

## Frequently Asked Questions about Faculty Consulting Policies

### 1. Does “consulting” only happen if one is paid?

Not necessarily, consulting can be paid or unpaid service; according the Faculty Handbook Section 5.6.5:

*"Consulting" means any professional activity related to the person's field or discipline (e.g. consulting, speaking, scientific advisory boards, paid attendance at company meetings, expert witness services, etc.), where a fee-for-service or equivalent relationship with a third party exists. Consulting includes organizing or operating any educational program outside Georgia Institute of Technology.*

Consulting includes an activity related to the person's field or discipline and requiring expertise in the same general area as the person's professional training or field of education, or draws upon the same knowledge base and skills as required by the person's primary employment with the Institute.

Consulting does not include professional service activities, even if those activities may pay an honorarium or stipend. Professional service includes activities that are normally done in service to non-profit organizations and are clearly recognized as roles expected from faculty members. According the Faculty Handbook Section 5.6.5, professional service includes:

*Service on national commissions, advisory bodies for governmental agencies and boards, granting agency peer review panels, visiting committees or advisory groups to other universities and on analogous bodies is not considered to be Consulting. The fundamental distinction between these activities and consulting is that they are public or Institute service. Although participants may receive an honorarium or equivalent, these professional service activities are not undertaken for personal financial gain.*

Volunteer work through member activities and leadership roles in non-profit professional societies are considered professional service. A practical guideline is that if the work or activity is conducted for a for-profit entity, it is consulting. If the work or activity is for a company owned or partially owned by the faculty member, even if compensation is deferred for the activity, it is considered consulting. All consulting activities must be approved by an employee's supervisor through the eCOI system.

### 2. What about past consulting activities, do I need to retroactively take vacation time?

The policy regarding consulting leave for academic & research faculty who earn vacation leave was announced with the President's memo of August 13, 2018, and takes effect with the August reporting period (reported via TimeOut). Individuals following Georgia Tech's previous policies issued prior to this reporting period do not need to change their reporting time retroactively. The

new policy requiring 12-month employees to take vacation time for consulting must be followed going forward.

Faculty on an academic year contract, who do not earn vacation time, may report consulting time, following all applicable policies.

3. Does the policy whereby faculty who earn vacation leave are not allowed to claim consulting time apply to former nine-month faculty members who were converted to a 12-month appointment when taking an administrative position?

Yes, the policy applies to all employees who accrue vacation leave, regardless of their previous appointment status.

4. Does this new consulting policy apply to work and assignments in another GT unit?

For research faculty, academic faculty, and staff in any Georgia Tech unit, additional work performed for another unit of Georgia Tech is not considered consulting. However, work performed in another unit for additional compensation is subject to the Institute's Policy on Extra Compensation (<http://www.policylibrary.gatech.edu/employment/extra-compensation>).

Prior to the start of the work, the assignment must be approved by the employee's supervisor with consideration of how the assignment aligns within the employee's workload, compliance with all applicable regulations, and normal work hours. Work hours may be shifted to accommodate work performed in another Georgia Tech unit if deemed appropriate by the supervisor, if compliant with all applicable federal regulation, and if appropriate to the employee's regular work assignments. GTRI employees, please follow the guidance in question #5.

Work performed (including instruction) for units external to Georgia Tech, must be approved by an employee's supervisor, through the eCOI system.

5. Does this new consulting policy include GTRI faculty members who teach non-credit courses for Georgia Tech Professional Education (GTPE)?

Since both GTRI and GTPE are units of Georgia Tech, teaching assignments in GTPE are not considered consulting. Any work in another GT unit must be approved by the employee's supervisor prior to the activity. For adherence to GTRI's Federally compliant time-keeping practices, GTRI employees must report vacation time for extra compensation assignments performed during GTRI's normal business hours (per the Policy on Extra Compensation, <http://www.policylibrary.gatech.edu/employment/extra-compensation>). GTRI's normal business hours are set at the core business hours of Monday through Friday, 9 a.m. – 4 p.m.

6. Should faculty members who are consistently on summer pay panels rather than 12-month contracts be converted to 12-month contracts?

No, that is not necessary for compliance with this policy. The decision as to whether a faculty member is on a 9- or 12-month contract should be determined by the requirements of their position and set by their chair and/or dean.

Faculty on 9-month (academic) contracts who are paid summer salary, do not accrue vacation leave and are not subject to reporting vacation leave for consulting time for compliance with the policy.

