



## LSC-OIG HOTLINE ADVISORY

### Outside Employment During Remote Work

5/11/2022

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The Office of Inspector General (OIG) for the Legal Services Corporation (LSC) is informing you of a recent case involving an attorney who was employed simultaneously (full-time) at two different LSC funded programs. The attorney did not disclose the dual employment to either grantee in violation of grantee policies.

The attorney worked remotely for both positions. The two jobs had similar responsibilities, and he was paid as a salaried employee at both grantees. His primary duty was to provide brief advice and counsel to clients over the phone. The attorney used his personal phone to communicate with clients which made it difficult for the grantees to track his productivity and time. The attorney's dual employment was not identified until he divulged information to a coworker. The attorney was confronted by grantee officials and ultimately submitted his resignation to both programs.

The Wall Street Journal (WSJ) noted that there has been a trend in white-collar employees using their remote work status to increase their earnings by working two separate full-time jobs during the same core hours.<sup>1</sup> The employee often does the minimum amount of work necessary to satisfy his or her employers for both roles. Red flags for double or outside employment from the recent OIG case and the WSJ article include behaviors such as those below:

1. The employee may decline invitations to meetings or refuse to turn on the video function for virtual meetings.
2. The employee may have a decrease in work product.
3. The employee may increase their use of paid time off to focus on projects at the other job.
4. There may be an increase in client complaints regarding the services provided by the employee.
5. The employee's contact with supervisors, staff, and clients may decrease.
6. The employee may not respond to calls or emails within a reasonable timeframe.
7. The employee may increasingly work outside of core work hours or conduct work on weekends.

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<sup>1</sup> Feintzeig, Rachel. "These People Who Work from Home Have a Secret: They Have Two Jobs." *The Wallstreet Journal*, 13, August, 2021, <https://www.wsj.com/articles/these-people-who-work-from-home-have-a-secret-they-have-two-jobs-11628866529>. Accessed 7 April 2022.

The OIG is sharing this information because the remote work environment poses special risks associated with time and attendance issues and the use of grantee resources for outside employment. The OIG encourages grantees to regularly remind staff of the policies governing outside employment and outside practice of law. Additionally, the OIG suggests that grantee supervisors be aware of these risks and, if dual employment is suspected, employ extra scrutiny in reviewing case handler timesheets in the case management system to identify any anomalies.

We also encourage grantees to revisit the OIG fraud alerts on [outside employment](#); [unauthorized practice of law](#); and LSC's grantee guidance on [outside employment found in program letter 18-1](#).

If you have any questions or would like additional information about outside employment in the remote work environment, please contact Daniel O'Rourke, Assistant Inspector General for Investigations for the LSC OIG, at (202) 295-1651 or by email at [dorourke@oig.lsc.gov](mailto:dorourke@oig.lsc.gov).