temporary employees, must complete this form and obtain required approval, prior to engaging in employment beyond their regular position with the university, as described in:

[EWU Policy 401-02 – Additional or Outside Employment](http://cfweb.ewu.edu/policy/PolicyFiles/EWU_901_01.pdf)

(http://cfweb.ewu.edu/policy/PolicyFiles/EWU_901_01.pdf),

[RCW 42.52.120 – Compensation for Outside Activities](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52.120)

(<http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52.120>) and

[Chapter 42.52 RCW Ethics in Public Service](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52)

(<http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52>).

Instructions for Completion and Processing Form

After reviewing the policy and laws identified above, please complete and process this form as specified below:

Outside Employment:

Employee must complete Part A: Employment Information and Part B: Outside Employment;

Employee, Regular Supervisor and Vice President/President must complete Part D: Signatures and Approval;

Vice President/President will forward the completed form to Human Resources for processing;

Human Resources will provide the employee and the supervisor with a copy.

Additional University Employment

Employing Department must complete: Part A: Employment Information;

Regular Supervisor must complete Part C: Additional University Employment;

Employee, Regular Supervisor and Vice President/President must complete Part D: Signatures and Approval;

Vice President/President will forward the completed form to Human Resources for processing;

Human Resources will provide the employee and the supervisors with a copy.

PART A: Employment Information

Name: _____ EWU ID Number: _____

Department: _____ Supervisor: _____

Describe the nature of proposed additional/outside employment and identify Employer: _____

List the beginning and ending dates of the employment: _____

List the salary for the employment: _____

Describe the schedule for the work: _____

PART B OUTSIDE EMPLOYMENT – Criteria for Consideration of Approval

1. Is the outside employment for another state agency?

Yes No

If outside work is for another state agency, employment must be obtained consistent with RCW 42.52.120(2) and be coordinated with the Washington State Executive Ethics Board within 30 days as detailed in EWU Policy 401-02, Sect. 2-6.

2. Will the outside work occur during the employee’s regular working hours?

Yes No

3. Will the outside work create a potential conflict of interest for employee including:

a. Are the outside work activities within the course of the employee’s official duties?

Yes No

b. Do the outside work activities constitute a conflict of commitment or interest to university employment?

Yes No

c. Are the outside work activities detrimental to employee’s official duties and obligations?

Yes No

d. Was the outside work created or authorized by the employee in his/her official capacity?

Yes No

e. Will university resources, including facilities, equipment and materials, be used by employee for outside work activities?

Yes No

PART C ADDITIONAL UNIVERSITY EMPLOYMENT

1. Do the additional work activities constitute a conflict of commitment or interest for employee?

Yes No

2. Are the additional work activities detrimental to the employee's official duties and obligations?

Yes No

3. Was the additional work created or authorized by the employee in his/her official capacity?

Yes No

4. Does the additional work occur during the employee's regular working hours?

Yes No

NOTE: If the answer to question 4 is "yes," a request for additional university employment must be made by the employing department to the employee's supervisor. Further, employee's regular supervisor must determine whether the duties are eligible for additional compensation as described in EWU Policy 401-02, Sect. 3-4.

5. Has prior approval been received by the employing department? Please attach approval documents if applicable.

Yes No

6. If the additional work occurs during the employee's regular working hours, is it of a nonrecurring nature?

Yes No

7. Does the additional work requested correspond with duties already included in the employee's written position description?

Yes No

PART D SIGNATURES AND APPROVAL

EMPLOYEE:

I certify that I have read Chapter 42.52. RCW, and specifically RCW 42.52.120 – Compensation for Outside Activities, as well as EWU Ethical Standards Policy 901-01 in their entirety. Further, I certify I have personally prepared and reviewed this request and certify it complies with the above laws and policy.

Employee – Printed Name _____

Employee – Signature _____ Date _____

SUPERVISOR:

Supervisor – Printed Name _____

Supervisor – Signature _____ Date _____

Note: If this is a request for Additional Employment during employee’s regular work hours (Supervisor also needs to complete following):

I certify I have reviewed the request and determined that the duties: are are not eligible for additional compensation for the following reasons: _____

PRESIDENT/VICE PRESIDENT:

This request for outside/additional employment is:

- Approved as requested
- Approved with modification
- Disapproved

If disapproved, justification: _____

VP/President – Printed Name _____

VP/President – Signature _____ Date _____