

# **Perspective - Moonlighting Culture**

For Prelims: Moonlighting, Covid-19, Lockdown

For Mains: Moonlighting Culture and its effects, Ethics and Human Interface

### Why in News?

Recently, Information technology giant **Infosys warned its employees against moonlighting**, threatening them with contract termination.

- The company said that dual employment is not permitted as per the company's Employee Handbook and Code of Conduct.
  - The tech firm also stated that employees are not allowed to take up roles in other firms without Infosys' permission.
- Earlier, Swiggy announced an "industry first" policy that allowed moonlighting for its employees.

## What is Moonlighting?

- Moonlighting refers to the practice of taking up secondary jobs after regular work hours.
- This secondary job is taken without employers' knowledge and is usually the side jobs taken at night or on the weekends.
- The phrase **became well-known when Americans began looking for second jobs** in addition to their regular 9-to-5 jobs to supplement their income.

### What is Driving the Culture of Moonlighting Among Employees?

- Work from Home Culture:
  - Work from home was the new normal and companies could no longer judge the
    productivity of their resources through clock in-clock out time sheets, which also gave
    a boost to moonlighting.
- Impact of Covid-19:
  - In the year 2020, with the **onset of** Covid-19 **leading to lockdown**, the economy started stalling and hence thousands of employees were laid off.
  - This also led to employees searching and/or working for multiple jobs to maintain job security and a steady flow of income with as many as 70% of remote workers working on second jobs.
- To Have More to Spend:
  - Employees also opt for a second job for additional income if they have low pay at their primary jobs and need additional source of income to meet their needs or the primary income may not be sufficient to take care of the demands of their lavish lifestyle.
- To Gain Additional Work Experience:

• Employees may **also consider a second job to gain additional skills** or indulge in work profiles they are more passionate about.

#### ■ To Combat Boredom:

• **Employees also opt for moonlighting to utilize the free time** at hand when they do not have enough work to keep them occupied at their primary jobs or to keep themselves busy throughout the day.

# What are the Concerns Regarding Moonlighting?

#### Legal but may not be Ethical:

• There is no overarching law which prohibits a person from doing multiple jobs. However, a person with a similar nature of jobs may spark confidentiality issues.

#### Exhausted Employees:

 If employees are working long hours, the second job may cause the employee to become distracted, unproductive, and neglect job responsibilities because of physical fatigue.

#### Use of Company Resources:

• Employees **may use company resources for their second job** which increases operating expenses.

#### Impact on Health:

• Poor diet, lack of sleep and exercise can impact employee health.

# What about Laws related to Dual Employment?

#### Scenario in India:

- A person may work more than one job in India without breaking the law.
  - However, a **person with a similar set of jobs could give rise to concerns** about a violation of confidentiality because many employers include such restrictions in their employment agreements in addition to prohibitions against holding down multiple jobs.
- Moonlighting could be considered cheating if an employee's contract calls for noncompete and single employment, which is the situation with the majority of conventional employment contracts. However, it is not cheating if the employment contracts do not have such a clause or provide relaxations.
- Under the Factories Act, 1948 **dual employment is prohibited.** However, in some states, IT companies are exempt from that rule.

#### Scenario in Other Countries:

- Overemployment, which is called dual employment in India, is technically permissible in the US and the UK from a tax perspective.
  - A second employment in the UK could alter a worker's tax status, but it wouldn't be expressly noted as such to the payroll department of the first employer and would probably go unreported in larger organisations.
  - The US tax system is simpler since it is built on the idea of self-assessment and voluntary reporting.

# **Way Forward**

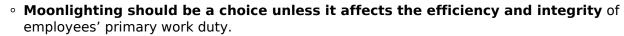
### Deploy Tools and Techniques:

- Many companies deploy tools and techniques to detect and prevent risks
   associated with moonlighting such as data leakage and daylighting (working on another job
   during the working hours of the primary job).
- Theseb that highlights employees that may be exhibiting behaviours of moonlighting and show indication of data leakage or abuse of **intellectual property** of the company.

#### Discouragement from Employers:

 Employers may discourage their employees from moonlighting out of concerns on conflicts of interest, impact on primary job performance, misuse of company resources, absenteeism, poor attentiveness, or fatigue.

#### Moonlighting As A Choice:



- Employees' Responsibility:
  - Before looking for side jobs or starting a business, it is crucial for employees to carefully check their employment contract with their principal job to ensure compliance with any moonlighting policies.

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