A REVIEW OF MOONLIGHTING IN THE INDIAN IT SECTOR

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ABSTRACT
Gig working or moonlighting has grown significantly over the years and Covid had amplified this trend. Moonlighting is a phenomenon where people work outside their working hours for another organization, either full-time, contract, or freelance. Working for more than one organization to combat various issues like boredom, additional finance, etc. is becoming common and the new generation of employees is more inclined towards it. Moonlighting is adding to withdrawal behaviors where they become avoidant and disengaged from their workplace, employees focus more on building self-identity than the team, which are leading to various other issues.
Some people pursue hobbies in their free time, while others look for part-time jobs. Especially in her IT industry, employees worked her two jobs at the same time and leveraged the remote working model. The idea of working for two organizations is termed moonlighting. This case study covers various aspects and impacts of moonlighting in the Indian IT industry including pre- and post-Covid situations to IT company's stand and future of work.
Keywords: Work-life balance, Ethics, Integrity, Moonlighting, Job Insecurity, Covid Pandemic

Introduction
The term 'Moonlighting' became famous in America when people began working a second job notwithstanding their current regular positions. Since the ascent of the work-from-home idea during the pandemic, employees got extra time after work hours. Moonlighting means the company carried out by an employee of a company after his regular office hours This is not freelancing because freelancers work for many companies at the same time and are not full-time employees of any company. The concept of overwork or moonlighting is not new in the USA. To earn more money to fulfill the need of living a lavish life in the USA, they may choose to work for different employers and different shifts. Suppose the waiter works in both the morning and evening restaurants. This allows a person to make more money with two jobs and pay the bills.

In India, moonlighting by employees expanded after the Coronavirus pandemic and the work-from-home model, particularly among IT area employees. There is no legitimate system for undeclared work by employees of IT organizations. Work regulation in India disallows factory workers from working two times. However, manual workers do not cover her IT department employees. Before beginning work, IT industry employees accept the offer letter's legal or NDA obligations. Many organizations state in their proposition letters that twofold recruiting is restricted or that representatives should not work for one more organization while working for one. In such cases, employees should not depend on undeclared work. Any other way and that employee may be removed from work.

Contribution to the IT industry in India
With the founding of Tata Consultancy Services in Mumbai in 1967, India's IT services began in India. In 1977, after partnering with Burroughs, India began importing IT services. India is the biggest exporter of Technology in the modern, thrifty world. India's IT sector increased its GDP contribution from 1.2% in 1998 to 10% in 2019. Around 79% of the overall earnings in the Indian IT industry come from exports. But local demand is also sizable and experiencing strong profit growth. From less than 4% in FY1998 to almost 255% in FY2012, the assiduity's percentage of all Indian exports (goods + services) increased. As of 2006, Sharma estimates that India's technologically advanced services industry contributed 40% of the nation's GDP and 30% of its import revenues while only employing 25% of its labour force (2006). Tata Consultancy Services, Infosys, Wipro, Tech Mahindra, and HCL Technologies are the "Top Five Indian IT Services Providers" by Gartner. In FY 2021, the earnings of the IT and BPM assistance was US $194 billion, a rise of 2.3% YoY. In FY 2021, the IT industry was expected to generate local profits of $45 billion and import profits of $150 billion. In FY 2021, the IT

industry employed close to 2.8 million people. (As of March 2021, the IT-BPM industry employed 4.5 million employees. Companies in the sector had significant hand waste and fierce hiring competition in 2022. In the COVID-19 epidemic-hit FY22, Indian IT earnings grew at their quickest rate in a decade to $ 227 billion. Five million individuals are employed across the entire IT-BPM business as of March 2022. In its Strategic Review, NASSCOM predicted that the US IT industry may reach its lofty goal of $350 billion by FY26 while expanding at a rate of 11–14%.

History of moonlighting events
In the mid-1950 the term did indeed mean someone who held a second job, the implication being that they worked by the light of the moon. However, the expression originated in the early 1880s and referred to Irish gangs who operated exclusively at night committing theft and burglary in rural areas and were known as 'Moonlighters.'

In the United States, this trend has increased since 1996. The concurrent employment rate rose to 7.2% in 2018 from 6.8% in 1996, based on Longitudinal Employer-Household Dynamics from the US Census Bureau.

As of the September quarter of 2021, when the 2020 pandemic began, WFH seemed like an innovative idea for IT bosses. As costs fell, profit margins rose, and stock prices rose. The pandemic has only exacerbated the problem of disgruntled employees and those who want better wages. Many friends in HR tell me that undeclared labor is a breach of contract, but the practices of employees at major Indian IT companies could certainly improve from where they are now.

Types of Moonlighting
Moonlighting can be categorized into different types based on the circumstances and factors as follows:
- **Blue Moonlighting**: During the evaluation of an employee's performance, the company may respond favourably to their requests for increased wages or benefits. However, some staff members might not feel that this is sufficient and try to obtain a second job for additional income. If they do not have the necessary abilities or make the adequate effort, this could be unsuccessful, which is referred to as Blue Moonlighting.
- **Quarter Moonlighting**: Quarter moonlighting is the practice of finding a second work in addition to one's primary job when one is unhappy with one's current pay and wants to increase their income. You can only utilize this kind of moonlighting to supplement your income or to pay for extra charges.
- **Half Moonlighting:** Numerous staff members have the habit of spending more than what they bring in. They have a desire for a luxurious life and want to set aside a suitable sum for the future. Consequently, they dedicate half of their available hours to get extra income to obtain a sizable additional amount. This is known as Half Moonlighting.
- **Full Moonlighting**: When staff in particular professions discover additional hours or sense that their wages are not up to what they anticipated, or their companions are making an immense amount of money while having lower certifications and having a superior standing, they may build their own business or industrial unit while still holding their normal job, which could be beneficial in difficult times. Nonetheless, their second employment has an impact on their financial and social standing. This practice is full moonlighting.

