



**SOUTHERN UTAH UNIVERSITY**  
**Policies and Procedures**

**Policy # 8.3.7**  
**Date Approved: 06/03/99**  
**Date Amended:**  
**Reviewed w/no Changes:**  
**Office of Responsibility: VP Fin**  
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**SUBJECT: CONSULTING AND EXTERNAL EMPLOYMENT ACTIVITIES**

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**I. PURPOSE:**

- A. To outline the University's policy on employment responsibilities and restrictions on outside remunerative employment activities (consultation) for professional and executive staff employees.

**II. DEFINITIONS:**

- A. Full time - An employment relationship, applicable to professional and executive staff employees which requires a commitment of 100% of the individual's normal and expected working time and effort. Full-time employment is generally inconsistent with the acceptance of any other regular employment.
- B. Funds administered by the University - Funds administered by the University include general funds, uniform school funds, mineral lease funds, grant and contract funds, restricted and unrestricted funds, auxiliary funds, plant funds, SUUSA funds, development funds, and any other funds under the control of the University that are available for payment of compensation.
- C. Consultation agreement - An independent contractual agreement entered into by a University employee, acting outside the course and scope of employment and solely in a personal capacity, for the performance of consulting services.

**III. POLICY**

**A. Consultation Policy**

- 1. All personnel of the University holding full-time positions shall give full service to the work of the University during scheduled work periods. Any non-university employment must not interfere with the discharge of the person's full time service obligations to the University.
  - a. Professional and executive staff members are encouraged to be professionally engaged with their respective areas of expertise. One type of professional development is consulting, which is addressed in this policy. Each professional or executive staff member is responsible, to request approval, in writing and in advance, from his/her immediate supervisor and one additional level of supervision, for all outside paid professional activities.



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Approval of outside paid professional activities must be reviewed and re-approved on an annual basis.

- b. In any case in which present or contemplated outside employment is believed to involve a question as to a potential conflict of interest, the concerned individual is encouraged to seek advice from the administration and, where appropriate, from University legal counsel's office, by requesting an opinion through the Provost or appropriate vice president.
2. The University approves of public service activities that are compatible with full performance of University duties and consistent with University policies and procedures.
3. Professional and executive staff members may not accept employment for, and may not perform, any teaching, instructional, or research services for other academic institutions while employed at SUU without the knowledge and written approval of the cognizant department head, dean and provost or appropriate vice president. Compensated or uncompensated participation in an occasional short-term conference, seminar, or symposium or the delivery of a scholarly paper or public address at a professional meeting or academic gathering under the auspices of an academic institution, does not violate this policy.
4. Full-time professional and executive staff members may maintain off-campus business or professional telephone listings in their own name, or establish off-campus offices for non-university related professional or business activities, after informing, in writing, their department head and or appropriate supervisor.
5. Consultation and other services to persons, firms, institutions, and agencies outside the University may be carried on by professional and executive staff members as long as the performance of such service obligations to the University are subject to the following restrictions:
  - a. Professional and executive staff members are allowed one day a month for either consulting or outside employment, not counting annual leave days, weekends or holidays. Unused consultation time may not be accumulated. The University has



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- no obligation to compensate personnel for authorized consultation time that, for any reason, is not used.
- b. Annual leave or leave without pay may be used in addition to, or in lieu of consulting leave.
  - c. Use of consultation time should have a demonstrable relation to the professional interests of the staff member and to the benefit of the University.
  - d. Any absence from the University for the purpose of consultation services should be recorded as an excused absence for approved consultation only if the restrictions of this section have been satisfied.
  - e. Consultation may take place in a professional or executive staff member's office or laboratory. Use of University facilities and equipment resulting in clearly identifiable additional cost to the University shall be reimbursed, shall require authorization and shall not displace University functions.
  - f. If a professional or executive staff member's office or laboratory is used for consultation services, the professional or executive staff member shall not use University staff members, i.e., secretaries or student aids, as support personnel for his/her consultation activities.
  - g. The individual engaged in consultation activities must arrange in advance, with the approval of the responsible department head, director, or other line officer, for scheduling of other work assignments missed as the result of consultation activities.
6. University employees engaged in consultation services authorized by this policy must assume the following responsibilities to assure compliance with this policy and with applicable legal requirements.
- a. The University employee must advise the person, firm, or agency for whom such consultation services are to be performed that (1) the employee, in his/her role as a consultant, is acting solely as an independent contractor,



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- and not as an agent or employee, or under the sponsorship, auspices, or control of SUU, and (2) the University assumes no responsibility whatever, express or implied, for the actions or omissions of the employee in his/her role as a consultant.
- b. The University employee must personally assure that the conditions and limitations upon external consulting activities, as specified in this policy, are fully satisfied, and must be prepared to document that fact if called upon to do so by a responsible University officer.
  - c. Before entering into a consultation contract, the University employee must personally determine that the contemplated consultation activities and arrangements will not involve a conflict of interest with the individual's duties to the University that may be in violation of the Public Officers' and Employees' Ethics Act.
7. Teaching and other activities coordinated by the division of continuing education, special institutes, television, and other University approved programs and activities, are not considered outside activities. Professional and executive staff members who are able to render full employment services to the University, and at the same time serve the interests of the people of the state by service coordinated by the division of continuing education, are encouraged to do so.
8. Professional and executive staff members' participation in other professional development activities i.e. University teaching assignments, tuition waiver program, or wellness program will be taken into consideration by department heads and Provost/vice presidents when evaluating requests for consulting or outside employment opportunities.