Tilburg University Work for Third Parties Regulations

Established by the Executive Board with the agreement of the University Labor Representation Board on April 20, 2006

Considering that

- paid and unpaid work for third parties by employees can contribute to the University's interests and the performance quality of the academic tasks;
- familiarity with the work for third parties of employees is desirable for purposes of networking and relationship management;
- the impartiality to be observed by academic staff, as formulated in the Netherlands Code of Conduct for Scientific Practice, necessitates rules for the execution and registration of work for third parties;
- every university must adopt these detailed rules, pursuant to Article 1:14 of the CLA, with regard to work for third parties;
- within these detailed rules, the University wants to adopt a testing framework with which to assess requests for permission to carry out work for third parties,

the Executive Board of Tilburg University has decided, in agreement with the University Labor Representation Board, to establish the following rules.

Article 1 Definition of work for third parties

In these Regulations, work for third parties is defined as any paid or unpaid work, not related to tasks assigned by Tilburg University, that an employee performs for third parties or for his/her own benefit, unless it is clear that work for a third party does not affect the employee's academic position.

Article 2 Scope of application

These Regulations are applicable to:

- employees of Tilburg University and
- the members of the Tilburg University Executive Board.

Article 3 Notifying the employer and requesting permission

1. The employee is required to notify the employer, in writing, of proposed work for third parties and request permission prior to beginning any work for a third party or at the inception of his/her employment. The foregoing also applies to changes in the nature or scope of work for third parties.

Notification includes:

- a description of the work activities;
- the organization for which the work is performed;
• an estimate of the time required for the work;
• the remuneration (other than an expense allowance) and the amount thereof;
• whether the work takes place inside or outside the employee’s normal working hours.

2. The provisions set out in the first paragraph apply mutatis mutandis to the members of the Executive Board except that they notify and request consent from the Board of Governors.

Article 4 Decision on the request

1. Following advice from the department chair or supervisor, the Dean or the Service Director, respectively, decides on the request for permission to carry out work for third parties. The Executive Board decides on requests by the Deans. The general manager of the Services decides on requests by the Services Directors. The Board of Governors decides on requests by members of the Executive Board.

2. Permission to carry out work for a third party is granted in writing.

3. If it serves the interest of the University, permission may be granted to work for a third party, in part or in whole, during the normal working hours applicable to the employee.

4. Permission may be subject to certain conditions. Income from work for third parties, in principle, need not be paid to the University, unless the Dean/Director (or Executive Board, Board of Governors, respectively) decides that the work for third parties is considered a part of the employee’s academic position. In that case, the work is no longer work for third parties and agreements are made on the direct payment of compensation by third parties to the University.

Article 5 Refusal of permission

Permission for work for third parties is granted unless pressing business interests dictate otherwise. The following situations constitute reasons for refusing permission:

1. if a good qualitative and independent exercise of the academic position is compromised;
2. if it can be expected that the work for third parties will interfere with the employee’s proper performance of his/her work for the University;
3. if it can be expected that the work for third parties has harmful repercussions on the ideological, academic, or business interests of the University.

Article 6 Registration and publication of information on work for third parties

• Authorized work for third parties is registered in SAP (the personnel information system used by Tilburg University) indicating the type of work and the organization for which the work is performed.
• Deans and Service Directors inform the Executive Board annually about work for third parties performed by employees in their School or Service.
• Each member of the academic staff is expected to state work carried out for third parties that may be relevant to his/her academic performance on his/her personal homepage (www.tilburguniversity.edu/nl/webwijs).

Article 7 Discussion in the performance interview

The up-to-dateness and adequacy of the agreements on work for third parties are evaluated in the annual performance interviews. If necessary, a proposal for the revision of existing agreements or new agreements are submitted by those who, pursuant to Article 4, are competent to grant permission.
Article 8 Entry into force

These Regulations are effective as of March 1, 2006, and replace the previous Work for Third Parties Regulations from 1996.

Article 9 Transitional provision

The employee must report any work for third parties he/she was already performing at the time these Regulations went into effect within two months after being invited in writing by the Dean or Director to do so or at the next performance interview in which the subject of work for third parties is addressed.

Article 10 Citation

These Regulations may be cited as the Tilburg University Work for Third Parties Regulations.