

31.05.02 External Employment

Reviewed [August 25, 2017](#)

Next Scheduled Review: August 25, 2022

Click to view [Revision History](#).



Regulation Statement

This regulation governs all external employment of employees of The Texas A&M University System (system) other than faculty covered by System Regulation *31.05.01, Faculty Consulting and External Professional Employment*, and includes external employment by faculty members that is not directly related to their professional discipline.

Reason for Regulation

Members have a duty to ensure that external employment by its employees does not interfere with the duties and responsibilities of the employees' positions of appointment.

Definitions

Employment – any work, advice or service for which a system employee receives remuneration, services, goods or other consideration of value. Employment by another member or by an entity outside the system is external employment for purposes of this regulation. The term includes employment by an individual, self-employment or by an entity in which the employee is a principal owner.

[Click to view Definitions.](#)

Procedures and Responsibilities

1. CRITERIA

- 1.1 External employment may be authorized provided it meets the requirements stated in ~~Section 1 of~~ System Policy *31.05, External Employment and Expert Witness*, and System Policy *07.01, Ethics*.
- 1.2 Use of system resources for external employment, including facilities, equipment, work time or personnel, is prohibited except as authorized by System Regulation *33.04.01, Use of System Resources for External Employment*.

2. ADMINISTRATIVE APPROVAL

- 2.1 Each member will determine the process for requesting and approving requests for external employment, including adopting a member external employment application and approval form. The member's external employment application and approval form must contain, at a minimum, the provisions listed in the system's *Model External Employment Application and Approval Form*.
- 2.2 Each chief executive officer (CEO) may waive the requirement for approval for specific types of external employment if engaging in such employment is not likely to cause a conflict of interest with the ordinary duties and responsibilities of the employee. [All such provisions of expertise to foreign entities, whether involving remuneration or not, shall be subject to approval as provided in Section 2.1.](#) Approval may not be waived for employment by an employee in a business owned by the employee or a member of the employee's family that does business with the system.

3. RELEASE TIME

- 3.1 In very exceptional circumstances, specific external employment and consulting engagements may be approved on a release-time basis, i.e., paid time that the employee may spend away from his or her normal work duties without using vacation or compensatory leave time. Release time may be granted on a case-by-case basis by the CEO or designee only when:
 - (a) the work is to be done with no remuneration from the external entity to the employee;
 - (b) there will be no direct expense to the system; and
 - (c) the work will specifically enhance the value of the employee to the system.
- 3.2 Release time for external employment must be documented using the member's external employment application and approval form.

Related Statutes, Policies, or Requirements

[System Policy 07.01, Ethics](#)

[System Policy 31.05, External Employment and Expert Witness](#)

[System Regulation 33.04.01, Use of System Resources for External Employment](#)

Appendix

[A&M System Model External Employment Application and Approval Form](#)

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

System Office of General Counsel
(979) 458-6120