

Title: Outside Employment of HLSCC Employees	Number: 5.40.0117.1
Approved by the Board of Governors Date: January 10, 2017 Revised Date:	Implementation Date: January 10, 2017
History: New Scheduled Review Date: November 2020	Origin: Human Resources Department

Rationale

The H. Lavity Stoutt Community College recognizes that outside employment activities may be of benefit to the community, to the College, to the country, as well as to individual employees. Although the College recognizes the right of an employee to engage in outside employment, it wishes to establish policies and procedures requiring that such outside employment be disclosed to the College on an annual basis; that such employment not interfere with the responsibilities of employees; and that such employment not conflict with the employee's responsibilities or obligations to the College or with the mission of the College.

Definitions

Employees refer to all full-time employees of the H. Lavity Stoutt Community College, including faculty, administrators and staff – whether fixed or contractual.

Outside employment is defined as any non-HLSCC activity for which economic benefit is received, including but not limited to:

1. Employment with any non-HLSCC employer;
2. Contracts to provide consulting, personal or professional services to non-HLSCC employers;
3. Self-employment or operation of a business.

Economic benefits include cash payments or such other non-cash economic benefit as share of profits, shares of stock, equity etc. as the employee and outside employer may agree; provided that such non-cash economic benefit shall not have a present value significantly in excess of fair compensation for the services rendered. Compensation rates for outside employment need not be related to HLSCC salary rates, but should be based on normally accepted private sector levels for similar services.

Policy

Outside employment shall be performed only outside of assigned working hours or responsibilities, or during a period of paid or unpaid leave.

Outside employment shall not conflict, delay or in any manner interfere with instructional, scholarly, administrative, support and/or other services which the employee is obligated to render to the College.

The President and members of the President's Cabinet are prohibited from engaging in employment outside the College. They are, however, allowed five (5) days of un-paid leave which may be used for consulting services to other organizations.

All full-time employees of the College are expected to abide by this policy.

Procedures

All Full-time employees are required to complete, and to provide to the Office of Human Resources a *Disclosure of Outside Employment* each year – prior to the beginning of the Fall term, or at such time during the year that a decision is reached by the employee to engage in outside employment.

The Disclosure will be reviewed; and a decision of approval or disapproval provided to the Human Resources Committee of the Board by the President. Such action shall also be communicated to the employee within 15 working days of completion of the Disclosure of Outside Employment..

Approval of the Disclosure of Outside Employment will be reviewed in the context of (a) outside employment that is defined as acceptable, and (b) the College's Employee Conflict of Interest Policy.

Outside Employment That is Acceptable

Outside employment that is acceptable includes the following:

1. Commonly accepted forms of outside employment;
2. Self-employment or business ownership activities;
3. Serving as an expert in an area based upon the employee's training and experience;
4. Consulting by faculty, administrators and staff members of the College, where the consulting services are related to the academic discipline or expertise of the faculty or staff member.

Generally, HLSCC faculty and staff members will not be approved for consulting agreements that are contrary to the College's Employee Conflict of Interest Policy. Such activities include employment that requires the faculty or staff member to participate directly in the supervision of activity where the outside employer currently does business with the College. However, the proposed employment will be considered for approval where the activity is designed to increase the opportunity for the workforce to succeed through innovative skills training within that faculty or staff member's academic discipline, the activity will further the economic development of the country; and the activity cannot be otherwise achieved through contract with the College under established policies and procedures.

Outside Employment that are Not Acceptable:

Outside Employment will not be approved in those instances where:

1. The outside employment constitute a conflict of interest;
2. The outside employment occurs at the same time that an employee is expected to carry out his/her HLSCC duties.
3. The outside employment affects the employee's efficiency in performing his/her duties to the College.
4. Blanket approvals for outside employment are requested.
5. Employment or contractual relationships are in violation of the BVI Government Code of Ethics, or HLSCC Code of Ethics and Criminal Laws of the Virgin Islands.

