

Policy on Participation in Outside Activities

1. Introduction

- 1.1 As international civil servants, IDLO employees are expected to exercise the highest levels of integrity, independence, and impartiality. While IDLO employees are encouraged to engage in outside activities that deepen their knowledge of the duties they perform and of the field in which they work, the International Development Law Organization (“IDLO” or the “Organization”) is committed to ensuring that any outside activity undertaken by IDLO employees is compatible with their status as international civil servants and does not conflict with their duties or responsibilities toward IDLO or the interests of the Organization.
- 1.2 This Policy replaces Administrative Notice No. 11/2014 and is intended to provide guidance as to when IDLO employees must seek the approval of the Director-General, or his or her representative, to engage in an outside activity. This Policy sets forth the procedures for requesting such approval and provides an “Outside Activities Form” (attached at Annex 1) that shall be used to facilitate such requests.
- 1.3 Requests for approval to engage in an outside activity generally take 2-3 weeks to process if all relevant information is provided at the time of submission. Requests for activities involving remuneration or significant time commitments may require additional scrutiny which could delay a final decision. IDLO employees are responsible for ensuring that they have allowed sufficient time for their request to be processed prior to the proposed commencement date of the outside activity for which approval is sought.

2. Scope and Application

- 2.1 This Policy is issued in accordance with Employee Rules, 10.6 to 10.8, and should be interpreted in relation with Human Resources Manual (“HR Manual”) MS 100.12 to 100.17. It applies to all IDLO employees, including those on fixed-term and affiliate contracts, regardless of location or duration. Non-employees according to Employee Rule 40.13 shall not be subject to this Policy, but may, depending on the terms of their contracts, be subject to the IDLO Code of Conduct and its provisions on conflict of interest. Any question related to the application of these policies needs to be addressed to HROS.
- 2.2 Prospective IDLO employees shall be informed of this Policy prior to signing their contract of engagement and may elect to seek pre-approval to continue any outside activity as defined in this Policy but may not continue such activity after commencing their term with IDLO without approval in accordance with this Policy.
- 2.3 IDLO may take disciplinary action against any IDLO employees found to have engaged in an outside activity in violation of this Policy, up to and including termination of employment.

3. General Principles

- 3.1 IDLO employees shall not engage in any outside activity (as defined in Section 4) without the prior written approval of the Director-General unless this Policy specifically provides that authorization is not required.

- 3.2 IDLO recognizes that engagement in outside activities may be beneficial both to IDLO employees and to the Organization. IDLO generally encourages and supports activities that further the Organization's goals and contribute to the professional development of IDLO employees if they do not impact employee duties.
- 3.3 IDLO does not permit and will not grant approval for participation in an outside activity in circumstances where the outside activity:
- (i) is incompatible with the attributes of an international civil servant (namely integrity, independence, impartiality and political neutrality) or reflects adversely on IDLO ; or
 - (ii) interferes, or is reasonably expected to interfere, with the performance of the person's duties or responsibilities to IDLO or with the purposes, activities, interests or mandate of IDLO or otherwise gives rise to a conflict of interest.
- 3.4 In addition, any outside activity that involves any payment to the employee will be evaluated in accordance with the criteria set forth in HR Manual MS 100.15.

4. Definition of "Outside Activity"

- 4.1 An "outside activity" consists in general terms of any non-IDLO employment, occupation, business relationship or profession, whether compensated or not and whether singular, ongoing, or recurring in nature. Examples of outside activities include:
- (i) services as an officer, director, employee, agent, attorney, consultant, contractor, advisor, general partner, board member or trustee in any enterprise;
 - (ii) engaging in certain politically-related conduct or activities (see section 5);
 - (iii) writing intended for publication (see section 6);
 - (iv) academic activities (see section 7);
 - (v) attendance or presentations at a conference or symposium (see section 8); and
 - (vi) participation in commercial, industrial, or financial affairs (see section 9).
- 4.2 This Policy sets forth in further detail principles that apply specifically to certain classes of outside activities. The elaboration of certain classes of outside activities does not limit the scope of application of this Policy, nor should it be interpreted as an exhaustive list of outside activities for which approval is required.
- 4.3 IDLO divides outside activities into three separate categories:
- (i) activities that are always incompatible with employment and IDLO and are not permitted (see section 4.4);
 - (ii) activities that employees may engage in without seeking specific approval under this Policy, subject to certain conditions (see section 4.5); and

(iii) activities for which approval is required under this Policy.

