MEMORANDUM

To: All Full-Time Faculty Members

From: David W. Blackwell, Ph.D.
Provost

Subject: Consulting and Employment Outside the University

Date: January 31, 2020

Please note this reminder about seeking approval before accepting employment outside the University, such as through consulting or with governmental agencies, other educational institutions, businesses, or others. Requests for approval should be submitted via the myUK portal (Go to the “Enterprise Services” tab, then “Workflow.” The Faculty Overload Form link appears on the left under “Workflow Items.”). A reference guide, developed by the College of Agriculture, Food & Environment, provides valuable information in completing the required overload documentation:

https://administration.ca.uky.edu/files/consulting_instructions_forSubmitting_a_faculty_overload_.pdf

As stated in the “University Policy” section of the Administrative Regulation concerning Consulting and Other Overload Employment, AR 3:9:

The University has an obligation to encourage its faculty to assist in the transfer of knowledge from the University into the general community…. Personal participation in professionally relevant consulting activities should enhance a faculty member’s competence as a teacher and a researcher.”

It is imperative that all faculty members avoid any situations in which their involvement in consulting or other employment outside the University may conflict, or appear to conflict, with their University duties and responsibilities. A number of University regulations may apply. In addition to AR 3:9, the following are especially recommended for review and application, as appropriate to your college and discipline:

AR 7:2 Financial Conflict of Interest Involving Research
AR 7:6 Intellectual Properties Policy and Procedures
AR 7:9 Institutional Conflicts of Interest Involving Research
GR X Regulations Affecting Employment
GR XIV B. 9 & 10: Conflicts of Commitment and Conflict of Interest
Documentation and *prior approval* of employment outside of the University is required. Faculty members on a full-time (0.75 or greater FTE) nine-, ten-, eleven-, or twelve-month basis (including faculty on phased retirement) are required to report all outside employment and/or consulting via the myUK portal *before* engaging in any consulting or other outside employment. Your departmental or college business officer is also available to provide additional assistance.

Once the myUK portal form is completed, the approval workflow process begins, which includes the appropriate department chair (or director), dean, and the Office of the Provost. If the request is denied, decisions may be appealed by the faculty member. With adequate detail when filing, approval rarely takes more than two or three business days.

A conflict of *commitment* occurs when a faculty member’s outside activities interfere with the faculty member’s professional obligations to the University of Kentucky, which include obligations to students, colleagues, and the missions of the University and compromises the individual’s performance as a full-time University employee. This form of conflict involves a perceptible reduction of the individual’s time and energy devoted to his or her assigned University activities. While outside work during one’s non-assignment period, authorized leave, vacation period, or during University-observed holidays does not create a conflict of commitment, faculty who plan to consult or to undertake employment outside the University during their non-assignment period are required to file the request through the myUK portal to ensure that the outside work does not create a conflict of *interest*.

A conflict of *interest* occurs when a faculty member’s outside activities create a conflict between the faculty member’s private interests and obligations to the University or, more specifically, when an individual uses his or her University position to further their own private interests or the interests of any members of their family. Faculty (nine, ten, eleven, or twelve month) who have ongoing non-UK employment in or outside their contract assignment period are encouraged to file through the myUK portal without concern for disclosure of previously unfiled requests. Lastly, professional services covered under University-enacted professional service plans (AR 3:14) are excluded from this approval process.

The following professional activities are excluded from the approval requirements within AR 3:9, so long as any such activity occurs on not more than four separate occasions per year and does not result in compensation in excess of $1000 per occasion, after any non-reimbursable expenses:

1. Occasional service on review panels, site visit teams, professional committees or boards, and related voluntary professional services;
2. Occasional lectures, seminars, or keynote addresses at other institutions;
3. Occasional telephone, electronic, or office consultation; and
4. Occasional reading and evaluation of manuscripts, writing reviews, service as expert witness, rendering professional opinions in depositions, judging artistic merit, and other such occasional professional activity.

For questions regarding AR 3:9 or its interpretation or application, contact the Office for Faculty
Advancement at 859-323-6589.

Thank you.

cc: G.T. Lineberry

DWB/gtl/ac/jnh