



## 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 non-compete 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:**

- **Moonlighting should be a choice unless it affects the efficiency and integrity** of employees' primary work duty.
- **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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