



POLICY: 6Hx28 3E-05.3

Responsible Executive:

Executive Vice President, Administrative Services

Policy Contacts: Chief Human Resources Officer

Specific Authority: 1001.64, F.S.

Law Implemented: 112.313, F.S.; 1001.64, F.S.

Effective Date: 05-07-2026

Date of Last Policy Review:

05-07-2026

Conflict of Commitment Relating to Outside Employment and Outside Activities

Policy Statement:

- I. The purpose of this Policy is to ensure that all employees of Valencia College (“College”) fulfill their primary professional responsibilities to the College and that any additional employment or outside activity does not interfere with those responsibilities.
 - A. This Policy applies to all full-time and part-time employees, including faculty, administrators, and staff.
 - B. This Policy is separate from, but complementary to, the College’s policies that address conflicts of interest, including:
 1. 6Hx28: 1-10 Policy Against Improper Activities; Whistleblower Protection;
 2. 6Hx28: 3E-05.2 Ethical Conduct and Performance;
 3. 6Hx28: 3E-08 Disciplinary Action; and
 4. applicable Florida ethics laws.

II. The College recognizes that outside employment and professional activities can enhance an employee's skills, community engagement, and professional development. However, such activities must not:

- A. interfere or conflict with the College employee's assigned duties or work schedule and/or the College's normal business hours;
- B. reduce the quality or effectiveness of services provided to the College;
- C. create an appearance that the College employee is acting on behalf of the College without authorization;
- D. compete with College programs, services, or interests;
- E. use College resources for non-College purposes without approval;
- F. occur during the same hours the College employee is being compensated by the College for their College employment; and
- G. violate Florida law or College policies.

III. Outside Employment Expectations

- A. Full-Time Exempt College Employees: A full-time exempt College employee is expected to devote their primary professional commitment to the College. Generally, a full-time exempt College employee may not engage in additional full-time exempt employment within or outside of the College, or engage in multiple part-time employment duties within or outside of the College, that equate to the number of hours equal to their full-time College employment. Outside employment or activity(ies) may occur only if the activity(ies):
 - 1. takes place outside of the College employee's assigned work hours or when the employee is on approved leave, excluding sick leave/Family Medical Leave; and
 - 2. does not negatively impair the employee's performance or availability.
- B. Non-Exempt Employees: A non-exempt College employee may engage in additional employment duties outside of their College work time that is scheduled, compensated, and reflected on their timesheet. A non-exempt College employee may engage in outside employment, provided that such activities:
 - 1. do not conflict with scheduled College assignments;
 - 2. do not negatively impact the employee's performance or reliability; and

3. are disclosed when required by procedure.

IV. A College employee may not:

- A. request or permit another College employee to assist with the employee's outside employment duties while the assisting employee is on duty for the College. Likewise, a College employee may not perform outside employment duties for another employee during the employee's own College work hours.
- B. claim to be, or act as, an official representative of the College in connection with outside employment. This prohibition includes, but is not limited to, the use of the College's name, logo, or any official College documents, supplies, materials, or equipment, unless prior written approval is obtained from the College President or designee.

V. In certain circumstances, a College employee is required to disclose and obtain approval for outside employment and certain outside activities as set forth in the implementing procedures. A College employee has a continuing obligation to update disclosures when circumstances change. Failure to comply with this Policy or the implementing procedures may result in corrective or disciplinary action, up to and including dismissal from employment, consistent with applicable law and College policy(ies).

VI. The College President or designee(s) is authorized to establish standards and procedures to identify, disclose, review, and manage conflicts of commitment, consistent with applicable law, ethical obligations, and the College's mission.

Related Policies:

College Policy 6Hx28: 1-10 Improper Activities; Whistleblower Protection

College Policy 6Hx28: 3E-05.2 Ethical Conduct and Performance

College Policy 6Hx28: 3E-08 Disciplinary Action

Policy

History:

Adopted 12-11-74; Amended 1-19-83; Formerly 6Hx28:7-03; Amended 11-18-92; Amended 5-7-26; Formerly 6Hx28:07-28

Procedures:

I. Definitions:

A. Outside Employment: Any compensated activity performed for an entity other than the College, including but not limited to:

1. employment with another employer;
2. consulting, professional practice, or self-employment;
3. contractual or gig work;
4. paid service on boards, advisory panels, or committees; and
5. paid service in an elected or appointed public office.

B. Outside Activity: Any significant non-College activity, whether compensated or uncompensated, that reasonably could affect the employee's availability, performance, or professional judgment.

C. Primary Professional Responsibility: The obligation of an employee to devote the time, attention, and energy necessary to satisfactorily perform the duties assigned by the College.

D. Conflict of Commitment: A conflict of commitment arises when a College employee's outside employment or other non-College activity interferes with, competes with, or compromises the employee's ability to fulfill their assigned duties and obligations to the College.

II. The job duties and primary professional responsibilities of an employee's position at the College are considered the employee's primary employment. As such, the College employee is responsible for complying with this Policy and may not engage in Outside Employment or Activities which are determined to present a conflict of interest or commitment.

A. For more information on conflict of interest, see College Policies 6Hx28: 1-10 Improper Activities; Whistleblower Protection, and 6Hx28: 3E-05.2 Ethical Conduct and Performance.

B. Outside Employment or Activities may not be used as an excuse for, including but not limited to, absenteeism, tardiness, early departure from scheduled work hours, poor job performance, or refusal to accept additional assignments within the scope of the employee's primary College employment, which may be

considered a conflict of commitment. For more information on conflict of commitment relating to job performance and/or behavior concerns, see College Policy 6Hx28: 3E-08 Disciplinary Action.

