

**ADMINISTRATIVE PROCEDURES**

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| **10.30 Outside Employment** | **Revised: April 18, 2022** |

1. GOVERNING REGULATIONS

This procedure is governed by A&M System Policy [07.01](http://policies.tamus.edu/07-01.pdf) *Ethics* and [31.05](http://policies.tamus.edu/31-05.pdf) *External Employment and Expert Witness,* Regulation [31.05.02](http://policies.tamus.edu/31-05-02.pdf) *External Employment* and [33.04.01](http://policies.tamus.edu/33-04-01.pdf) *Use of System Resources for External Employment.*

1. PURPOSE

Texas A&M Forest Service expects staff to devote their time and talents on a full-time basis to assigned duties and responsibilities. The agency realizes that staff may have opportunities for outside employment. The purpose of this procedure is to establish the approval process for outside employment by agency employees. This procedure is necessary to ensure that outside employment is consistent with the policies and regulations of the A&M System and the special requirements of the Texas A&M Forest Service. This procedure applies to all outside employment including self-employment, except for additional employment within another A&M System member. Additional employment with other system members is addressed in Administrative Procedure [10.28](https://tfsfinance.tamu.edu/modules/finance/admin/admin_procedures/1028%20Additional%20Employment%20with%20Other%20System%20Members.docx).

1. RESTRICTIONS ON OUTSIDE EMPLOYMENT RELATED TO AGENCY SERVICES

The nature of services provided by the agency to the general public in the normal course of business can create a perceived, if not actual, conflict of interest if employees provide related services through some form of outside employment. Examples include:

* Employee providing same or similar services that the agency provides. Can create opportunity/perception that employee is redirecting agency business to the employee’s private business.
* Employee providing services to carry out recommendations in a management plan or community fire plan, or other recommendation/guidance provided by the agency to citizens. Can create opportunity/perception that employee is using agency activity to generate customers for the employee’s private business. Also, can undermine credibility of agency recommendations.
* Employee’s credibility or credentials for outside employment are inextricably tied to employment with the agency. Can affect (positively or negatively) public perception of the agency.

Therefore, agency employees are not allowed to perform outside employment related to services provided by the agency.

1. CONDITIONS FOR APPROVAL OF OUTSIDE EMPLOYMENT

In keeping with the governing regulations, the agency will consider requests for outside employment if all the following conditions are met:

* The proposed employment does not interfere with the employee’s assigned duties and responsibilities.
* The time and level of effort involved in the proposed employment is reasonable.
* In conducting the proposed work, the employee will act as an individual, not as a representative of the Texas A&M Forest Service or the A&M System.
* The proposed employment does not conflict with any present or expected future work by the agency.
* The proposed employment does not relate to services provided by the agency to the public.
* The proposed employment does not constitute unfair competition with private enterprises.
* The proposed employment will be conducted in accordance with the highest ethical standards.
* The proposed employment will be conducted at no expense to the agency and no agency equipment or resources will be used in the conduct of the employment.
* The employee provides additional details of proposed employment as requested.
* The employee agrees to all of the conditions contained in the governing regulations and this procedure.

1. APPROVAL PROCESS FOR OUTSIDE EMPLOYMENT REQUESTS

Agency staff wishing to engage in outside employment must have an approved [Outside Employment and Consulting Application](http://tfsfinance.tamu.edu/modules/finance/admin/procedures/Outside%20Employment%20and%20Consulting%20Application%20Form.docx) **prior** to starting any work. An Outside Employment and Consulting Application must be completed and approved for each outside employment activity. Requests for outside employment can be made at any time during the year, but approval by the Director through the employee’s chain of command must be received prior to the start of any work.

* 1. Any employee requesting permission for outside employment must complete the Outside Employment and Consulting Application and submit it to the supervisor to initiate the approval process.

5.2 The chain of command reviews the request based upon the requirements contained in this procedure and forwards their recommendation to Employee Development (ED).

5.3 The AgriLife Human Resources Manager reviews the request to verify compliance and forwards to the Director for review and approval.

5.4 If an employee proposes to engage in outside employment with a foreign entity, the request must be submitted to the Associate Director for Finance and Administration for export control review. A copy of the request with supporting documentation must be provided to the A&M System Research Security Office.

5.5 ED notifies the requesting employee of the Director’s decision to approve or disapprove and, if disapproved, advises the employee of the reason(s).

5.6 A copy of each Outside Employment and Consulting Application is returned to the employee’s department; the original is maintained in the employee’s personnel file in ED.

5.7 Outside employment requests will not be granted for a period longer than one year. All authorizations regardless of length, will terminate on August 31 of the current fiscal year. All employees must reapply for authorization each fiscal year, defined as September 1 – August 31.

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