

Moonlighting Intentions of Middle Level Employees Selected IT Companies

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Abstract: *This article explores the increasing trend of moonlighting among middle level employees in selected IT companies. It discusses the reasons behind this phenomenon, its implications for both employees and companies, and the legal and ethical aspects surrounding it. The article also delves into the industry's response to moonlighting and suggests potential strategies for managing this issue. Online working platforms such as GIG working, E lancing has become a synonymous in today's modern business environment. This paper proposes to identify the research gap of investigating the effect of employee intention with moon lighting, reasons and choices for them to choose another job options where it is considered detrimental to same job, what are the root causes, intentions of it and its high impact on organisational environment.*

Keywords: Moonlighting, IT sector, Middle level employees, Human Resource Management, Ethical implications, Legal implication

1. Introduction

In today's world the human resource management arena is dynamic, changing and emerging exuberantly introducing flexible and customized working styles for its employees. Human activity being the foremost and lifeblood of running the business in smooth manner. With the sudden economic breakdown layoffs being common, hard hitting competition for survival of fittest employee everywhere in the world. Culture, lifestyle, expenses and motives of earning have changed earning to personal needs and conventions. Moonlighting has become increasingly common as income generating side jobs in same industry or as income generating hobby projects unrelated to primary job. While the former is fiercest censure by IT industry captains. Dictionaries define moonlighting as working at an extra job, especially without telling your main employer. premji defined moonlighting as "having a second job secretly". the trend of taking up additional job has drastically increased after COVID - 19 - induced lockdown forced companies to switch to work from home. Moonlighting is turning out to be an important labour market phenomenon in IT sector. Remote employment makes it easier for people to juggle two jobs or more with much ease. Most of the IT majors, in recent times, have come out strongly against moonlighting, with a few of them admitting that they have fired employees who were found to be taking up side hustles.

Moonlighting refers to the practice of taking up an additional job, or two, apart from a person's main employment. While there is no legal definition for 'moonlighting' in India, US Legal defines it as "a term used to refer to holding a second job outside of normal working hours." Survey by mint showed large number of people feel that moonlighting is ethical, while 12 per cent said "can't say." Latter is not without complications either. A division between what is acceptable and what is not is a thin line Cambridge Dictionary defines moonlighting as "the act of working at an extra job, especially without telling your main employer". This trend has increased during the pandemic because of remote working. No law prohibits dual employment in India which serves as a boon for employees in this industry. Roles that do not require employees

physical presence throughout the day are more likely to lend themselves to this concept. IT companies are against the concept of moonlighting. Infosys CEO Salil Parekh just confirmed that the company has let go of people who were involved in a side job in the last 12 months. Just a few weeks ago, Wipro also fired nearly 300 employees for moonlighting. Certain media reports suggest that Wipro tracked these employees using the Universal Account Number (UAN) from the employers' portal of the Employees' Provident Fund. But there has been no official confirmation by the company on the same yet. Besides Infosys and Wipro, companies like TCS and more have also talked against the concept of moonlighting and said it is "unethical".

If employees are generating serious income and indulging in lot of time for it must be informed to the manager. The point of contention arises from division of time, attention, effort, loyalty, performance, resources they provide to the organization. Dwindling engagement of employees creates havoc for organizations where they invest heavily to attract, retain and motivate employees just leading to great turnover and resignation over the years. Deepest concern surrounding the trend is about misuse of confidential data and breach of contracts in IT services After firing 300 employees in September for moonlighting, Wipro's MD and CEO Thierry Delaporte clarified the company's stance on moonlighting. On Wednesday, he said that while little side jobs were fine, working for a competitor is a "question of ethics". "We are not doing anything new or different. It's clear to our people when joining Wipro. I'm not talking about side jobs. I'm really talking about being in an obvious situation of conflict of interest. Our employees understand that," he added. On August 20, Wipro Chairman Rishad Premji's tweet about moonlighting being cheating snowballed into a fierce debate in India and later, 300 employees were fired, stating that the IT services company has no place for any employee who chooses to work directly with rivals while being on Wipro payrolls. All major leading IT firms have majorly stringent clauses in their contract to prevent employees from working a second job. An Infosys contract clearly mentions that employee is any business activity without company's consent. The purpose of this article is to investigate the

growing trend of moonlighting among middle level employees in the IT sector, understand its causes, and discuss its implications for the industry. This article is significant as it sheds light on a current trend in the IT sector, providing insights that could inform HR practices and policies regarding moonlighting.

Why it companies are against Moonlighting?

