



THE UNIVERSITY of
NEW ORLEANS

Policy No: AP-OP-25.2
TITLE: Outside Employment
EFFECTIVE DATE: June 6, 2012*
(*Policy Revised, see below)
CANCELLATION:
REVIEW DATE: Spring 2018

ADMINISTERED BY: Office of the President

PURPOSE

To establish procedures for administrative review and approval of outside employment activities of full-time University of New Orleans personnel and graduate assistants in accordance with state law and the policies of the Board of Supervisors for the University of Louisiana System.

AUTHORITY

LA R.S. 42:1123(9); LA CONST Article 7, Section 14; Part Two, Chapter III, Section VII of the Bylaws and Rules of the University of Louisiana System; University of Louisiana System Policy and Procedure Memorandum FS-III.VII.-1 (Outside Employment/Procedures).

DEFINITIONS

- A. All full-time employees of the University of New Orleans, including faculty, other academic, unclassified, and classified, are required to abide by this policy at all times, including during regular and summer term and while on paid or unpaid leave. In addition, all graduate assistants are required to abide by this policy at all times, no matter what type appointment they are hired on.
- B. Outside employment is defined as any non-University activity for which economic benefit is received, including but not limited to:
 - 1. Employment with any non-University employer.
 - 2. Contracts to provide consulting, personal or professional services to non-University individuals or entities, including publishing agreements or arrangements.
 - 3. Self-employment or operation of a business.
- C. Economic benefits include cash payments or such other non-cash economic benefit, e.g., share of profits, shares of stock, equity participation, 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 University salary rates but should be negotiated fairly based on normal private sector levels for similar services.

- D. Outside employment shall be performed only outside of assigned working hours or responsibilities, or during a period of paid or unpaid leave. During said sabbatical, special or educational leave, outside activities may be permitted only in exceptional circumstances, and only in accordance with Board Rules and State Law.
- E. Outside employment shall not conflict, delay, or in any manner interfere with instructional, scholarly and/or other services, which the employee is obligated to render to the University.

OUTSIDE EMPLOYMENT THAT WILL BE CONSIDERED FOR APPROVAL

- A. General consulting, other outside employment or business activities.
- B. Serving as an expert witness in an area based upon the employee's training and experience.
- C. Consulting on a non-University research project. A University employee may be engaged as a consultant on a non-University research project or projects conducted by an outside employer, provided the employee neither supervises nor performs the research.

OUTSIDE EMPLOYMENT THAT WILL NOT BE APPROVED

- A. A university employee may not receive compensation to assist in the passage or defeat of legislation during the fiscal year in which the legislation is pending in the legislature, except from the Louisiana Legislature or any department, institute or agency within the Legislative branch.
- B. If the University employee supervises non-University research or performs the research, he/she is considered a participant or a part of the outside research team rather than a consultant. In such instances, the employee may not be employed by, nor contract directly with, the outside agency unless it is not feasible or practical to seek a contract through the University under established procedures for sponsored research, as determined by the University President.
- C. Blanket approvals for outside employment will not be granted.
- D. Employment or contractual relationships, which are considered to be a violation of the [Louisiana Code of Governmental Ethics](#), will not be approved.

GENERAL POLICY

It is the policy of the University of New Orleans to comply with state law and University of Louisiana System policy and procedures governing outside employment of UNO employees.

The University of New Orleans, a member of the University of Louisiana System, recognizes that certain outside employment activities are of benefit to the University, the State of Louisiana and to the private sector as well as to individual employees. Although the University recognizes the right of

employees to engage in outside employment, it has established policies and procedures requiring that such outside employment be disclosed and submitted for administrative review and approval.

Following is an excerpt of UL System PPM FS-III.VII.-1, which sets forth key provisions of the UL System policy and procedures governing outside employment of college and university employees:

EMPLOYEE RESPONSIBILITIES

Full-time employees and graduate assistants contemplating outside employment or currently engaged in outside employment shall:

- A. Disclose outside employment in accordance with University of Louisiana System Policy FS-III.VII.-1, and procedures established therefor.
- B. Submit a list of all contract or other agreements between the University and the outside employer in which the employee is involved on behalf of the University. Such a list is to include, to the extent the information is known to the employee, the owners, directors, majority shareholders, or affiliates of the outside employer. Additional information about such contracts may be required by the University upon request.
- C. Provide notification to the outside employer that he/she accepts such employment as an individual, and not, in any manner, as a representative of the University. It is recommended that employees do this by including with any oral testimony or written reports, a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the University. In no case may the individual concerned use the name of the University or his/her University affiliation, title, or address officially in any other way in support of any position he/she may take. Biographical data, including a statement of employment by the University of New Orleans, may be included as introductory material to written reports or orally in the case of the expert witness statements, but may not be incorporated into the body of the written report.
- D. Comply with any other provisions of University of Louisiana System Policy FS-III.VII.-1. Failure to comply with this policy may result in disciplinary action in accordance with applicable University policy. (See Section 3.8 of the University of New Orleans Employee Handbook entitled "University Policy on Faculty Conduct" and Section 4.6 entitled "Discipline").

The Louisiana Revised Statutes are available at <http://www.legis.state.la.us> and Board policies may be located at <http://www.ulsystem.net>.

INTERNAL UNO REPORTING AND APPROVAL PROCEDURES

- A. In accordance with state law and policies of the University of Louisiana System, each full-time employee and graduate assistant of the University of New Orleans must report outside employment for which a salary, retainer, fee, or other form of remuneration is paid.
- B. Full-time employees and graduate assistants will receive an annual reminder of the obligation to disclose outside employment. A separate disclosure form is required for each outside employment activity.

- C. If additional outside employment is obtained at any time throughout the year, the employee/graduate assistant must submit an additional disclosure form prior to commencing employment.
- E. Employees and graduate assistants who have outside employment to report must complete the following steps:
1. Familiarize yourself with the University of Louisiana System policies and procedures relative to outside employment. In particular, you should consult Section 5 of PPM FS-III.VII.-1 (Outside Employment Procedures), which sets forth the level of approval required for different types of outside employment.
 2. Complete the University of New Orleans Disclosure of Outside Employment Form located in SharePoint.
 3. Submit the signed and dated form to your immediate supervisor, who will make a recommendation to the appropriate Dean or Vice President, and forward the form to the President. It is the supervisor's responsibility to ensure accuracy of employee's responses on the Disclosure of Outside Employment Form.
 4. All outside employment requires the approval of the University of New Orleans President.



John W. Nicklow
President
University of New Orleans

**Policy Updates:*
Revisions: 8/23/2017
10/31/2017