7. Can faculty who are on 12-month contracts shift to 9-month contracts with summer pay panels in order to keep the consulting with no vacation taken privilege?

The decision as to whether a faculty member is on a 9- or 12-month contract should be determined by the requirements of their position and set by their chair and/or dean.

8. Do I have to report my “moonlighting” job in eCOI?

According to the Faculty Handbook Section 5.6.5, moonlighting is described as the following:

*An employee may pursue a variety of endeavors for financial profit that are not directly related to the person’s field or discipline. These efforts are part of the faculty member’s private life and do not come under Institute regulation for this consulting policy. Such endeavors may be pursued only after the primary commitment to the Institute has been fulfilled and upon prior approval from a Responsible Unit Official of the Institute.*

Moonlighting is work unrelated to an employee’s expertise or responsibilities as a USG employee and is not considered consulting. Moonlighting activities do not require eCOI reporting and approval, but employees must discuss any activity for which they earn income with their supervisor to be sure both are comfortable that there is no real or perceived COI or conflict of commitment. Conflict of commitment is present when outside activities and business interests interfere with an employee’s primary commitment to Georgia Tech.

It should be noted that in accordance with BOR Policy 8.2.18.2 on Conflicts of Interest and Conflicts of Commitment, employees who are involved in the selection of vendors or evaluating the performance of vendors may not receive compensation from an Institute vendor or entity seeking a vendor relationship with the Institute, or enter into a formal relationship with the vendor even if uncompensated, regardless of the nature of the work.

9. If I am on partial leave of absence, do I have to report my consulting?

Yes, as an employee of the Institute and receiving compensation, your consulting activities must always be reported to your supervisor, through eCOI. All faculty leaves must be approved by the Institute through the Office of Faculty Affairs.

10. If I am on full leave of absence, do I have to report my consulting?

No, if a faculty member is on a full leave (receiving no compensation from the Institute), it is not necessary to report consulting activities during this time period. All faculty leaves must be approved by the Institute through the Office of Faculty Affairs.

11. Is working for other USG institutions considered consulting?

Income earned in service to another USG institution falls under joint staffing (dual appointment) policies and must be approved by both Georgia Tech and the collaborating USG School in accordance with the Joint Staffing Policy in the Employment Policy Manual

(<http://www.policylibrary.gatech.edu/employment/joint-staffing>). The Dual Appointment Agreement process must be followed and paperwork signed by the President's designee of both institutions before work commences. See: <http://www.faculty.gatech.edu/faculty-affairs-reps/internal-resources/usg-agreements> and [http://www.faculty.gatech.edu/sites/default/files/documents/dual\\_appt\\_flowcharts.pdf](http://www.faculty.gatech.edu/sites/default/files/documents/dual_appt_flowcharts.pdf) for more information about the process.

12. Do professional service activities need to be disclosed in eCOI?

For U.S. based entities, activities that qualify for professional service (see definition above) do not need to be reported through eCOI. For foreign entities, however, you must disclose all financial interests received from a foreign Institution of higher education or the government of another country (which includes local, provincial, or equivalent governments of another country) regardless of whether the activity qualifies as a professional service.

13. How do we handle honorarium for faculty professional service activities?

If an honorarium or stipend is provided to a faculty member for professional service activities in lieu of expenses, the funds must be first applied to any travel expenses related to the activity (rather than seeking reimbursement from Institute sources). If a modest honorarium or stipend is provided in addition to covering travel expenses, it is appropriate for the faculty member to keep the payment. As a reminder, professional service is generally service provided to a non-profit entity. Services provided to a for-profit entity or for significant compensation, must be reported to one's supervisor and reviewed as possible consulting activity.

14. If I am a faculty member who earns vacation leave, am I required to use vacation leave for professional service activities if I receive an honorarium?

No, professional service is considered part of the expected duties of a faculty member and it is not necessary to take vacation leave. Faculty members should discuss professional service activities and any associated honorarium or stipends with their supervisor to ensure appropriateness. Any modest honorarium or stipend in excess of expenses is considered incidental.

15. I have a one-hour expert witness call (or other activity meeting the definition of consulting) during my regular business week. Do I have to declare vacation for an hour?

For faculty members who accrue vacation (i.e. annual leave), vacation time must be reported for the time spent engaged in consulting activities during the normal business week. For faculty who do not accrue vacation leave, consulting time must be reported for the time engaged in the consulting activity.

As with all consulting, prior approval of expert witness activities via eCOI is required.