Working for a competitor it is unethical, leaking information security, especially leak of sensitive data, loss of confidentiality, violation of contracts it services firms have with clients. Using organisation resources such as licensed software, for side gigs. Harpreet Singh Saluja, president of nascent information technology employees senate even points out that some industry leaders were themselves moonlighters at one point. Flipkart was founded by Sachin Bansal and Binny Bansal while they were working for amazon. Freshdesk was founded by Girish Mathrubootham while he was working for zoho corp. Reason for moonlighting is employees feel their compensation has not risen in proportion to their workload at times they find other avenues for their under – utilised skills and at other times they pursue their passion and make some money. Time of work is defined in the employment contract but asked to work more must give them some incentive. Moonlighting happens across levels, including senior in software services industry who help out start ups in the software industry who help out start ups for a fee without the knowledge of primary organisation. Its far easier to moonlight today because of dedicated freelancing platforms such as up work, freelancer and total which are awash with gigs, supposed posted even by leading firms such as Microsoft, airbnb, go daddy and nasdaq. IT services firm Indus net technologies, admits that they can neither gauge the extent of the trend nor can they practically verify if these are non competitive in nature. It's like a non regulated market, you cannot close it, but it will be best if you can regulate it through basic framework and disclosures". The firm plans to introduce guidelines about moonlighting roles that will not hurt its business (george, 2022)The trend of taking up an additional job increased after the COVID - 19 - induced lockdown forced companies to switch to work from home. Remote employment makes it easier for people to juggle two jobs or more with much ease. A recent survey by Mint showed that a large number of people (64 per cent) feel that moonlighting is ethical, while 12 per cent said "can't say."

Why do people moonlight?

While additional income is always tempting, that alone is not the reason for people to look for alternative employment opportunities. Some do it because of passion, while others due to boredom. A casual Google search will reveal that there are a lot of small firms and start - ups that offer part - time work opportunities. The easy accesses to job openings through job portals and online tests/interviews have made it immensely easy for people to take up additional jobs. First things first. Money matters! Additional income is always a tempting reason to look for an extra gig. There have been job cuts and pay cuts following the pandemic, causing financial burdens to people. There was also the fear of losing jobs. People have taken to side hustles to pay off debts, or just to earn more. There is also the desire to follow one's passion without giving up the main revenue stream. An IT

professional may also be a good musician, writer, or gifted in fields that have nothing to do with coding, programmes, testing and the like. The additional hours, which were a luxury before work from home became the norm, accorded them time to chase things that they have always been passionate about. Flexible working hours made it easier for people to divide their time between two gigs. Entrepreneurial aspirations too may propel one to work on additional projects. An extra job is also an opportunity to learn. Job security may force one to stay at one's current place of employment, but employees also look for opportunities to learn and upskill. A LinkedIn study in 2018 revealed that "employees who spend time at work learning are 47 per cent less likely to be stressed, and 39 per cent more likely to feel productive and successful." The absence of learning opportunities and reduced levels of job satisfaction at one's current place of employment may force one to either switch jobs or look for part - time jobs that offer chances to learn and update one's skills.

Legal implications

India does not have an overarching law to prevent IT employees from doing a second job. Section 60 of the Factories act 1948 is an archaic law that says, "No adult worker shall be required or allowed to work in any factory on any day on which he has already been working in any other factory, save in such circumstances as may be prescribed."

India has a Shops and Establishments Act for every state. Of these, The Delhi Shops and Establishments Act, 1954, and Bombay Shops and Establishments Act prohibit dual employment. There is also The Industrial Employment (Standing Orders) Central Rules, 1946, which says employees should not work against the interest of the establishment they work with or take an additional job with a second company that will adversely affect the interest of his first employer.

However, none of these laws particularly apply to the IT sector. The IT companies may have clauses in their contract for employees against taking up another job. Taking up a side hustle, especially with a competitor company, may amount to violation of the contract.

Why are companies upset?

Wipro chairman Rishad Premji, Infosys CEO Salil Parekh, HCL chief people officer Ramachandran Sundararajan and TCS chief human resources officer Milind Lakkad have toughened their stance against moonlighting in recent days. Premji revealed that nearly 300 employees of the company were fired as they chose to take up a second job with rival firms while being on the payroll of Wipro. He called moonlighting "cheating - plain and simple."

Infosys too admitted that the company let go of people who were found moonlighting. "We don't support dual employment. . . if we found. . . in the past, employee doing blatant work in two specific companies where there is a confidentiality issue, we have let go of them in the last 12 months," Parekh said. HCL Technologies too echoed similar sentiments, saying the company does not support dual employment. "Dual employment while working for

HCL Tech. we do not approve of that. Everybody who signs up to work for HCL Tech is signing up employment contract which requires exclusivity. The requirements around confidentiality and non - compete. . . all those provisions that are there we expect our employees to honour those commitments," Sundararajan said.