If an IDLO employee is in doubt as to whether an outside activity is permitted or whether approval is required for a proposed activity, he or she should consult the Department of Human Resources and Office Services (“HROS”).

4.4 The following outside activities are not permitted for IDLO employees:

- (i) becoming a candidate for a public office of political character;
- (ii) active association with the management of, or holding a substantial or controlling financial interest in, any other organization or business if the employee or the other organization or business could benefit from such association by reason of the position of the employee with IDLO;
- (iii) holding any position in the service of a government or performing any services on behalf of a government, whether remunerated or not, unless on a secondment approved by the Director-General; and
- (iv) acting as members of national delegations in meetings or conferences.

4.5 Employees may engage in the following outside activities without seeking approval under this Policy, subject to any specific conditions outlined:

- (i) personal hobbies such as athletic or musical endeavors;
- (ii) membership, including holding an office, in a professional, occupational, cultural, religious, social, scientific, or other similar organization of a non-political nature, such as a bar association or an alumni group, provided such membership is consistent with the conditions set forth in HR Manual MS 100.13;
- (iii) participation in national or international societies, so long as such participation is not in conflict with IDLO Rules, Regulations and Policies, and so long as the participation does not involve serving as a representative of the society;
- (iv) educational activities such as attending classes, conferences, or symposia, or conducting academic research, except that approval of an employee’s supervisor is required for such activities during normal working hours; and
- (v) certain political activities, as set forth below in section 5.

5. Political Activities

- 5.1 As an intergovernmental organization, IDLO must act, and be seen to act, in a politically neutral manner. All IDLO employees must bear this in mind with respect to their personal political activities.
- 5.2 IDLO employees are free to maintain their own personal views and convictions, including those of a political nature and generally engage in personal political activities, including exercising the right to vote, belonging to a political party, or making financial contributions to a political party, committee, or campaign, subject to limitations set forth in the IDLO Code of Conduct.
- 5.3 However, IDLO employees shall ensure that the expression of their political views and participation in political activities is not attributed to IDLO, does not adversely affect their official duties or IDLO's interests, and does not create an actual or perceived lack of independence or impartiality as required by their status as international civil servants.
- 5.4 In expressing support for a political party or candidate, IDLO employees should always exercise tact and discretion; in particular, they shall not accept or solicit funds or make or write public political statements, including on social media, that could be attributed to IDLO.

6. Publications

- 6.1 For the purposes of this subsection, the term "publication" means printed material offered for sale or distribution (including an academic thesis or dissertation to be held in a university library) as well as any written or verbal communication of information to the public, including by electronic means (including statements to the press, radio or other agencies of public information).
- 6.2 IDLO employees shall not publish material related to IDLO in non-IDLO publications except with the prior approval of the Director-General . "Material related to IDLO" means broadly any material relating to IDLO's mission, activities, programs. or policies or which reflect work performed by the employee for IDLO or contain information arising from such work. In seeking approval for such publication, IDLO employees shall bear in mind that donor grants may place restrictions on the ability to publish or disseminate material related to IDLO work funded by the donor. In case of doubt, IDLO employees are encouraged to consult the Director, Research and Learning, as to whether material they intend to publish falls within the scope of this subsection.
- 6.3 IDLO employees may publish without prior approval and under their own name and in their personal capacity material not relating to IDLO or its work, which they have prepared in their own free time, subject to the need to avoid any pronouncement that might adversely reflect on IDLO's reputation or their status as international civil servants. In case of doubt, IDLO employees are encouraged to consult their Supervisor or the Director, Research and Learning, as to whether the material intended for publication falls within the scope of this subsection.
- 6.4 IDLO employees shall ensure that any publication under their name that identifies their affiliation with IDLO includes the following disclaimer:

“Any statements of fact, opinion, or analysis expressed herein are entirely those of the author(s) and are not attributable to the International Development Law Organization.”

