

Two-timing the boss

It's called daylighting: More employees are doing other paid work on their employer's time and dime to protect themselves in case that layoff notice arrives

BY CHRISTINE WONG

In the heart of downtown Toronto, a television editor working at an independent production company is two-timing his boss.

He works a 40-hour week cutting and splicing a TV series. Or so his boss thinks.

When the boss heads out to meetings that will take the rest of the day, the editor shuts down the TV series file on his computer and switches to another, spending the next few hours editing a promotional video for a paying side client.

The editor does whatever paying side gigs come his way that he can squeeze in during his regular eight-hour shift.

And he does them from the comfort of his employer's office, even using its state-of-the-art editing equipment.

"They're expecting me to be [at the office] 40 hours a week, from 8:30 a.m. until 4:30 p.m.," he says of his full-time employer. "And I am."

But not in the way his boss expects. This isn't moonlighting, where employees with full-time jobs work other jobs at night or on weekends to make extra cash.

Rather, call it daylighting:

doing other paid work during the hours employees are on their full-time employer's time and dime.

And the soured economy is drawing out more and more daylighters, who are doing double duty not only to pad their incomes but to widen their networks and cast other irons in the fire in case that layoff notice arrives, says Los Angeles-based executive career coach John McKee.

"It's definitely becoming more common now. The economy has everything to do with that. It's all about protecting one's future," says Mr. McKee, author of *Career Wisdom: 101 Proven Strategies to Ensure Workplace Success*.

The two-timing TV editor says he not only likes the extra dough but considers daylighting his own pre-emptive strike against an uncertain future.

"It's a competitive business out there. I'm keeping my skills fresh. And if your full-time gig folds, you've already got something else to go to," says the editor, who asked not to be identified.

He says he's seeing more daylighting among other TV editors he knows who fear being laid off.

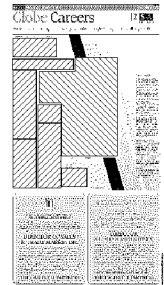
"In my experience, it's extremely common," he says. "I think people always have something on the side now. They're on the phone [at their day job] making contacts and using side contacts to get other paying gigs."

The lure goes beyond the economy. While Gen Xers tend to turn to daylighting to prepare for job loss – "Gen Xers are famous for thinking the worst is yet to come," Mr. McKee says – Gen Y workers embrace it more because they crave variety and don't feel the sense of loyalty to employers that many older workers do.

In all generations, people may use daylighting to test out a new career field before giving up a full-time income or to kickstart a new business with sideline work until they land enough business to leave their day job, Mr. McKee says.

Career consultant Paul Coppitt, founder of Square Peg Solution in Dundas, Ont., says that more of his white-collar clients have been considering ways to generate additional income over the past few months, including daylighting.

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» “They’re thinking about having to supplement their income because they’re not going to get the bonus they expected or [their] hours have been cut back, or they’re expecting maybe worse,” Mr. Copcutt says.

He says technology makes it easy for many professionals to daylight, doing much of their sideline work by phone, fax and e-mail.

“The fact that we’re so connected now via technology gives people the opportunity to turn what was probably a moonlighting job into a daylighting job,” he says.

Some daylighters may require specialized, expensive technology that they have access to at their regular job.

While the rewards are tempt-

ing, the pros warn that daylighters must consider the risks. The most obvious is being fired if you get caught by the boss.

Don’t assume your boss has to give you a warning before actually terminating you. Even if daylighting isn’t specifically banned in your employment agreement, employers could still have just cause under common law to fire someone immediately, Toronto lawyer David Hager warns.

“There’s a duty of loyalty to one’s employer, and this breaches that duty. It’s tantamount to fraud,” says Mr. Hager, a partner in the employment and labour law practice at the firm Lang Michener. “It’s dishonesty, and dishonesty can be grounds for termination or suspension

without payoff, depending on the circumstances.”

If daylighting competes directly with your full-time employer, the company “could go after the employee for damages caused,” adds Stacey Ball, a partner at Toronto law firm Ball & Alexander. Workers who use their company’s confidential information or trade secrets (such as client lists and sales histories) while daylighting could also be sued for breach of contract and/or breach of confidence, he says.

If you do get fired for daylighting, the damage could go beyond your current job to future employment if it damages your reputation, Mr. McKee says.

Even if you don’t get caught, adding side gigs to a workday can backfire if it hampers your job performance or leads to burnout, Toronto career coach Cecile Peterkin warns.

“You might be getting your [full-time] work done. But are you as alert as you could be or are you rushing through things? Your physical and emotional well-being can suffer as well,” Ms. Peterkin says.

Even if most employers frown on daylighting, the pros

say exceptions might be made for company superstars. If a boss fears losing a top worker, he or she might turn a blind eye to their daylighting.

So should you ask the boss for permission to daylight? Ms. Peterkin says that’s probably unsafe unless you know you’re an undeniable top performer who would be too valuable to risk losing.

And if you get caught? It’s best to own up, Ms. Peterkin says, since there’s probably hard evidence – and denial will only erode the company’s trust in you further.

Mr. McKee believes daylighting should be on every employee’s no-no list. “I don’t recommend anybody take on a second job as a daylighter that’s going to cause them to have to put their existing

[work] relationship at risk or divulge information the company trusts them with.”

Even though he warns against it, Mr. McKee concedes it’s a sign of the times and signals a continuing trend of workers trying to steer their own career direction rather than rely on employers to guarantee job security.

“It allows an individual to take control of his destiny in a far more pro-active manner than kind of hanging around and expecting that the boss, in his or her wisdom, will say: ‘You know, John’s a really good seller. If we look after him and develop a detailed career plan that looks 10 years out ...’ I mean [managers] don’t do that. Most bosses haven’t got time to think about John.”

» *Special to The Globe and Mail*

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