

# Moonlighting & Outside Employment Policy



## **1. POLICY**

ABC Company expects all employees to devote maximum time, effort, attention and dedication to their jobs and to show up for work each day fully rested and ready to deliver to the maximum of their abilities. Management regards moonlighting as interfering with this fundamental obligation and strongly discourages employees from doing it. However, management also recognizes that in some circumstances, taking such employment may be necessary to supplement for employees to enhance their income, enhance their experience, or pursue outside interests. **Accordingly, employees permits employees to moonlight but only if they get advance approval and follow the rules, requirements and procedures set forth in this Policy.**

## **2. PURPOSE**

The purpose of this Policy is to define ABC Company expectations with regard to moonlighting, make it clear what kind of outside employment is and is not acceptable, establish procedures for securing approval of second jobs and outline ground rules to ensure that moonlighting does not create a conflict of interest or interfere with employees' primary employment obligations to ABC Company.

## **3. DEFINITION OF MOONLIGHTING**

For purposes of this Policy, "moonlighting" includes any outside paid employment, including self-employment, part-time employment and consulting work that employees may pursue, as well as all illegal or criminal activities regardless of they are engaged in for pay; "moonlighting" does not include community service, volunteer work, or other public, political, or other work or activities engaged in by employees without pay.

## **4. NO INTERFERENCE WITH PRIMARY EMPLOYMENT**

Even when getting permission to moonlight in accordance with this Policy, all employees are expected to treat their work at ABC Company as their primary job, work all Company working hours for which they are scheduled and not allow their

moonlighting job duties or debilitating effects interfere with performance of their ABC Company job responsibilities. Such debilitating effects include, without limitation, fatigue that renders employees less alert or effects that otherwise interfere with productivity, concentration, availability, and/or physical or mental health and safety.

## **5. NO CONFLICTS OF INTEREST**

No employee may seek or accept outside employment that creates an inherent conflict with their employment at ABC Company, including but not limited to where the outside employment:

- Involves work in a business that directly competes with ABC Company;
- Involves responsibilities of that are inherently in conflict or incompatible with their responsibilities at ABC Company;
- Would materially interfere with their job responsibilities at ABC Company;
- Would require them to refrain or recuse themselves from matters central to their responsibilities at ABC Company; or
- Would require them to use ABC Company resources or disclose ABC Company confidential or proprietary information.

This Policy also prohibits employees from using their employment with ABC Company to secure employment with another company, agency or organization.

## **6. EMPLOYEE DUTY TO NOTIFY & GET APPROVAL FOR MOONLIGHTING**

Employees wishing to moonlight must, before accepting another job or position, immediately notify their supervisors of their wish to moonlight and describe the work they propose to do to the ABC Company HR Department and obtain approval in accordance with the following procedure.

## **7. APPROVAL PROCEDURE**

Employees seeking approval for moonlighting must complete a Moonlighting Permission Request Form listing important information about the proposed position and submit the completed Form to their supervisor. Supervisors must review the Form and make recommendations to the HR Department for final determination. Employees will be notified of this decision within 72 hours. Denials may be appealed within 72 hours by completing a Moonlighting Denial Appeals Form and submitting it to HR. HR's decision on the appeal will be the final resolution and not subject to further appeal.

## **8. CRITERIA FOR APPROVAL**

In deciding whether to approve requests to moonlight, supervisors and HR managers will consider whether the proposed second job interferes with the employee's duties to ABC Company, including whether the proposed second job:

- Creates any potential conflicts of interest in accordance with Section 5 above;
- Limits the employee's hours of availability; and/or
- Can reasonably be expected to overextend, fatigue or otherwise impair the

employee's physical, mental, and emotional well-being and capacity to perform his/her primary job duties for ABC Company.

## **9. RETROACTIVE APPROVAL**

Employees who are currently moonlighting and began their second jobs before this Policy took effect must notify and seek approval of their arrangements in accordance with the above provisions.

## **10. NO USE OF COMPANY RESOURCES FOR MOONLIGHTING**

Employees who moonlight may not use any ABC Company resources to carry out their second job responsibilities either during or after their regular ABC Company work hours including, but not limited to, computers, e-mail, Internet access, photocopiers or other equipment, materials, supplies, customer lists or vendor information.

## **11. NO BENEFITS FOR MOONLIGHTING ILLNESSES/INJURIES**

ABC Company will not pay medical benefits for injuries or sickness resulting from employment by any employer other than ABC Company.

## **12. DISCIPLINE & ACCOUNTABILITY**

Violation of the terms of this Policy is grounds for immediate revocation of employees' moonlighting privileges and may also result in discipline up to and including termination, depending on the circumstances involved.