6.5 IDLO employees may use social media for personal purposes (without use of IDLO’s name or logo) without the prior approval of the Director-General. IDLO employees shall use tact and discretion when using social media to ensure that they do not publish content that is defamatory, derogatory, or reflects negatively on IDLO, its work, or its employees, or is detrimental to IDLO’s mission, goals, or objectives. Any social media usage that is inconsistent with these principles may constitute misconduct for which disciplinary measures may be imposed under Chapter 10 of the Human Resources Manual.

7. Academic Activities

7.1 IDLO employees do not require approval to study or to do academic research at universities or other educational institutions outside office hours. However, such activities should not be undertaken during office hours without obtaining the necessary authorization of IDLO.

7.2 IDLO employees shall obtain the Director-General’s approval before engaging in teaching or speaking at universities or other academic institutions, irrespective of whether such teaching or speaking is on a topic related to their IDLO work duties.

7.3 If approval is granted, IDLO employees shall enjoy normal academic freedom, subject always to the responsibility to exercise tact and discretion. No separate authorization will be required for specific lectures or activities falling within the scope of a general authorization.

8. Attendance or Participation in Conferences

8.1 IDLO employees do not require approval to attend conferences, symposia, or meetings of various kinds in their personal capacity on subject matters that are not related to IDLO’s work. For attendance at such events on subject matters related to IDLO’s work, IDLO employees should coordinate with their supervisor. Regardless of the subject matter, IDLO employees invited to make a presentation or speech in their personal capacity at conferences, symposia, or meetings must first seek the Director-General’s approval before accepting such an invitation.

8.2 In considering such requests, account will be taken, in particular, of the nature of the forum or event, the media attention or public profile anticipated, and any remuneration offered. Approval of such requests does not relieve IDLO employees of their responsibility to exercise tact and discretion in making public pronouncements concerning IDLO’s mission, activities, programs or policies.

8.3 IDLO employees shall ensure that any presentation or speech made in a private capacity that identifies their affiliation with IDLO includes the following disclaimer:

“Any statements of fact, opinion, or analysis expressed herein are entirely those of the author(s) and are not attributable to the International Development Law Organization.”

9. Participation in Commercial Activities

- 9.1 As a general rule, active participation in commercial, industrial, or financial affairs is incompatible with the status of an international civil servant and is, therefore, not permissible.
- 9.2 IDLO employees shall not hold a substantial or controlling financial interest in any organization, profit-making business or other business if it may be possible for IDLO employees or the organization, profit-making business or other concern to benefit from such interest by reason of the person's official position with IDLO. IDLO employees holding such financial interests shall report these interests to HROS in accordance with any applicable policies addressing conflicts of interest.
- 9.3 The mere holding of shares in a corporation that does not constitute a substantial or controlling financial interest in a corporation does not qualify as an outside activity, and therefore does not require the approval of the Director-General.
- 9.4 In addition, the following commercial activities do not constitute outside activities that require the approval of the Director-General: (i) private sales of household goods or personal artwork; (ii) occasional work in a family-owned business, provided such work does not give rise to a conflict of interest with the individual's duties to IDLO; and (iii) the rental and sale of real property.

10. Procedural Steps

- 10.1 It is incumbent upon IDLO employees to determine whether participation in an outside activity requires the submission of a request for approval and, if so, to ensure that such approval has been obtained prior to commencing the outside activity. IDLO employees are free to consult HROS as to whether a proposed activity requires approval under this Policy. IDLO employees may also consult the HROS regarding any potential conflict of interest that may arise through participation in an outside activity before initiating the formal approval request procedure.
- 10.2 It is the responsibility of IDLO employees to ensure timely submission of all outside activity requests. IDLO employees who fail to make timely submissions and who engage in an outside activity before approval is finalized may violate the Employee Regulations and Rules and/or other applicable instruments or policies. Commencement of the outside activity prior to approval may also be a reason to deny approval of the request.
- 10.3 IDLO employees wishing to obtain permission to engage in an outside activity shall complete the form attached at Annex 1. An electronic copy of the form is available for download on the Intranet. The form shall be submitted in writing to the Director of HROS through the applicant's supervisor, who should indicate whether he or she approves or disapproves the request. Only completed forms will be processed. All requests shall be treated confidentially.
- 10.4 The Director of HROS will assess the request in accordance with the principles set forth in this Policy, other applicable instruments and policies, and the relevant employment contract or agreement, in consultation – as necessary – with the Office of the General Counsel (OGC)

and the applicant's supervisor. The Director of HROS may request at any time further information from the applicant regarding the proposed outside activity.

