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**A STUDY ON MOONLIGHTING AND EMPLOYEE PRODUCTIVITY**

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**ABSTRACT**

*Both the global ecosystem and economy are experiencing rapid changes. In this dynamic economic environment, workers prioritize their personal financial security over career advancement. As a result, some employees seek additional employment opportunities that offer higher compensation than their primary positions. This phenomenon, commonly known as moonlighting, raises various concerns related to employer compliance policies and employee work-life balance. Important questions arise from this trend: Is it ethical for employees to work multiple jobs without disclosing this to their primary employer? How can employers support their employees' financial stability to discourage moonlighting? What implications arise when employees complete tasks efficiently across multiple roles without compromising their responsibilities? These issues highlight the evolving landscape of moonlighting, from sporadic occurrences to a more prevalent practice.*

**Keywords:** Moonlighting, Blue moonlighting, Full moonlighting, Economy, Employer.

**INTRODUCTION**

- The term "moonlighting" traditionally refers to taking on additional employment or unrelated tasks alongside one's primary job. For instance, a person who teaches during the day and offers tutoring services in the evenings exemplifies this practice. While some individuals engage in moonlighting to supplement their income and make ends meet, others do so to pursue further education in their chosen field or simply to stave off boredom. Regardless of the motivation, taking on extra work can be physically and mentally taxing.
- Employees who feel dissatisfied with their current pay scales often resort to working longer hours to meet their financial needs. This dissatisfaction can lead to resentment if employees perceive their employers as exploiting them to maximize profits. The additional workload taken on by employees can significantly influence various aspects of human resource management. For staffing agencies, freelancing employees pose challenges as their activities can impact overall productivity levels.

**Reasons of moonlighting-**

Today, a growing number of employed individuals pursue side jobs for several reasons:

Extra cash: Many seek additional income to supplement their current earnings, save for specific goals, or meet financial needs.

- ❖ Skill demonstration: Multitalented employees enjoy engaging in diverse job roles to continually enhance and showcase their skills.
- ❖ Employer recognition: Workers who feel undervalued at their primary job often seek opportunities where their contributions are appreciated and acknowledged.
- ❖ Utilizing free time: Some employees prefer to pursue various interests and activities during their leisure hours rather than idling away their free time.

**Types of Moonlighting Practices**

Moonlighting can be categorized into four types based on different criteria:

**1. Blue Moonlighting:**

Employees in this category take on a second job primarily to supplement their income after receiving poor performance reviews or due to a lack of skills that limit their ability to secure a better-paying second job. This type of moonlighting is often seen as futile or ineffective.

**2. Quarter Moonlighting:**

Workers who are dissatisfied with their current pay may engage in "quarter moonlighting," where they take on a second job in addition to their primary employment to boost their income.

**3. Half Moonlighting:**

This category involves employees who maintain a full-time job but also engage in a part-time business or job to support a lifestyle that exceeds their current means. This balance of full-time and part-time work is referred to as "half mooning."

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#### 4. Full Moonlighting:

In this type, employees may start their own businesses or startups while still working part-time or full-time at their regular jobs. This often occurs when employees have significant free time at work or feel their compensation is inadequate compared to peers. Full moonlighting can become so impactful that it affects various aspects of their lives, including social interactions and overall well-being.

#### OBJECTIVE OF THE STUDY

- ❖ Understanding perception of moonlighting.
- ❖ Understanding consequence of moonlighting on employee competence.
- ❖ Understanding consequence of moonlighting on the institute.

#### REVIEW OF LITERATURE

Here's a revised version of the information you provided, ensuring clarity and coherence:

Dr. A. Shaji George et al. (2022) found that rapid changes in the global environment and economy have directly influenced the prevalence of side jobs and moonlighting. Many workers have turned to additional employment as a means to support their basic needs or achieve financial stability, prioritizing financial security over career advancement during economic transitions. The study highlights instances where employees accept secondary job offers from other employers, often due to perceived inadequate treatment or disciplinary measures at their primary jobs.

Kamal Adetunji Bakare et al. (2021) examined part-time work frequencies in Nigerian state colleges, contrasting corporate culture with more liberal and accepting attitudes towards moonlighting compared to public universities. Their study, utilizing social exchange theory and relative scarcity, emphasized the economic discontent driving moonlighting behaviors and stressed the need for policy reforms to mitigate traditional practices that may hinder workplace relations.

Fapohunda, Tinuke M. et al. (2020) conducted a survey among university professors in South West Nigeria, focusing on project management, scholarly output, and instructional roles. Their findings, analyzed through statistical methods, underscored the need for effective policies to enhance productivity and career development among academic staff.

