

Appendix to the Sectoral scheme on work for third parties for Dutch Universities

Frequently asked questions for employees

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1. Are all activities that are not part of a job at the university considered work carried out for third parties?

Yes, all activities that are not part of a job at the university are considered work carried out for third parties. However, not all work carried out for third parties needs to be reported.

Work carried out for third parties that does not need to be reported is work that clearly has no relation to the employee's work for the university and that is obviously not detrimental to the interests of the university and

- a. that does not threaten the effective and full performance of the employee's university duties and
- b. that is performed outside working hours, and
- c. for which no payment of any kind is received.

Such work may include a membership to an amateur sport club board or school board. If you are unsure whether certain work carried out for third parties should be reported, please contact your employer.

2. What is understood by a person's 'position or duties'?

A person's duties are determined by the university based on the classification in the job profile of the University Job Classification System (UFO). The tasks and activities that you are expected to perform as an employee are based on the duties assigned to you by the employer. Please see your supervisor if you have any questions about your duties or your UFO job profile.

The scheme also applies to other parties involved. The duties of these persons include agreements made with them regarding specific tasks to be performed.

3. What is understood by 'work carried out for third parties'

For professors and other members of the academic staff with an appointment at the UMCG, work carried out for third parties is understood to be all work activities which do not result from the responsibilities for the University or the UMCG

a. Is participation in an academic committee or consultative body considered to be work carried out for third parties?

Not automatically, as these are tasks that fall under your university duties. There can sometimes be 'grey areas', however, so in case of doubt it would be advisable to request permission anyway so that the Dean (for academic staff) or Director (for support and administrative staff) and HR can help identify any potential risks with respect to conflicts of interest or academic integrity. If participation is not voluntary, this shall be considered part of your job and not work carried out for third parties. In any event, ensure that activities such as participation in committees or consultative bodies are mentioned on your publicly accessible web page.

b. Is editing work (including as editor-in-chief) and reviewing

articles considered to be an ancillary activity?

Not automatically, as these are tasks that fall under your university duties. There can sometimes be 'grey areas', however, so in case of doubt it would be advisable to request permission anyway so that the Dean (for academic staff) or Director (for support and administrative staff) and HR can help identify any potential risks with respect to conflicts of interest or academic integrity. If this work is not voluntary, this shall be considered part of your job and not work carried out for third parties. In any event, ensure that activities such as editing work are mentioned on your publicly accessible web page.

4. The scope of my work elsewhere exceeds my work at the university, so which activities are considered work carried out for third parties?

Work you perform elsewhere is considered work carried out for third parties. This means that you will require permission for this work and it must be mentioned on your publicly accessible web page. This may seem counter-intuitive since an appointment elsewhere will be your main activity. Permission and disclosure are essential for safeguarding the academic integrity of the university. For these activities, you must comply with the provisions in the scheme and request permission, if applicable, and these ancillary activities must be disclosed.

5. I will be employed by the university for a maximum of six months; am I still obliged to report my work carried out for third parties?

No. In order to avoid unnecessarily burdening parties engaged for such a short period, work carried out for third parties does not need to be reported in principle (unless the university has specified otherwise) except where the activities involved:

- a. pose a risk to the academic, organisational and/or business interests of the university or;
- b. form an obstacle to the effective and the complete performance of the employee in question's duties at the university or;
- c. are detrimental to the reputation of the institution or;
- d. can result in a conflict of interests with the university.

You yourself are responsible for making this decision. If in doubt, you are advised to contact your supervisor or university contact person.

6. I receive no earnings for my work carried out for third parties. Am I still obliged to report such work?

No earnings do not automatically mean no obligation to report the work carried out for third parties. There are considerations besides money that may adversely affect the academic or other interests of the university or the proper performance of your job (e.g. excessive demands on your time).

For example, the incorporation of a legal person or being engaged as an administrator, supervisor or shareholder of another organisation may also warrant reporting to the university as such an engagement may involve a deferred remuneration or a possible conflict of interests.

7. How do I request permission for work carried out for third parties or changes to this work?

You discuss with your supervisor the work for third parties that you are going to perform or the changes to the work or aspects of the work for third parties that you are already performing. You must have this discussion before you

commence the work or the changes occur. You can then report your work carried out for third parties using the digital form available on the university website. You give your supervisor permission to inspect your report. The mandatory will either grant or refuse permission for the work carried out for third parties that you have reported. This decision will be confirmed to you in a written letter, which will be included in your personnel file. Objections to this decision may be submitted in the usual manner.

The competent authority is:

- *the Supervisory Board for members of the Board of the University*
- *the Board of the University for members of Faculty Boards and directors of University services*
- *the Faculty Board, mandated by the Board of the University, for professors (ordinary professors, honorary professors, professors by special appointment, associate professors) and all other personnel*
- *the Directors for staff members of University services.*

The Board of the University¹ for all those involved in reports with a financial equity or financial interest in a company that has a relationship with the University of Groningen.

8. How does the approval procedure start for new staff members?

During the last stage of the selection procedure (when parties also endeavour to reach agreement on the employment conditions), managers are expected to investigate whether the candidate performs any potentially problematic work for third parties. When the employee is offered the employment agreement / copy of the employment agreement, he or she will be informed in an accompanying letter of their obligation to request permission for work carried out for third parties via a digital form. You will have to report any changes thereafter yourself.

9. I do lots of small jobs, surely it's impossible to ask for permission every single time?

In the interest of safeguarding the university's academic integrity, it is essential that you be as transparent as possible when reporting any work carried out for third parties. For this reason, it is essential that you seek permission for all work carried out for third parties, including minor jobs. Try to report such work as far in advance as possible and always keep your publicly accessible web page up to date.

If it is not possible to seek permission in advance owing to special circumstances beyond your control, it is essential that you report the work as soon as you can. If your request is rejected, you must cease the work for third parties.

10. Are positions in public administration permitted by the employer as work carried out for third parties?

The university will always grant permission for the performance of elected positions in public administration, such as on the municipal council for example. Taking up such positions is your democratic right. Nevertheless, these positions must be reported.

11. I perform work for third parties for which I receive earnings; do

¹ With the exception of those who work for the UMCG. The Board of the University will coordinate decisions with the UMCG Board of Management .

I need to report this to the university?

Yes, if you receive remuneration for your work for third parties, this work must be reported to the university. (Article 14 of the scheme.) Additional earnings are also understood to mean deferred earnings (Article 3), such as shares and other financial interests. The primary objective of the duty to report is to identify possible conflicts of interest; it is not the case that reported additional earnings automatically benefit the university.

Earnings, including additional earnings, can be divided into three categories. Depending on the category, earnings may accrue to the employer, the employee in question or be divided between the two:

- a. Earnings that are not related to the employee's position at the university accrue to the employee in question.
- b. Earnings that are directly related to the employee's position at the university, and for which work is performed during working hours at the university, accrue to the university.
- c. Earnings that indirectly arise from the position at the university may be fully or partially added to the budget of the department or accrue to the employee in question following consultation with the employee in question, at the employer's discretion. This shall be specified further in the conditions for granting permission to perform work for third parties.