



EXTERNAL EMPLOYMENT AND SERVICE DISCLOSURE AND APPROVAL FORM

Pursuant to the West Virginia State Ethics Act and Title 133, Series 9, Section 4.3, all full-time faculty must disclose external employment and service annually and upon any change in outside employment and service. Failure to disclose external employment and service may result in disciplinary action. Part-time employees, such as adjunct faculty and temporary appointment employees, are not required to seek approval for external employment or other service that they conduct outside of their part-time employment with the University.

“External Employment and Service” refers to any work, business relationship, or professional service performed by an employee for compensation or value that is independent of their primary, official job duties. It includes freelancing, consulting, self-employment, business ownership, working for another entity, or other engagements typically requiring approval to avoid conflicts of interest.

For full-time faculty during their yearly appointment term, such external employment must, at minimum, meet the following requirements:

- It must not constitute a Conflict of Commitment with the individual’s University responsibilities, nor interfere with the individual’s teaching, research, and service to the University.
- It must not be in conflict with the mission and objectives to the University.

Professional services provided by the full-time faculty that are appropriately considered as part of the individual’s institutional duties do not constitute outside External Employment and Service Arrangements. Examples may include participation in a grant review panel or committee, delivering a speech, performing a work of art, or other similar pursuits that are considered as part of the faculty member’s institutional duties.

Prior to engaging in any outside external employment and service arrangements, please complete this form and submit it to your department for approval by your dean, vice president, or their designee. In addition, please complete and submit this form along with the annual appointment letter.

Section 1 – Employee Information

Name: _____

Position Title: _____

Department: _____

Supervisor: _____

Employment Status (check one):

- Full-Time Faculty
- Part-Time Faculty
- Administrator with faculty appointment

Section 2 – External Employment and Service Information

Name of Outside Employer/Entity:

Address (City/State):

Position/Role Title:

Brief Description of Duties:

Expected Start Date: _____

Is this position paid?

- Yes
- No

If yes, estimated compensation (optional):

Section 3 – Time Commitment

Estimated hours per week: _____

Will any of this work occur during your scheduled University work hours?

- Yes
- No

If yes, explain:

Section 4 – Conflict of Interest Review

Please answer the following:

1. Does the external employment or service involve recruiting, supervising, or evaluating current or prospective Fairmont State University students?
 Yes
 No
2. Does the external employment involve a competing higher education institution?
 Yes
 No
3. If Fairmont State University equipment, materials, confidential information, or intellectual property will be used in connection with this external employment, have you obtained prior approval for such use?
 Yes
 No
4. Does the external employment or service relate to or overlap with your University duties?
 Yes
 No

If you answered “Yes” to any of the above, please explain:

By initialing below, I affirm:

- The activity will not interfere with or reduce my ability to perform teaching, advising, scholarship, service, or other assigned responsibilities.
- I will remain available for and will attend classes, office hours, advising responsibilities, committee work, convocations, commencements, and other meetings or events that are part of my institutional obligations unless formally excused through normal procedures.
- The activity will not conflict or compete with institutional interests.
- Fairmont State University students or employees will not be pressured or required to participate in an engagement outside my full-time duties.
- I will not represent or imply institutional endorsement in my outside engagements.

Section 5 – Employee Certification

I understand that:

- My primary professional obligation is to Fairmont State University.
- External employment or service must not interfere with my assigned duties or scheduled work hours. This includes overlap with the work day that would restrict times courses could be offered, or would prevent attendance at meetings scheduled during the work day.
- I may not use University resources, confidential information, or intellectual property for external employment without written authorization.

- I must comply with all applicable University policies, including conflict of interest, ethics, and outside employment policies.
- Approval for external employment and services is valid only for the period indicated on this form. Faculty must resubmit a disclosure and approval annually if the activity will continue into a new academic year. In addition, a new or revised form is required within thirty (30) days if there is a material change in:
 - scope of duties
 - time commitment
 - compensation or financial interest
 - involvement of students or employees
 - use of University resources
- If outside employment or service interferes with the performance of the regular institutional duties and responsibilities of the faculty member the institution reserves the right pursuant to Title 133, Series 9, Section 4.3.3 to:
 - require the appointee to cease such outside employment or service which interferes with institutional duties and responsibilities of the appointee
 - make such adjustments in the compensation paid to such appointee as are warranted by the appointee's services lost to the institution and by the appointee's use of institutional equipment and materials
 - dismiss for cause

I certify the information contained within this form is correct and accurate, and I shall comply with the following requirements in undertaking this outside employment arrangement.

My outside employment does not appear to create a Conflict of Interest of Commitment and will not interfere with performance of my University obligations, which I understand are my primary employment obligations.

I shall comply fully with my obligations in the West Virginia State Ethics Act and all Fairmont State University rules, policies and procedures. Moreover, I understand that any approval to participate in the described activity does not supersede the requirements of the West Virginia Ethics Act and Title 133, Series 9 or the regulations and opinions of the Ethics Commission.

No University facilities, equipment, personnel or supplies not freely available to the general public will be used in this agreement unless arrangements to reimburse the University have been made in advance.

I understand that I am engaging in this activity outside of my duties to Fairmont State University. As such, Fairmont State University is not a party to any of the agreements related to my external employment and has no obligations or potential liability under these agreements. I understand and acknowledge that the University's rights may not be impaired in any way by the agreement and the University does not provide indemnity or insurance for these activities.

Employee Signature: _____

Date: _____

Section 6 – Supervisor Review

Supervisor Determination:

- Approved
- Approved with Conditions (specify below)
- Denied

Conditions or Rationale (if applicable):

Supervisor Signature: _____

Date: _____

Section 7 – Dean/VP Review (if required)

- Approved
- Approved with Conditions
- Denied

Comments:

Signature: _____

Date: _____

Section 8 – Human Resources Review

- Conflict of Interest Cleared
- Further Review Required
- Denied

Comments:

HR Signature: _____

Date: _____