

1. Title

Outside Employment

2. Policy

Sec. 1 Purpose. The purpose of this Policy is to provide the terms and conditions under which employees may be concurrently employed by both The University of Texas System and an outside employer.

Sec. 2 Policy Statement. The primary responsibility of an employee of the U. T. System is the accomplishment of all duties and responsibilities assigned to his or her position. Outside employment must be compatible with the interests of the U. T. System and must not detract from the performance of the employee. Outside employment that interferes with the employee's duties and responsibilities will not be authorized.

Sec. 3 Approval Requirement. An employee of the U. T. System may not be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been submitted in writing to and approved by the employee's department head.

Sec. 4 Terms and Conditions. An employee of the U. T. System may, at the discretion of the employee's department head, be employed by an outside employer subject to the following terms and conditions:

4.1 the outside employment must not create or result in a conflict of interest or even the appearance of a conflict of interest and must conform to State laws governing the conduct of State employees, including ethic standards and provisions prohibiting conflicts of interest and use of State resources, including State time, equipment, and employees; and

4.2 the official relationship of the employee to the U. T. System cannot be used in connection with the outside employment, including the use of letterhead stationery or a business address.

Sec. 5 Procedures.

5.1 An employee of the U. T. System who is contemplating concurrent outside employment must complete a "Request for Outside Employment" form and submit it to the department head.

- 5.2 The department head will determine whether the contemplated outside employment would violate any of the provisions of this policy.

The department head may approve an employee's outside employment after the department head determines that the proposed outside employment would not violate this policy.

The department head must decline the employee's request for approval of outside employment if the department head determines that the proposed outside employment would or is likely to violate one or more of the provisions of this policy.

- 5.3 The department head will note the decision to permit or decline an employee's request for outside employment and the rationale for the decision on the "Request for Outside Employment" form. The department head will provide a copy to the employee requesting the outside employment and forward the original to the Office of Employee Services for inclusion in the employee's personnel file.
- 5.4 The employee may initiate a grievance procedure in accordance with INT123, *Grievance*, if his or her request for outside employment is declined by the department head.
- 5.5 The department head will request that an employee discontinue previously approved outside employment if there is subsequent evidence that one or more provisions of this policy have been violated or are likely to be violated.
- 5.6 If a department head becomes aware that an employee is engaging in outside employment that has not been approved in accordance with this policy, the department head must immediately require the employee to complete a "Request for Outside Employment" form and must review the request in accordance with this policy.

3. Definitions

Compensation - value that is given, or may reasonably be expected to be given, in consideration for services performed, including remuneration on a salaried, hourly, or piece-rate basis.

Outside Employment -

- employment not directly related to the U. T. System that is accomplished while off duty from an employee's position with the U. T. System for which the employee is compensated,
- includes employment by another State institution or agency other than an institution of the U. T. System, or by a federal agency, and
- includes self-employment.

4. Relevant Federal and State Statutes

[Texas Government Code, Chapter 572, Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest](#)

[Texas Attorney General Opinion No. JM-93 \(1983\)](#)

[Texas Attorney General Letter Opinion No. 96-109 \(1996\)](#)

5. Relevant System Policies, Procedures, and Forms

[The University of Texas System Regents' Rules and Regulations, Rule 30103, Standards of Conduct](#)

[INT123, Grievance](#)

[UTS180, Conflicts of Interest, Conflicts of Commitment, and Outside Activity](#)

[Outside Employment Request Form](#)

6. System Administration Office(s) Responsible for Policy

Office of Employee Services

7. Dates Approved or Amended

February 1, 2006

August 27, 2009

October 30, 2012

8. Contact Information

Questions or comments about this policy should be directed to:

- bor@utsystem.edu