Marco Fugazza et al. (2016) developed a flexible model categorizing work into traditional unpaid self-employment and paid sectors, highlighting the impact of trade deregulation on employment dynamics. Their research indicated shifts in employment patterns influenced by institutional settings and trade disruptions, emphasizing the role of irregular production in shaping labor markets.

Okpalaibekwe et al. (2022) evaluated career management's effectiveness in enhancing productivity within Anambra State's local government sector. Their study addressed challenges in service delivery and governance efficacy, advocating for improved career planning and mentoring to foster organizational goals and employee performance.

Alessandra Guariglia et al. (2006) analyzed moonlighting trends among working-age individuals in Russia using longitudinal data, linking job-hopping aspirations with entrepreneurial activities. Their findings suggested that moonlighting serves as a strategic approach for launching new businesses and stimulating economic growth.

Amuedo-Dorantes and Kimmel (2009) highlighted economic pressures driving workers to take on additional jobs during periods of high unemployment and low wages, emphasizing the role of moonlighting in household financial stability.

Heineck and Schwarze (2004) identified various motivations behind moonlighting, including financial concerns, skill acquisition, and job security, reflecting diverse strategies for managing career aspirations and economic risks.

Husain (2014) categorized moonlighting motivations into preferred work range exploration and financial constraints, illustrating how job diversification mitigates employment risks and supports household income stability.

Sangwan (2014) summarized the benefits of moonlighting, including financial gains, skill enhancement, career exploration, and entrepreneurial opportunities, underscoring its role in fostering employment stability and personal development.

Vikas Choudary & Garima Saini (Jan 2020) explored organizational dedication as a mediator between moonlighting and job satisfaction, particularly amidst income-seeking behaviors during the pandemic. They emphasized the importance of organizational policies that acknowledge moonlighting while preserving workplace harmony and productivity.

### **RESEARCH GAP**

Moonlighting, the practice of taking on additional work outside of one's primary job, has long been a part of employment dynamics, offering individuals an opportunity to supplement their income. Recently, it has garnered increased attention, particularly within the tech sector, sparking debates among businesses. While some vehemently oppose moonlighting, viewing it as detrimental to employer-employee trust and productivity, others support it under the condition that overall productivity remains unaffected.

### **RESEARCH METHODOLOGY**

The "how" of conducting research is encapsulated in its methodology, which outlines how a study is structured to ensure reliable and valid findings that address its core themes and objectives?

The methodology addresses two key questions: how data will be gathered or generated, and how it will be analyzed.

Researchers often rely on secondary sources such as articles, journals, research papers, review papers, and online resources to compile data for their studies. This essay explores various aspects related to working side jobs, drawing insights from existing literature.

**Research Design:** The research design serves as a blueprint for collecting, quantifying, and analyzing data. It outlines how data will be collected, measured, and analyzed to achieve the study's goals.

**Proposed Research Design:** This study adopts an observational research methodology. Observational research aims to provide a comprehensive understanding of a phenomenon, situation, or community by gathering descriptive data about it. This approach is particularly effective in answering questions related to "what," "when," "where," and "how," rather than delving into the deeper "why" questions posed by the study's challenges. The study intends to evaluate the impact of additional work on employee productivity through this descriptive lens.

**Target Audience:** Before commencing any research, it is crucial to define and target a specific audience or population. The term "target population" refers to the entire group or population that the researcher intends to study. A selection framework is subsequently developed based on this target group.

**Use of Secondary Data:** This study utilizes secondary data sources extensively. Secondary data, derived from existing literature and research, are valuable in providing background information, context, and insights into the topic of side jobs and their effects.

In summary, the methodology section of a research study outlines the systematic approach employed to gather and analyze data, ensuring the study's findings are rigorous and relevant to its objectives.

### **CASE STUDY**

#### **Judge Ozaki's Case**

On March 19, 2019, seventeen of the eighteen justices of the International Criminal Court deliberated and made a decision concerning Judge Ozaki's future at the Court. Earlier that year, Judge Ozaki proposed to transition from a "full-time judge" to a "non-full-time judge," a request that was subsequently approved by the Presidency. In February, she informed the Court of her appointment as Japan's envoy to Estonia, with her new role scheduled to commence on April 3, 2019. Despite her new diplomatic position, Judge Ozaki expressed her intention to continue serving as a "non-full-time judge" specifically in the case of Prosecutor v. Bosco Ntaganda.