Companies worry that dividing time between two jobs will affect the job quality and productivity of their employees. There is also the possibility that stress levels will be higher when there are two deadlines to meet than one, leading to diminished or inferior quality output. Fatigue is another after effect of a side hustle, leading to distraction, and possibly neglect. Employers also worry about data and confidentiality breaches especially if one works with a direct competitor. Moonlighting has been seen as coping strategy for employees to meet their day to day economic demands, cost of living, by supplementing their primary jobs. It is witnessed that different people behave differently apparently with the same situation and seemingly have same experiences. These aspects motivate employees to identify ways in which they can change. It also explains why challenging behaviors might increase or decrease leading to changes in employee's life, as to how they spend their days, or their career aspects, personal aspects, outlook on life and behavior changes to people. Environment theory postulates set can be allocated either wise to time the market, or work that generates income, leisure time and satisfaction etc.,

Psychological Contract Pyramid

It is important to find the basics of the issue when there is confusion and emotions. This psychological contract concept is used to identify and explains behavioural changes in promises and perceivances made the employer to employee. As in any relationship if promises are fulfilled it gives satisfaction and employees desire to stay with likely consequences. If on other hand promises are broken, negative emotions and the urge to withdraw follows the consequences. The employee brings in Time, energy, work efficiency, loyalty ethics, and citizenship behaviour to the organisation. In return the organisation provides living wage, differential rewards, recognition, and identification of new competencies, durable employment opportunities, and fairness in all their dealings. Moonlighting is specific employee withdrawal behaviour, in response to breach in expectation of organisation inputs. Organisation recrimination will not make the issue lighter to understand, employees would still stand to say disloyal, retaliatory insecurity of tenure created by employer would hit the loyal employees and disloyal ones. The employee's own well – being, career success, long term growth can be irreparably damaged in this process. Few CEO's and HR managers feel that moonlighting could be given as an option with the condition that those job are detrimental and those that aren't. Moonlighting is increasing in recent days through entirely a new slice of an organisation. With the opportunities increasing for multiple job market in significant numbers. For various years employees have been trifling with their struggle to bargain in return to their employee loyalty and citizenship behaviour to the organisation. Family feelings are fore fronted to blunt the outcome of compensation expectations, when business boomed but forgotten when times turned dark, familial scarifies are used to mollify

Family feelings were fore - fronted to blunt the edge of compensation expectations when business boomed but forgotten when times turned sour and familial sacrifices were used to mollify their shareholder deities.

Similarly, values were vaporised when commitments (e. g. campus appointments) were drowned in fine - printed clauses and the braggadocio of challenge - us - legally - if - you - dare. A previous column detailed how these short - sighted shareholder value steroids hollowed the muscles of employee loyalty.⁴ such unfairness may, in the past have resulted in disengagement, attrition or some other form of employee withdrawal. This time, however, for a large variety of mid - level jobs, technology had created smoothly functioning conduits to take capabilities to the demand face with minimal dislocation and identification. Moreover, the increasing gigification of tasks had prepared companies at the demand face to extract the effort the conduit conveyed without the inconvenience of arms, legs and a questioning tongue accompanying them. Perhaps most providential of all, Covid gave every part of the virtual system a thorough trial while wiping those with reservations about such impersonal organization of work off the reservation

2. Personal Theory

Personal factor perspectives indicate those employees, traits, characteristics, behavior as consolidation of one's feelings, thoughts, emotions, mind process and behavioral thinking. Financial concern is the main reason for most employees to engage in moonlighting. Employees engage in their skill development and believe in their abilities to cope up and make the situations. It also includes physical and emotional stability to fulfill their human needs. This study helps us to cover employee's desire of need and wants with employees need for return and value to provide them comfort and quality of life. They would anything until they get a positive feedback. Employees are more likely to withdraw themselves from repeated tasks at work. In a study observed it appears to balance employee personal needs against the requirements of daily tasks in primary job. Whereas few departments prohibit moonlighting, while most departments encourage due to low salary, most of the employees give reason for engaging in more than one job of moonlighters is to meet the regular household expenses. Basically employees focus on return value such as money to provide them comfort and quality of life. Behaviour is also influenced by disposition of employees emotions, moods and feelings by providing impact to everything from employees ability to make effective and confident decisions, such as to work well as to get positive result on job performance.

Conclusion: The trend of moonlighting in the IT sector is a complex issue with various implications for both employees and companies. While it presents opportunities for employees to supplement their income and pursue their passions, it also raises concerns about productivity, data security, and ethical conduct. Companies need to address this issue with clear policies and open communication to balance the interests of both the organization and its employees.

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