

Maastricht University Implementing Regulation on Work for Third Parties

Given the provisions laid down in Article 1.14 in conjunction with Article J.3 of the Collective Labour Agreement of the Dutch Universities, as a supplement to and for the implementation of the Sectoral Regulation on work for third parties (hereafter also 'the Sectoral Regulation'), the Executive Board hereby adopts the following regulation.

1. The definitions as laid out in Article 1 of the Sectoral Regulation shall apply to this implementing regulation.
2. In addition to the provisions of Article 6 of the Sectoral Regulation, every employee shall be obligated to report whether he or she is performing work on behalf of third parties.
3. In derogation from the provisions of Article 7 of the Sectoral Regulation, employees whose term of employment or affiliation with the university is six months or less are also obligated to report any work for third parties or ancillary income. The Sectoral Regulation and this Implementing Regulation shall apply in full to said employees.
4. The head of the administrative unit (the director or dean) shall take the decision as to whether or not to grant approval for the work to be carried out for third parties, as well as decisions regarding potential conditions for that approval. In observance of the provisions of the applicable Mandates Regulation, however, the administrative manager of the employee in question shall bear responsibility for the actual implementation, i.e. receiving and evaluating the report, as well as presenting it to the appropriate unit head for the purposes of decision-making. Evaluation and decision-making must take place in accordance with the Evaluation Instructions established by the Executive Board.
5. In addition to the provisions of Article 16 of the Sectoral Regulation, it has been determined that the obligation to list any work for third parties for which permission has been obtained on the publicly available web page of the individual in question shall apply to all employees.
6. The publicly available web page referred to in Article 5 of this regulation shall in any case be taken to mean the personal profile page made available to employees by UM. Approved work for third parties will be automatically posted to this page. Pursuant to Article 15 of the Sectoral Regulation, the employer may grant an exemption from that publication.
7. All reports of work for third parties and statements that no work for third parties is being carried out, along with requests for approval and requests for change must be submitted in the format established by the Executive Board and in observance of the designated procedure.
8. The following guidelines will be taken into consideration when determining whether to grant approval:
 - a. In the event the work for third parties takes place during the applicable working hours of the employee, the employee must arrange with his or her administrative manager to compensate the time spent on the third-party work, meaning that the employee will either make up the time at another point or apply hours of holiday leave for that purpose.
 - b. When, for the purposes of carrying out work for third parties, university resources such as staff, equipment and/or accommodations are used, the employee shall be required to reimburse the university for these costs.

- c. UM shall be entitled to any income from work for third parties. The head of the administrative unit may decide that the employee is permitted to retain a portion or the entirety of these proceeds. In the event the employee is in compliance with the aforementioned provisions of a and b, and the ancillary income does not consist of deferred income* or financial interests, the head of the administrative unit shall determine that the employee may retain the income (potentially after deduction of costs, as intended under c).
- d. Additional conditions for approval may be established.
9. Work for third parties will be discussed during the annual appraisal interview or when there is cause to do so. Previously-granted approval and any conditions thereof may be adjusted as necessary.
10. 1. The authority granted to administrative managers and heads of administrative units by this regulation is based on mandates in accordance with the UM Mandates Regulation. In carrying out such responsibilities, they must observe the provisions of the Sectoral Regulation on work for third parties, the UM Implementing Regulation on Work for Third Parties and the Evaluation Instructions.
2. Decisions on the grounds of this guideline shall be taken within six weeks from the date on which the request was submitted.
11. The Executive Board may, in exceptional cases, depart from the provisions set out in this regulation.

* *income other than pension*

These regulations were amended in connection with the entry into force of the Act on the Standardisation of the Legal Status of Civil Servants (WNRA) and adopted by the Executive Board in agreement with the Local Consultative Body (LO) on 19 December 2019. The amended regulations come into effect on 31 December 2019, superseding the UM Implementing Regulation on Work for Third Parties as adopted by the Executive Board on 19 December 2017.