

ADMINISTRATIVE DIVISION HR Division of Human Resources		POLICY NUMBER HR 1.30
POLICY TITLE Outside Employment		
SCOPE OF POLICY USC System	DATE OF REVISION November 16, 2018	
RESPONSIBLE OFFICER Vice President for Human Resources	ADMINISTRATIVE OFFICE Division of Human Resources	

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE FACULTY, STAFF, OR ADMINISTRATIVE EMPLOYEE AND THE UNIVERSITY OF SOUTH CAROLINA. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE UNIVERSITY OF SOUTH CAROLINA RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT. THE UNIVERSITY OF SOUTH CAROLINA DIVISION OF HUMAN RESOURCES HAS THE AUTHORITY TO INTERPRET THE UNIVERSITY'S HUMAN RESOURCES POLICIES.

PURPOSE

This document sets forth the University of South Carolina policy on outside employment for faculty and staff, includes rules of conduct from the University of South Carolina Ethics Policy and addresses participation in political activity when regarded as outside employment.

DEFINITIONS

Conflict of Commitment: A situation in which an individual engages in external activities, either paid or unpaid, that may interfere with his/her primary obligation and commitment to the university.

Conflict of Interest: A situation in which an individual has financial, professional, or personal considerations that may directly or indirectly affect, or have the appearance of affecting, an individual's professional judgement in exercising university duty or responsibility. A conflict of interest may arise when an individual has the opportunity or appears to have the opportunity to influence the university's business, administrative, academic, research, or other decisions in ways that could lead to financial, professional, or personal gain or advantage of any kind, whether or not the value is readily ascertainable.

Dual Employment: An agreement by which an employee within an FTE position with an employing agency accepts temporary, part-time employment with the same or another agency.

Outside Employment: Secondary jobs held by state employees outside of state government.

POLICY STATEMENT

- A. Full-time university employees, both faculty and staff, are not permitted to engage in outside employment which will result in either a conflict of interest or a conflict of commitment.

Faculty and staff are permitted to engage in:

1. Professional consultation on a limited basis, subject to proper administrative approval as defined in university policies [ACAF 1.50 Outside Professional Activities for Faculty](#), [RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects](#), and [BTRU 1.18 Conflict of Interest](#).
 2. Part-time employment after normal working hours when such work constitutes no interference or conflict of interest with the employee's regular university duties and responsibilities and does not entail the use of institutional resources.
- B. Dual employment with another state agency subject to university policy [HR 1.78 Dual Employment Employees](#) of the university intending to participate in political activity are subject to the provisions of the State Ethics Act, Government Accountability, and Campaign Reform Act and University's Ethics policy. Employees who are in positions funded by federal funds may be subject to the Federal Hatch Act. Employees should refer to the [Division of Human Resources](#), Office of General Counsel or the [State Ethics Commission](#).
- C. [University of South Carolina Ethics Policy HR 1.02](#), pursuant to the [State Ethics, Government Accountability, and Campaign Reform Act, Section 8-13-750](#) prohibits employees from membership on or employment by a regulatory commission or agency that regulates any business with which the employee is associated.

PROCEDURES

- A. Faculty or staff intending to undertake outside employment must first obtain the permission of their department head, through their supervisor. Approval will not be given when, from the nature of the work proposed, it appears that a conflict of interest or a conflict of commitment will occur. Faculty should refer to university policy [ACAF 1.50 Outside Professional Activities for Faculty](#). Investigators on sponsored projects should also refer to university policy [RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects](#). All employees should refer to university policy [BTRU 1.18 Conflict of Interest](#).
- B. As appropriate outside employment should be disclosed and managed through the university's central reporting systems. ([Conflict of Interest \(COI\) and Outside Employment Disclosures for Staff](#) or [Outside Professional Activities](#)).
- C. If outside employment is approved and it later appears to generate a conflict of interest or an unreasonable interference in the full and faithful performance of university duties, the

university reserves the right to require the employee to discontinue the employment, or to reduce it to an acceptable level in order to continue university employment. University employees who continue with such activities after being required to discontinue or reduce outside employment to an acceptable level may be subject to disciplinary action. (See university policy [HR 1.39 Disciplinary Action and Termination for Cause.](#))

RELATED UNIVERSITY, STATE AND FEDERAL POLICIES

- [Federal Hatch Act – Political Activities by State Employees](#)
- [SC Code of Laws Section 8-13-750 -- State Ethics, Government Accountability, and Campaign Reform Act](#)
- [State Human Resources Regulations 19-701.07](#)
- [ACAF 1.50 Outside Professional Activities for Faculty](#)
- [BTRU 1.18 Conflict of Interest](#)
- [BTRU 1.20 Dishonest Acts and Fraud](#)
- [HR 1.02 University of South Carolina Ethics Policy](#)
- [HR 1.39 Disciplinary Action and Termination for Cause](#)
- [HR 1.78 Dual Employment](#)
- [RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects](#)

HISTORY OF REVISIONS

DATE OF REVISION	REASON FOR REVISION
November 16, 2018	Updated to new format Revised for consistency with other university policies.
April 19, 2016	This policy revision updates the disclaimer language as recommended by South Carolina Division of State Human Resources. This policy revision includes rules of conduct from the University of South Carolina Ethics Policy and addresses participation in political activity when regarded as outside employment.