



HRM 60.415: OUTSIDE EMPLOYMENT AND CONSULTING

PURPOSE

Appropriate consulting and other external employment activities may be beneficial to members of MSU's faculty, staff and the university community. However, these activities must avoid both real and perceived conflicts of interest and must comply with this policy and applicable state law.

DEFINITIONS, GUIDELINES AND PROCEDURES

General guidelines (Consulting and Outside Employment):

Faculty may participate in certain Faculty Consulting Activities (as described below) and/or consulting or non-consulting activities as outside employment (including business activities). Staff may participate only in certain consulting or non-consulting activities, but only as outside employment (including business activities). These activities may be permitted provided that activities do not conflict with faculty and staff normal duties and responsibilities at MSU and do not otherwise violate state law or university policy. MSU employees proposing to conduct these activities must obtain approval from their relevant immediate supervisors, dean/director(s), and vice president(s). This approval must be obtained in advance by submitting an Outside Employment Request Form and will require that these activities will not:

- Damage the prestige or image of MSU.
- Constitute an ethical breach or create a real or perceived conflict of interest.
- Interfere with or duplicate the employee's regular, professional duties and responsibilities as a faculty or staff member of MSU. Activities of particular sensitivity are those occurring within Mississippi and/or involving Mississippi clientele or stakeholders.
- Generate responsibility or liability by MSU in any way for the services rendered or results obtained from these faculty or staff member activities.
- Utilize university resources including, but not limited to, equipment, facilities, offices, personnel, laboratories and supplies.

The request for approval must be renewed annually, and all approvals will expire automatically at the end of each fiscal year. A separate request shall be completed and approved for each external employment activity or engagement. Approved applications shall be maintained in the employee's human resources file.

MSU reserves the right to deny permission, approve a request with limitations, or revoke approval for any request where it appears that it is in the best interest of the University to do so.

Faculty Consulting Activities:

The criteria listed above apply to both consulting and outside employment activities. This section refers to guidelines specific to Faculty Consulting Activities. Paid consulting activities conducted during expected working hours are restricted to faculty members and include any external professional activity for compensation. (Non-faculty consulting-like employment activities are governed by the general guidelines on outside employment.) Faculty consulting activities must satisfy one or more of the following criteria:

- Enhance the knowledge, expertise and experience of the faculty member.
- Promote awareness of opportunities and conditions outside the university.
- Open and expand contacts and communications with other institutions, organizations, industrial firms, governmental agencies and stakeholders.
- Promote public service and/or international activities in accordance with MSU's strategic plan.

Faculty consulting activities are further defined as those activities that:

- Are performed on a contractual basis for any individual, firm, organization, or agency other than MSU.
- Require the professional knowledge, experiences and abilities of the faculty member.
- Are undertaken for personal compensation beyond the reimbursement of expenses and/or a typical honorarium.
- Are conducted during expected working hours.

Faculty consulting activities, absent extraordinary circumstances as noted below, are limited to the following time commitments and restrictions:

- A maximum of two consecutive working days may be taken for any one consulting activity with a maximum of 24 days per year for 12-month faculty and 18 days per year for 9-month faculty.
- Personal leave must be taken for any consulting activity exceeding the annual allotment or two consecutive working days.
- Consulting time may not be used for non-consulting external employment business activities not satisfying the criteria and restrictions listed in this section.

It is recognized, however, that there will be circumstances in which the consulting activities may require additional time requirement beyond the stated limits. When these consulting activities are in the best interest of MSU, the State of Mississippi, or nation, special approval may be obtained by the faculty member's supervisor, dean/director, and appropriate vice president(s) prior to the initiation of the activity.

In addition to having an annually approved Outside Employment Request eForm on file, a Faculty Consulting Report eForm shall be completed in advance of each consulting activity. The completed form shall indicate the dates requested for approval of the consulting as well as reference to the Outside Employment Request approved and on file for that year. This documentation for each faculty member shall be kept on file in the departmental/unit office and is subject to audit upon request.

Additional limitations on certain consulting activities:

- Teaching at other educational institutions by MSU professorial rank faculty members for compensation through consulting agreements is generally not permitted. However, as part of their position responsibilities, faculty members may be assigned teaching responsibilities at another institution. Compensation for such assigned activities must be made by honoraria only, in addition to reimbursement for expenses.
- Serving as an expert witness for financial compensation through consulting is not permitted at MSU and must be conducted as external employment and will require evaluation by MSU General Counsel in addition to ordinary approvals.
- For faculty with an Extension Service appointment, consulting activities within the state of Mississippi or with Mississippi clientele (that are within their professional area of expertise) will be deemed to interfere with or duplicate their regular, professional duties. As such, these activities will not be approved.

REVIEW

This Operating Policy will be reviewed every four years or as needed by the Vice President for Agriculture, Forestry and Veterinary Medicine, the Vice President for Research and Economic Development, and the Provost and Executive Vice President.

REVIEWED BY:

/s/ Judy A. Spencer
Chief Human Resources Officer

07/05/2016
Date

/s/ Judy Bonner
Provost and Executive Vice President

07/08/2016
Date

/s/ Greg A. Bohach
Vice President for Agriculture, Forestry
and Veterinary Medicine

07/11/2016
Date

/s/ David R. Shaw
Vice President for Research and Economic
Development

07/14/2016
Date

/s/ Timothy N. Chamblee
Assistant Vice President and Director
Institutional Research and Effectiveness

07/14/2016
Date

/s/ Joan Lucas
General Counsel

07/20/2016
Date

APPROVED BY:

/s/ Mark Keenum
President

07/25/2016
Date