

POLICY ON SECONDARY EMPLOYMENT (Dual Employment)

(a) Purpose and Scope

(1) Purpose

The purpose of this policy is to define a uniform practice for the reporting and approval of secondary employment. This includes any employment with St. Mary's College of Maryland that is in addition to the primary state position or external to St. Mary's College of Maryland.

(A) This policy applies to:

- (i) Permanent (PIN) St. Mary's College of Maryland ("the College") employees who are paid through the Central Payroll Bureau of the Comptroller.

(B) This policy does not apply to:

- (i) Contractual employees (non-PIN)
- (ii) Vendor contractors (1099 workers contracted through the Business Office).

(b) Definitions

(1) Unit Vice President (VP):

(A) For units, the head of the unit where the employee works.

(2) Employment – Any activity which generates or seeks to generate financial compensation or reward of any kind, including, but not limited to, bonuses, commissions, fees, salary, sales, tips, or wages that is secondary to an employee's primary job duties and permanent (PIN) employment functions.

(3) Office of Human Resources (OHR) – The department within Business and Finance that is responsible for, but not limited to, the following functions for State employees at St. Mary's College of Maryland (hereafter referred to as "the College"): human resources policy development, administration, and interpretation; payroll; talent acquisition; employment and orientation services; employee benefits; position classification and salary administration; and employer-employee relations, including labor relations.

(c) Policy Statement

The College recognizes that employees may seek additional employment outside their normally scheduled workday to earn additional income or to develop new skills and experience. Upon request, and receipt of written permission from the employee's supervisor, department head, unit VP and President, an employee may engage in limited self-employment for remuneration outside of the College, provided that such activities on the part of the employee do not interfere with the employee's primary duties at the College.

Despite any secondary employment, a St. Mary's College of Maryland employee's permanent job should be their primary employment responsibility. The College does not consider other employment to be an excuse for poor performance, tardiness, absenteeism, or refusal to work overtime or travel when required.

(d) General Provisions

- (1) An employee who has employment other than their permanent position with the College either at the time of hire or any time throughout their employment, must obtain authorization from the College. It is the employee's responsibility to notify the Office of Human Resources by completing the [Request for Review of Secondary Employment](#) which requires approvals from the department head and unit Vice President (VP) or, in case the employee is the vice president or the director of HR, approval must be sought from the President.
- (2) The Office of Human Resources will consult with employee's supervisor, department head and the unit's VP to ascertain whether or not the other employment may violate Section (d)(4) of this policy. The State Ethics Commission will be contacted, if necessary, to determine whether the employee's other employment meets all the provisions.
- (3) An employee (faculty or staff) who has other compensable employment with the College that is not included in the description of their permanent position, and requires them to be away from their permanent position during business operation hours of the College, must adhere to the following:
 - (A) Complete all requirements set forth in this policy and
 - (B) Use, and document on the timesheet, annual leave when working during normal business operation hours.
Note: Employees who work outside of the 8AM to 5PM 8AM to 5PM operating business hours of the College are not required to use leave.
- (4) An employee is prohibited from engaging in any business, trade, occupation, profession, or activity that the College determines will:
 - (A) Bring the College into disrepute;
 - (B) Discredit the individual as an employee of the College;
 - (C) Interfere with the performance of the employee's College duties;
 - (D) Present a real or perceived conflict of interest (see [St. Mary's College of Maryland Policy and Procedures](#));

- (E) Result in misuse of College property or funds;
- (F) Violate College policy or procedure.

- (5) An employee may not use College property in the pursuit of non-college business or other employment.
- (6) Secondary employment or outside employment that does not meet the provisions of this policy will require the employee to discontinue, either their secondary employment or their primary employment with the College, as soon as possible.
- (7) Violation of any of this policy may result in disciplinary action and possibly termination from State employment.

(e) Exceptions

The College's Administration may make exceptions to any provision of this policy.

(f) Not a Contract

This policy does not constitute or create an express or implied contract. It is not intended to, and does not, create contractual obligations with respect to any matter it covers.