

## **Policy 700.4 – Compensated/Uncompensated Professional Activities Outside the University (Administrators & Other Contract Professionals)**

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Approved By:

References: MCA 2-2, BOR Policy 401.1

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### **I. POLICY**

The University of Montana Western recognizes the potential value of making available to the community the professional competence and technical knowledge of administrators and other professionals through outside employment.

### **II. PURPOSE**

The objective of this policy is to establish standards for the recognition and administration of compensation for employment outside the University for University administrators and contract professionals, consistent with policies of the Montana University System and state law.

### **III. PROCEDURES**

#### **A. Definitions**

When used in this policy, the following definitions apply:

1. Administrators and other contract professionals means Deans, Directors and all administrative personnel not covered by a collective bargaining agreement, who report to the Chancellor, Provost/Vice Chancellor for Academic Affairs, and Vice Chancellor for Administration & Finance/Student Affairs, and who are employed on a Board of Regents Professional Employment Contract.
2. Compensated Activities Not Sponsored by the University means activity for which any form of remuneration will be paid for services rendered. Remuneration does not include payment for actual expenses. For purposes of this policy, these activities include the following as examples, but are not limited to those enumerated:
  - a. Teaching or performing professional service for any entity other than the University.
  - b. Private consulting activities under a contract with any agency other than the University for the direct delivery of services or advising.
  - c. Royalties, compensation for editorial work and compensation for other like professional research or service activities.
  - d. Compensation in the form of honoraria or stipends for service on a board of directors, or other like activity, except reimbursement for or payment of actual, direct expenses.
  - e. Honoraria, fees, or other remuneration for conference participation or presentation.

Uncompensated Professional Activity Not Sponsored by the University means professional service or volunteer professional activity for which the individual receives no compensation other than reimbursement for or payment of actual, direct expenses.

Job Description or Organizational Expectations means the reasonable set of professional responsibilities associated with or assigned to the position of the individual within the University, which have been agreed upon with and approved by the individual's supervisor.

- B. An administrator or other contract professional employee at The University of Montana Western may engage in compensated or uncompensated professional activities that are not sponsored by the University subject to the following terms and conditions.
1. During his/her annual review, each University administrator or contract professional shall advise his/her supervisor of any compensated professional activities not sponsored by the University, in which he/she expects to engage during the coming year. Prior approval from the supervisor shall be obtained for any such compensated activity, if not discussed and approved during annual review.
  2. Prior approval is not generally required for uncompensated volunteer or community service professional activities, as defined above, where no conflict of interest exists, provided however, that prior approval must be obtained if such an activity is to be part of the individual's regularly assigned duties, with expenses paid by the University and duties performed during regular working hours.
  3. Academic administrators and other contract professionals engaging in compensated activities not sponsored by the University shall take annual leave if such activities will be performed during regular working hours (Monday through Friday, except holidays), unless the activity is one of those described in A.2.c or A.2.e above. If the activity is one of those described in A.2.c or A.2.e and has substantial benefit to the University as well as to the individual, the individual may be authorized to have travel paid by the University and to attend during regular working hours without taking annual leave. Determinations under this provision should be made by the supervisor prior to the activity.
  4. University facilities and personnel may not be used for any compensated professional activity not sponsored by the University, except the type of activities described in A.2.c and A.2.e, which may also be conducted within the individual's regularly assigned duties, or for advancement in academic rank. An employee may use University supplies, facilities, personnel, or services for activities described in A.2.c or A.2.e only with prior written approval and determination of appropriate reimbursement by the appropriate Vice Chancellor.
  5. An administrator or contract professional engaging in compensated professional activities not sponsored by the University shall inform his/her client or outside employer that he/she is acting in a private capacity and in no way represents the University or has authority to bind the University. When acting in such a capacity, the administrator or contract professional is not covered by the University's general professional liability insurance. This policy shall not be interpreted as a waiver of defenses the University might have for actions of administrators or contract professionals acting in their private capacities, and these individuals shall hold the University blameless with respect to activities not within the scope of their job descriptions or organizational expectations.
  6. An administrator or contract professional engaging in either compensated or uncompensated professional activity not sponsored by the University shall avoid conflict of interest, as defined by Title 2, Chapter 2, Parts 1 and 2, Montana Code Annotated. Conflict of interest may be grounds for discipline or discharge from the University position.

#### **IV. AUTHORITY**

MCA 2-2, BOR Policy 401.1

#### **V. RESPONSIBILITY**

Chancellor, Vice Chancellor for Administration & Finance/Student Affairs, Provost/Vice Chancellor for Academic Affairs