

Guidelines regarding NTNU employees' additional employment

Passed in matter for the Board 35/13

1 Purpose of the guidelines

The purpose of these guidelines is to specify NTNU employees' opportunity to hold additional employment, and how the employer should be notified of additional employment. NTNU wants internal openness with regards to employees' additional employment to be able to reveal possible conflicts of interest. This is important on account of the university's reputation, as well as the confidence and integrity of the employees. The guidelines are based on state guidelines and regulations.

2 Extent

The guidelines apply to all NTNU employees.

3 Definition of additional employment

Additional employment is defined as engagement and appointment in companies, organisations, associations or other bodies in addition to the ordinary position at NTNU. This includes engagement and appointment in companies that are entirely or partially owned by the employee.

Whether this engagement is paid has no significance.

Additional employment can also be designated as additional position, second job, side income, extra work etc.

Additional employment does not include excess work or overtime work at NTNU.

4 Main principles for employees' additional employment

Employees have the right to undertake extra work for another employer or engage in private occupations.

However, this right is not unrestricted.

An employee cannot undertake extra work for another employer or engage in private occupation that:

1. is directly illegal for him/her by law or regulation,
2. is directly agreed upon by regulations, collective agreements or other agreements which he/she shall abstain from,
3. inhibits or delays their ordinary work, unless a particular decree or permission exists, cf. the Basic Collective Agreement, pt. 1.1.4,
4. involves the civil servant engaging in or contributing to disloyal competition with the governmental establishment at which they are employed,
5. leads to the civil servant becoming disqualified in relation to managing their own cases more often than sporadically,
6. involves that the civil servant easily can get in a conflict of loyalty with the public establishment at which they are employed,
7. involves that they take advantage of trade secrets in a disloyal manner,
8. damages the reputation of the position or the public employer.

The manager may approve an employee's additional employment within working hours for up to 20%, when this benefits their work at NTNU. Time spent on additional employment within working hours is compensated for at other times. Alternatively, reduced working hours and salary deduction can be agreed.

Due to the diversity of NTNU's activities, there might be conditions not mentioned in the above that can qualify as unacceptable. The specific conditions at each department must be taken into consideration.

5 Additional employment that requires approval from the employer

Some additional employment is of a nature that requires approval from the employer:

1. additional employment during working hours
2. additional employment involving use of NTNU resources
3. additional employment that can cause confusion regarding the employee/contractor's and NTNU's interests and resources and/or compete with NTNU's own activities
4. additional employment of a lengthy or comprehensive nature
5. additional employment that can contribute to doubt regarding the employee's impartiality

6 Additional employment expected to be reported by the employee

It is expected that NTNU employees report additional employment if there can be doubts as to whether the additional employment is compatible with the employment or NTNU's interests. See also pt. 4 above.

Examples of additional employment that should be reported:

- employment, assignments or other similar association with other companies, including adviser agreements
- board membership in institutions and companies
- appointments in non-profit organisations related to one's own unit at NTNU
- appointments or assignments in the public sector or charitable institutions, that are not of a smaller extent or requires sporadic efforts

Additional employment that is obviously not in conflict with the guidelines need not be reported.

Examples of such additional employment:

- participation in assessment committees
- external examination
- referee professional journals
- isolated, less resource-demanding teaching assignments at other institutions (lectures or similar)

- isolated, academic lectures or similar activities to a limited extent, as a part of the university's duty of communication in relation to society
- Informational activity through media appearances etc.

Part-ownership in companies

If there are doubts as to whether the ownership is compatible with the employment or NTNU's interests, or if the ownership is within the same subject area as the position at NTNU, the employee is expected to report their part-ownership to the employer.

7 Notification and approval of additional employment

Written notification and application for approval of additional employment is sent to the employer.

Rejection of an application to hold additional employment or a refusal to be able to undertake a notified additional employment must be given grounds for.

8 Sanctions following breaches of the guidelines

Breaches of the principles for additional employment can lead to personnel consequences in accordance with the Civil Service Act, and other reactions in accordance with the rules for breach of employment.

9 Appeals against rejections or refusals to the Additional Employment Committee

Employees can appeal decisions to not allow additional employment to the Additional Employment Committee. The committee should consist of three members appointed by the Board, on the recommendation of the Rector. The committee should consist of a member from the employer, a member suggested by SESAM on behalf of the employee, and an external Legal Adviser.