III. Disclosure Requirements

A. Activities Requiring Disclosure and Approval: The following activities require prior written disclosure and approval:

1. Outside employment by any College full-time exempt employee that may require the employee to modify their assigned work hours or otherwise may impact their ability to perform the essential functions of their primary employment;
2. Compensated consulting or professional services related to the employee's College role;
3. Teaching, training, or speaking engagements not connected with the employee's College employment but occurs during the employee's College assigned work hours;
4. Service in a management, ownership, or fiduciary role with an external entity related to the employee's field or College program(s);
5. Any activity that could reasonably appear to interfere with the employee's duties or responsibilities.

B. The College may request information from an employee to verify the existence and details of an outside employment or activity to make a determination to approve or deny continued participation in the outside employment or activity, in circumstances when prior approval or disclosure were either:

1. not required as per the criteria above in Procedures Section III.A.;
2. not performed by the employee as expected; and/or
3. the College has reason to believe that the outside employment or activity(ies) are being performed by the employee that may impact their primary employment or other expectations listed in this Policy.

Failure of the employee to provide the requested information regarding the outside employment or activity(ies) may result in corrective and/or disciplinary action up to and including dismissal from employment in accordance in accordance with College Policy 6Hx28: 3E-08 Disciplinary

Action.

IV. Disclosure and Approval Process

- A. In circumstances when disclosure and approval is required as outlined in Procedures Section III., the College employee shall complete an “Outside Employment and Activities Disclosure” Form (located in MyVC/VC Forms):
 1. at the time of hire (if applicable);
 2. annually, as designated by the College; and
 3. at least two (2) weeks prior, or as soon as possible before beginning a new outside employment or activity.
- B. The disclosure must include the nature of the activity(ies), employer/organization name, estimated time commitment, if compensated, and relationship (if any) to College duties.
- C. Disclosure Form Reviewing Authority, Review Criteria, and Conditions for Approval
 1. Reviewing Authority
 - i. The “Outside Employment and Activities Disclosure” Form must be completed and submitted by the employee through the link in MyVC and will be received by Organizational Development and Human Resources (“ODHR”) Employee Relations.
 - ii. ODHR Employee Relations staff will conduct an initial review of the disclosure and will consult with the employee’s Dean, Assistant Vice President (“AVP”), or Chief, as appropriate, regarding the information provided.
 - i. If the employee is a Dean, AVP, or Chief, ODHR Employee Relations will consult with the employee’s respective senior leader.
 - ii. If the employee is a Vice President or Provost, ODHR Employee Relations will consult with the College President or designee.

- iii. If the employee is the College President, ODHR Employee Relations will consult with the District Board of Trustees via the College's Internal Auditor.
 2. Review Criteria: Approvals shall be based on whether the activity may, or in practice, interfere with:
 - i. interfere with assigned duties;
 - ii. create scheduling conflicts;
 - iii. compete with College programs or services;
 - iv. involve improper use of College resources; or
 - v. create legal, ethical, or reputational risk.
 3. Conditions for Approval: Approvals, as required in accordance with Procedures Section III, may include reasonable conditions such as limits on time commitment, prohibition on the use of College resources, periodic review or reporting, and duration-specific approval.
 4. Decision Notification: ODHR Employee Relations, in consultation with the employee's appropriate supervisor (as outlined in Procedures Section IV.), will evaluate the submitted disclosure form in accordance with Policy, and may follow up with the employee for any clarification or additional information needed to make an informed decision. The employee shall be notified in writing of the final decision by ODHR Employee Relations, whenever possible, within five (5) College business days upon receipt of all necessary information to evaluate the disclosure. This decision is final and non-grievable in accordance with College Policy 6Hx28: 3E-09 Employee Dispute Resolution.

V. Monitoring and Ongoing Compliance of Outside Employment/Activity Disclosure

- A. Employee: An employee who completed the disclosure process is responsible for promptly reporting to their supervisor, who will consult with ODHR Employee Relations, any material changes in outside employment/activities.
- B. Supervisor: A supervisor is responsible for monitoring ongoing employee performance and availability for a College employee who has completed the disclosure process (in accordance with Procedures Section IV.) to ensure the employee is still meeting job expectations and responsibilities. In circumstances

when the employee's engagement in an approved activity is negatively impacting their primary employment responsibilities, the supervisor, upon consultation, may take appropriate action, including rescinding approval for the activity and/or disciplinary action as outlined in College Policy 6Hx28: 3E-08 Disciplinary Action.

- C. A disclosure approval may be modified or revoked if an employee's circumstances change including, but not limited to, changes in operational or enrollment needs, new position at the College, changes to the employee's job responsibilities, and/or performance and/or behavior concerns.

VI. In circumstances when a College employee or other individual has questions and/or concerns regarding a College employee's compatibility of Outside Employment or Activities to the employee's current College employment, the questions/concerns should be brought forth to the attention of ODHR Employee Relations in a timely fashion and for further review at HR4U@valenciacollege.edu or call the HR4U helpline at 407-582-HR4U (4748).

- A. Upon receipt of the information, ODHR Employee Relations will gather and review applicable information on the Outside Employment/Activity(ies) in partnership with the employee's supervisor and/or their Vice President/Provost, as appropriate.
- B. A determination regarding the employee's ability to engage in the Outside Employment/Activity will be communicated to the employee in writing.

VII. A College employee who does not comply with standards set forth in this policy and/or procedure may be subject to corrective and/or disciplinary action, up to and including dismissal from employment, in accordance with College Policy 6Hx28: 3E-08 Disciplinary Action.

Procedure History:

Adopted 5-7-26

Related Documents/Procedures:

Outside Employment and Activities Disclosure Form

Date of Last Procedure Review: 05-07-2026