- 10.5 If the applicant's supervisor and the Director of HROS both conclude that the request should not be approved, that recommendation shall be communicated to the applicant, who shall determine whether to withdraw the request before it is submitted to the Director-General.
- 10.6 In all other cases, the Director of HROS shall submit the request to the Director-General, together with a recommendation, for consideration and, if appropriate, approval. The Director-General will make a final decision within a reasonable period of time from the request's submission date.
- 10.7 The Director-General's decision will take one of three forms: approval, denial, or approval with conditions. Approval of outside activities may be granted for a specific or limited timeframe for recurring or continuing activities. It is incumbent upon IDLO employees to obtain renewed approval to engage in outside activities should ongoing participation be desired beyond the authorized timeframe. Appeals from a decision of the Director-General shall be made in accordance with the Chapter 11 of the Employee Regulations and Rules.
- 10.8 The Director-General's written decision shall be placed in the individual's employee's file together with any relevant supporting documentation. A copy of the decision shall be simultaneously made available to the applicant.
- 10.9 Although IDLO endeavors to process outside activity requests in a timely manner, there is no guarantee that such requests will be processed prior to the proposed commencement date of the outside activity for which approval is sought. IDLO employees are encouraged to provide as much detail as possible so that a fully informed decision can be made in a timely manner. If additional information is needed, the processing of the outside activity request may be delayed.

11. Additional Guidance, Review and Amendments

- 11.1 Please contact the HROS for additional guidance in interpreting or applying this Policy, or to suggest improvements. The Policy will be reviewed as needed by HROS in consultation with OGC.
- 11.2 Any amendments to the Policy must be authorized by the Director-General in writing, except that the Director of HROS, in consultation with OGC, may authorize updates to the form at Annex 1 to reflect best practice. Any such amendments or updates must be notified to IDLO employees and other non-employees by an Administrative or Departmental Notice.

/ENDS

Annex 1

Request for Approval of Outside Activities

REQUEST FOR APPROVAL OF OUTSIDE ACTIVITIES

The requester is requested to provide as much detail as possible so that a fully informed decision can be made in a timely manner. If additional information is needed, the processing of the outside activity request will most likely be delayed.

Please note that outside activities involving payment or significant time commitments may require additional scrutiny which most likely will delay a final decision. For individuals with full-time contracts with IDLO, approval of outside employment will be exceptional.

1. **Name:** _____
2. **Title:** _____
3. **Department/Unit:** _____
4. **Type and Duration of IDLO Contract** _____
5. **Start and End Dates of Outside Activity:** _____
6. **Deadline to Confirm Participation in Outside Activity to Outside Employer/Entity:**

New or Renewed Request

Please indicate whether this is a new or renewed request. If a renewed request, please attach the previous decision and only complete what is relevant to this renewal.

7. **Existing Outside Activities**

Please indicate whether you are currently engaged in outside activities other than those described in section 7 above. If yes, please attach a copy of the relevant request concerning engagement in those activities and the corresponding decision granting approval.

8. **Nature of Outside Activity (2-3 paragraphs)**

Please indicate the type of activity for which you request approval and describe in detail the specific duties or services to be performed, including:

- *Whether the outside activity is singular, ongoing, or recurring in nature; and*
- *If relevant, explain how the outside activity relates to the purpose, activities or interests of IDLO.*

For teaching, speaking, or writing (including, but not limited to, articles, brief, reports and/or books intended for publication by external publishers) provide a syllabus, outline, summary, synopsis, draft, or similar description of the content involved. If you are unable to provide this information, or will be delayed in submitting the attachments, please explain.

