

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
OFFICE OF HUMAN RESOURCES
POLICY AND PROCEDURES MEMORANDUM

OUTSIDE EMPLOYMENT

DATE: February 1, 2006

1. PURPOSE

This policy and procedures memorandum provides the terms and conditions under which employees may be concurrently employed by both The University of Texas of the Permian Basin and an outside employer.

2. POLICY

The primary responsibility of an employee of The University of Texas of the Permian Basin is the accomplishment of all duties and responsibilities assigned to his or her position. Outside employment must be compatible with the interests of The University of Texas of the Permian Basin 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.

An employee of The University of Texas of the Permian Basin 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 department head.

An employee of The University of Texas of the Permian Basin may, at the discretion of the department head, be employed by an outside employer subject to the following terms and conditions:

- The outside employment must not create or result in conflict of interest or even the appearance of conflict of interest and must conform to state laws governing the conduct of state employees including ethics standards and provisions prohibiting conflict of interest and use of state resources, including state time, equipment, and employees.
- The official relationship of the employee to The University of Texas of the Permian Basin cannot be used in connection with the outside employment, including the use of letterhead stationery or business address.

3. PROCEDURES

3.1 An employee contemplating outside employment while remaining currently employed by The University of Texas of the Permian Basin must complete a “Request for Outside Employment” form and submit it to the department head.

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

The department head may approve an employee’s outside employment once it has been determined that the proposed outside employment will not violate this policy.

The department head must decline the employee’s request for approval of outside employment if it is determined that the proposed outside employment would or might reasonably tend to violate one or more of the provisions of this policy, or is otherwise not feasible.

3.3 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 Human Resources for inclusion in the employee’s personnel file.

3.4 The employee may initiate a grievance procedure in accordance with Policy and Procedures Memorandum “Grievance Policies and Procedures” if his or her request for outside employment is declined by the department head.

3.5 The department head will request that an employee discontinue previously approved external employment if there is subsequent evidence that one or more provisions of this policy have been violated or might reasonably be violated.

3.6 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 review the request in accordance with this policy.

DEFINITIONS

Outside Employment:

- Employment not related to The University of Texas of the Permian Basin that is accomplished while off duty from an employee’s position with The University of Texas System or for which the employee is compensated.

- Includes employment by another state institution or agency other than a component of The University of Texas System, or by a federal agency.
- Includes self-employment.

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

4. AUTHORITY

- The University of Texas System Regents' *Rules and Regulations*, 30103
- *Texas Government Code* , Chapter 572
- *Texas Attorney General Opinion No. JM-93 (1983)*
- *Texas Attorney General Letter Opinion No. 96-109 (1996)*

5. APPLICATION

This policy applies to The University of Texas of the Permian Basin.