

A Review on the Concept of Moonlighting and Its Impact on IT Industry

Dr.Swathis.S

Assistant Professor, Yuvaraja College, University of Mysore, Mysuru

Abstract -In this paper the concept of moonlighting is discussed. This paper is based on secondary data. the application of moon lighting in IT industry. The advantages and disadvantages of moon lighting is mentioned. The statements given by Big IT experts on moon lighting is quoted in this paper. The legal aspects regarding moonlighting is discussed.

Key words: Moonlight, IT Industry, Application etc.

Employee Moon lighting are the one who's is having more than one job in a signal day. Employee has one main job which he or she works regularly. Apart from that they have a second job that they do mainly to make money. Generally they start the job at free time that is evening 5 to 9 that is reason it is called as moonlighting In day lighting employee does the work from morning 9 to 5 this is called day lighting.

PROBLEM STATEMENT

IT Industry has faced many changes one of the change recently faced by IT Industry is Moon lighting. employee are having lots of confusing and problem regarding the concept of Moon lighting.so details regarding Moon lighting is focus.

OBJECTIVE OF STUDY

To identify different types and application of Moon lighting IT Industry.

RESEARCH METHODOLOGY

Descriptive method has been used in this paper.

SOURCE OF DATA

Data was collected from secondary sources.. The secondary data was extracted from different publishers and websites.

Types of moon lighting

1. Blue Moonlighting: it is a situation where employee is not able to handle both the jobs. The primary and the part time job handles become more difficult.

2. Quarter Moonlighting : In the quarter moonlighting employee do work part time job. Here the employee will be able to balance both regular and part time job.

3. Half Moonlighting: In half moonlighting the employees spends more than required time for part time job. That is 50% of available time is spent on part time job .After regular full time job.

4. Full Moonlighting: Here the employee is able to build the part time job parallely doing the full time job. The employees even get the recognition due to second part time job.

Employee come to work in the organization one of the main reason is earning. Every employee loves to earn more and more money. When we talk about the job market in India. It took a huge change after LPG. Before that the generation like Traditionalist, Baby Boomers, and Generation X were more connected with the concept of life time jobs. That is they used to join the company and work up to retirement in same company. But today we see that after LPG in 1990 's job opportunities in India are more people were able to get more job offers . That is where we see that tremendous change take place in job market.

Employee in India started preferring the private jobs. They are many reasons why people started to prefer private sector jobs. Due to population, illiteracy, poverty, mortality rate, for survival etc.

Employment becomes very essential for every employee to survive. We see that many professional do one main job other sub jobs to support the family. Eg Doctors work in different hospitals at different timings, teacher teach in schools and colleges and take up tuition class we see sectors like healthcare and pharmaceutical (70 per cent of employees), FMCG (71 per cent) and manufacturing (79 per cent) logistic beliefs in moonlighting . likewise IT employees also

started to do the job for morning till evening main job. In free timings evening they started to work in different IT companies. They are not informing or getting permission from full time or primary job company this is what is called as moonlight employee. the Swingy, company, permitted staff to work on outside projects which lead a huge mile stone in the field of moonlighting.

Amid the growing debate on moonlighting, a new report published in business standards Dec 6 2022 has revealed that 43 per cent of employees in the Indian IT sector find moonlighting favorable.

Some of the reasons why employees are adopting for moon lighting

- Due to job loss
- Safe guard them self
- Increase the income
- Employee life experience
- Less employee engagement in the company
- More free time availability
- Reevaluate priorities
- Due to covid 19 effects
- Popularity of work from home concept.
- No appreciation and recognition in work place
- To up skill and update them self
- To combat boredom

The negative side of moonlighting

- Misuse of information and resources
- Issues of work life balance
- Absenteeism
- The productivity may go down
- Low performance in Job
- Not able to balance part time and full time job.
- Stress management issues

Some of the statement of popular IT companies and IT minister relating to employee moonlighting

IBM company reaction towards employee moonlighting Sandip Patel, India and South Asia head of IBM said, "A second job could be full-time part time or contractual in nature but at its core is a failure to comply with employment obligations and a potential conflict of interest with IBM's interest."

Infosys is the first company among its peers to acknowledge the gig workforce and has set up a platform called 'Accelerate' to allow workers to participate in initiatives and activities beyond their primary work. Human Resources teams also conduct events to make employees aware of the

platform. Infosys is assembling a human resources team made up of delivery and legal professionals The company has, however, stated that moonlighting is not acceptable

Rishad Premji, executive chairman of Wipro, recently called the moonlighting habit "cheating". This remark of Premji sparked debate and highlighted the long-festering problem of dual employment. Wipro fired its 300 employees who were found working double shifts for competitors.

TCS shares Wipro's views on moonlighting and calls it an "ethical concern."