9. **Outside Employer or Other Entity**

Please provide the name, location, type of entity, and contact details of the outside Employer/Entity. Describe the field of work of the outside Employer/Entity and any relationship that the outside Employer/Entity has with IDLO or the purpose, activities or interests of IDLO.

10. **Time**

Provide details with respect to the duration, frequency, and timing of the activity. Note whether it is anticipated that this activity will take place during regular working hours or impact normal work activities for IDLO. If so, identify how such time will be made up.

11. **Compensation or Payment**

Indicate whether the activity is compensated, and if so, the amount of compensation or nature of the payment. This includes the acceptance of financial compensation, reimbursement, honoraria, payment in kind, or any form of payment. Requests by employees to engage in outside activities involving the acceptance of financial compensation, honoraria, or any form of payment will be considered in accordance with HR Manual MS 100.15.

12. **Relationship of Official Duties to the Outside Activity**

If applicable, describe any official duties that relate in any way to the proposed activity, including a description of how the outside activity will broaden and deepen your knowledge and understanding of the duties performed and the field in which you work for IDLO, promote your education, or enhance your professional competence.

13. **Certification**

I certify that the statements made and information provided on this form are true, complete and correct to the best of my knowledge and that I will duly inform the outside Employer or Entity that my engagement in authorized outside activities is in a personal, not IDLO, capacity.

Signature: _____

Date: _____

SUPERVISOR REVIEW

I am the supervisor of _____, who has applied to engage in an outside activity as described above. Having considered the nature of the activity and the interests of IDLO, I provide the following recommendation:

1. Review of Activity

Confirm review of the proposed outside activity and identify what, if any, relationship it is likely to have with IDLO, including current or future activities in the location or field of work.

2. Conflict of Interest

Indicate whether IDLO has or is likely to have a relationship or dealings with the outside Employer/Entity.

Identify whether the proposed activity is anticipated to create any actual, potential, or perceived conflict of interest with the work of IDLO, or call into question the integrity, impartiality, or independence of the Employee in the performance of his or her duties.

3. Limitations on the Proposed Activity

Identify any limitations which should be applied to the proposed activity, for example, a specific or limited timeframe for recurring or continuing activities or requirements to make up time spent on the outside activity during normal working hours.

- ___ Request as described is SUPPORTED
- ___ Request is SUPPORTED SUBJECT TO CONDITIONS noted below
- ___ Request as described is NOT SUPPORTED

Conditions or Comments (if applicable)

Signature: _____

Name: _____

Title: _____

Date: _____

DIRECTOR OF HROS REVIEW AND RECOMMENDATION

Having reviewed the accompanying application by _____ to participate in an outside activity, I provide the following recommendation:

1. Summary of Relevant Background Information

Provide a basic summary of the request and any additional context or background information necessary or beneficial to the Director-General's consideration of the request to engage in outside activities (including, where relevant, research on the relevant organization).

2. Compatibility of Outside Activities

Cite relevant provisions of the Policy which apply to the request to engage in outside activities, including those which would support or not support approval of the activity.

3. Analysis of Outside Activities

Analyze whether the proposed outside activity is compatible with the principles set forth in the Policy and IDLO's mandate. For outside activities by employees which involve the acceptance of financial compensation, honoraria, or any form of payment, analyze the applicability of the considerations set forth at HR Manual MS 100.15.

4. Recommendation

Indicate whether the Director of HROS supports the request to engage in outside activities.

- Request as described is SUPPORTED
- Request is SUPPORTED SUBJECT TO CONDITIONS noted below
- Request as described is NOT SUPPORTED

Conditions or Comments (if applicable)

Signature: _____

Name: _____

Title: Director, HROS

Date: _____

DIRECTOR-GENERAL'S DECISION

In accordance with the Employee Regulations and Rules and the HR Manual, as well as review of the Request for Approval of Outside Activities by _____, the Supervisor Review and the Director of HROS Review and Recommendation, I hereby:

___ Approve the Request

___ Deny the Request

Conditions or Comments (if applicable)

Jan Beagle
Director-General

Date