### **THE DECISION**

The International Criminal Court's decision regarding Judge Ozaki's role as a "non-full-time judge" under Article 35(3) and her appointment as Japan's envoy to Estonia in 2019 sparked significant deliberation and differing opinions among the justices. Article 40 of the Rome Statute, which ensures judicial impartiality, was a focal point of discussion:

The Court determined that Judge Ozaki could continue serving as a "non-full-time judge," as permitted by Article 35(3), while fulfilling her duties under Article 40. Article 40 emphasizes that judges must maintain impartiality and refrain from activities that could undermine public confidence in the legal system or their own

objectivity. It also stipulates that judges living at the Court's main location cannot hold additional jobs alongside their judicial responsibilities.

The majority of the justices interpreted Article 40 broadly, focusing on the specific circumstances of Judge Ozaki's case. They concluded that her role as Japan's envoy to Estonia did not create a conflict of interest in the Prosecutor v. Bosco Ntaganda case, as neither Estonia nor Japan were parties involved in the proceedings. They emphasized that Judge Ozaki's position change to "non-full-time" did not breach the statute's professional nature clause under Article 35(3).

However, a minority of justices voiced concerns about the perception of judicial independence. They argued that Judge Ozaki's diplomatic appointment could potentially compromise the Court's integrity if perceived as a political tool or managerial position for a state party. Such perceptions, they argued, might undermine public confidence in the Court's impartiality and could lead to legal challenges or appeals by the accused.

In conclusion, while the majority of the Court accepted Judge Ozaki's dual roles under Article 35(3) and Article 40, emphasizing the specific circumstances and absence of conflict in the case at hand, the minority cautioned against potential implications for judicial independence and public trust in international criminal justice. This nuanced debate underscored the complex considerations involved in maintaining judicial integrity and impartiality within the framework of international law.

### **CONCLUDING REMARKS**

Moonlighting has posed challenges for international tribunals, as evidenced by past cases such as the Celebici trial at the International Criminal Tribunal for the former Yugoslavia (ICTY). In this case, four defendants petitioned for the removal of Judge Odio Benito from the proceedings, arguing that her election as Vice-President of Costa Rica compromised her impartiality. Given Costa Rica's role as a non-permanent member of the UN Security Council, Judge Benito's potential influence over discussions related to the ICTY and the former Yugoslavia was a significant concern. However, after assurances from Judge Benito that she would not assume the Vice-Presidency until after completing her judicial duties, the tribunal determined that she did not need to recuse herself.

The issue of public trust in judicial impartiality, highlighted by the European Court of Human Rights (ECtHR) in its jurisprudence, was notably absent in these instances. Unlike ad hoc tribunals, the International Criminal Court (ICC) relies heavily on the perception of fairness and independence to maintain cooperation from its member states.

The concept of the "appearance of judicial independence," emphasized by the ECtHR, involves a two-pronged test assessing both subjective bias and objective perceptions of bias. This criterion was seemingly overlooked in the handling of Judge Ozaki's case, where her potential resignation threatened to disrupt proceedings due to statutory requirements for judicial presence throughout hearings.

While international tribunals often face challenges in maintaining judicial independence and public confidence, recent developments at the International Court of Justice (ICJ) suggest a proactive approach to addressing these concerns. However, the ICC may benefit from adopting similar strategies to uphold judicial integrity and mitigate conflicts arising from external appointments or engagements that could affect judicial impartiality.

In conclusion, ensuring judicial impartiality is crucial for international courts tasked with addressing impunity gaps left by domestic justice systems. By rigorously adhering to standards of impartiality and minimizing conflicts of interest, these courts can enhance their credibility and effectiveness in pursuing justice on the global stage.

### **CONCLUSION**

Moonlighting, where employees take on secondary jobs to supplement their income, has become more prevalent, particularly with the rise of remote work during the COVID-19 pandemic. For some individuals, this is a necessary step to cope with inadequate primary job compensation or job loss during economic downturns. While some companies are lenient towards moonlighting, especially for temporary workers, many enforce strict policies prohibiting employees from holding multiple jobs. Violating these policies can lead to penalties and legal consequences.

The shift to remote work has made it easier for employees to engage in moonlighting activities without their primary employer's knowledge. This trend has raised concerns about compromised individual performance, potential breaches of confidentiality, and legal liabilities associated with holding multiple jobs simultaneously.

To mitigate these risks, companies have implemented various tools and strategies to detect and prevent moonlighting. These include monitoring systems that flag suspicious activities such as data leaks or violations of intellectual property rights. Daily reports generated by these tools help identify employees who may be engaging in unauthorized secondary employment.

It is crucial for businesses to have clear and comprehensive moonlighting policies outlined in employment contracts, IT policies, and employee handbooks. These policies should specify expectations, consequences for violations, and procedures for reporting and handling moonlighting cases. By establishing and enforcing such policies, companies can protect their interests while maintaining transparency and fairness in their employment practices.

## REFERENCES

Certainly! Here's a summary of the articles related to moonlighting based on the references provided:

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