Ramachandran Sundararajan, Chief People Officer of HCL Tech said, "We don't support dual employment while working for HCLTech. Everyone who signs up to work with HCLTech is signing up for a contract that needs exclusivity and has rules around confidentiality and non-solicitation."

N Ganapathy Subramaniam, the Executive Director and Chief Operating Officer (COO) of IT powerhouse Tata Consultancy Services (TCS). Subramaniam claimed that moonlighting is unethical and that the IT sector will ultimately suffer.

Indian IT Minister State for Electronics and IT and Skill Development Rajeew Chandrasekhar supports moonlighting in the backdrop of the rapidly evolving startup culture. He is of the opinion that this is the future of work.

Legal provision relating to moonlighting

The Factories Act of 1948 has Section 60 Restriction on dual employment. Unless otherwise specified, no adult worker must be compelled or permitted to work in any factory on any day on which he has already worked in any other industry.

Industrial Employment Standing order Act, 1946:

Employers in industrial establishments are required by this Act to clearly define the terms of employment and submit proposal standing orders to the certification Authority for certification. It is applicable to all industrial facilities that employ 100 workers or more (50 workers, in the case of facilities for which the Central Government is the Appropriate Government).

Section 65 of the Bombay Shops and Establishment Act, 1948:

Restriction on double employment on a holiday or during leave. No employee shall work in any establishment, nor shall any employer knowingly permit an employee to work in any establishment,

Section 9 of the Delhi Shops and Establishment Act 1954:

Restriction on double employment. -No person shall work about the business of an establishment or two or more establishments

2016 case of Gulbahar V. Presiding Officer Industrial Tribunal, the Punjab Haryana High Court confirmed the petitioner's dismissal on the grounds of dual employment. In a case involving Metso Paper (India) Pvt Ltd vs. Mr V. Gokulakrishnan, a Delhi District court backed the termination of the employee who held two jobs on September 6, 2019, in a manner similar to this.

Vikram Shroff, the head of the HR law practice at the law firm Nishith Desai Associates, companies in the IT sector that employ people full-time prefer to prohibit employees from moonlighting in any capacity, whether it be a second job or a side business. know we see that amendments have taken place in the field of labour law 2019 and 2020. the new labour code are divided in four categories they are

Code on wages 2019

Industrial relation code 2020

Code Social and security 2020

Occupational safety, health and working condition code 2020

We see that many changes are taking place in the country with employee ,labour laws and IT. when the new codes are implemented the state government and IT sector need to work out on gig and employee moonlighting.

CONCLUSION

We see that change is the only permanent thing in any business without adopting and being agile we cannot survive. as the concept of employee moonlighting is gaining a huge momentum in the field. The government must make sure that laws, acts, provision related to employee moonlighting must be made. The rules relating to the IT sector must clearly mention timing, contract, payments ,time, information sharing etc. So that employee feel safe to work as a moonlighting employee. otherwise it will be always a dilemma and unethical ,cheating practice. The Gig

employment , employee moon lighting need to be taken into consideration in a positive way so that it help employee, employers and economy.

REFERENCE

- [1] https://www.business-standard.com/article/companies/43-indian-it-employees-find-moonlighting-favourable-says-report-122112200420_1.html
- [2] https://www.business-standard.com/article/companies/moonlighting-is-a-conflict-of-interest-ibm-informs-its-employees-122102600594_1.html
- [3] <https://www.frontiersin.org/articles/10.3389/fpsyg.2021.693547/full>
- [4] <https://economictimes.indiatimes.com/tech/information-tech/most-employees-feel-moonlighting-is-unethical-report/articleshow/95667892.cms>
- [5] https://www.academia.edu/24255777/Managing_Employee_Moonlighting_Issues_And_Implications
- [6] <https://www.indianjournals.com/ijor.aspx?target=ijor:inroads&volume=4&issue=1&article=006>
- [7] <https://www.clearias.com/moonlighting/>
- [8] https://www.ripublication.com/gjfm-spl/gjfmv6n6_08.pdf
- [9] [file:///C:/Users/user/Downloads/AReviewofMoonlightingintheITSectorAnditsImpact%20\(1\).pdf](file:///C:/Users/user/Downloads/AReviewofMoonlightingintheITSectorAnditsImpact%20(1).pdf)
- [10] <https://acadpubl.eu/jsi/2017-114-7-ICPCIT-2017/articles/12/24.pdf>
- [11] https://authbridge.com/employee-moonlighting-check/?utm_source=google&utm_medium=cpc&utm_campaign=moonlighting&utm_term=moonlighting&gclid=EAIaIQobChMIvuGIhuvk-wIVR5lmAh18NAuJEAMYASAAEgJb2PD_BwE