Literature Review
Employee moonlighting has numerous benefits and drawbacks for both the employee and the business. Employers must prevent employees from Moonlighting as it lowers the organization's performance Lotich (2010). The number of sick days employees take and the likelihood of information theft rise because of moonlighting. Lotich (2010). Moonlighting has both beneficial and adverse effects on the employee and the company, according to Banerjee (2012). When a person moonlights while simultaneously employed by two distinct companies, their diverse skills improve, claims the author. Compared to workers who just hold one job, moonlighters are multitaskers and may have better time management abilities. So, there are progressive features that companies may benefit from, and such workers have greater retention rates. Nevertheless, it may also be negative because employees tend to sacrifice resources and are only prepared to devote a little amount of time to their primary jobs. Banerjee (2012) Moonlighting on the other side can be beneficial for employees as they earn additional income, motivation, status, and their satisfaction with their job increases Kulikowski (2019).
Research into the motivations behind having a second job has uncovered multiple potential underlying causes. For example, the hours or pay of the primary job might be restrictive and the individual may want to work more hours or take a job that pays more but cannot. This could be due to laws regulating working hours, the presence of short-term contracts in periods of economic uncertainty, or a lack of a minimum wage. This is particularly true for those who are paid for their work but do not have a limit on the hours they can work, yet still do not

make enough money to meet their goals. Inkson (2006) This is referred to as financial motivation. Employees who moonlight may also do so because they are dissatisfied with their pay, feel forgotten by their workplace, or think that the company is taking advantage of their extra work without paying them fairly. This has knock-on effects on all aspects of Human Resource management. It is a challenge for HR managers as most of the time moonlighting affects them negatively.

Research Methodology
The research is based on secondary data. The data is obtained from newspaper clippings and IT policies developed by the companies regarding moonlighting. This is qualitative and exploratory research.

The objectives of the research are
1. To examine the phenomenon of moonlighting
2. To understand the perspectives of employers and employees in the Indian IT sector
3. To study the pros and cons of moonlighting

Secondary Data Analysis
The current work situation of remote work has allowed personnel to have more leisure time. Some businesses are honest and have full disclosure when it comes to the idea of working from home. This approach is effective. However, this is not feasible in service-based sectors. There has been a transition in India, including individual project advisors and educators beyond the school. Another illustration is individuals who have varying jobs and are part-time LIC agents. A lot of successful start-ups were established when the founders had additional income. Moonlighting people are good at managing and everything comes down to time management. Not everyone is freelance or moonlighting, just 20% of professionals are smart enough to do this and achieve more. Even so, moonlighting can lead to multiple projects at once, providing professionals with numerous advantages, such as knowledge.

Employers can find out if an employee is unregistered and working for a rival by using the Employee Provident Fund (EPF) Universal Account Number (UAN). To determine whether two of an employee's PF contributions were made by distinct companies, employers can access the UAN number of the employee. The employee is moonlighting if two PF contributions are made to her UAN at the same time.

IT company 'Wipro' fired north of three hundred workers in the year 2022 for working two jobs by following the EPF accounts maintained with the UANs. In any case, it is not difficult to track down working two jobs for an employee when he/she takes up extra work as a specialist, consultant, or part-time since an employer does not make the PF contribution for such work.

Notwithstanding, organizations might utilize conveying trendy innovation to follow gadgets given to employees exclusively for office work and get to know when an employee utilizes it to go about another organization's work. They may likewise enlist an outsider organization for individual verifications to learn about working two jobs by an employee.

There is no direct regulation for the IT industry regarding moonlighting, there are regulations that can be utilized to restrict double work in India. A worker is not permitted to work in two workspaces at once, according to Section 60 of the Factories Act of 1948.

Employees working in shops, commercial establishments, restaurants, theatres, and other public amusement or entertainment venues are subject to regulations under the Shops and Establishments Act of 1948. Dual employment is prohibited by the Delhi Shops and Establishments Act and the Bombay Shops and Establishments Act.

According to the Industrial Employment (Standing Orders) Central Regulations, 1946, a worker must not work against the industrial establishment's interests and must not accept any supplementary job that could jeopardise the employer's interests.

All the laws, however, only apply to workers and do not include those who hold professional or administrative, or managerial roles. Hence, there is still no overturned law that forbids working two jobs or moonlighting in the IT industry. But, since employers incorporate such limits in the employment agreements, there can be a confidentiality violation (NDA) when employees work in similar types of positions.

Employers may view moonlighting as illegal if an employee's contract includes non-compete and single employment terms. However, it cannot be considered cheating or dishonesty when the employment contract is lenient or does not include any clause related to dual employment.

Employer's Perspective
Moonlighting is a burning discussion nowadays in the Indian job sector. Recently, some major Indian IT and tech firms have been cracking the whip on their employees for moonlighting. Few companies support moonlighting, while many top giants are against moonlighting. They consider this unethical. Employees who are moonlighting or planning to take up a side job must look at the clauses of their employment contracts and company policies regarding dual employment. Many IT companies have contractual/confidential clauses to restrict dual employment.

Employee's perspective
As part of the set of polls, BT asked if moonlighting is cheating. A majority of the voters across platforms said, no it is not as 'it is my free time and my choice' (Twitter - 44%, LinkedIn - 49%, YouTube - 56%)

Though, the voters on Instagram had a different opinion as 36% of them said it depends on their contract with the employer while only 29% said that it is their choice to do a part-time job during their free time.

Recently, Harpreet Singh Saluja, President of NITES, said that moonlighting is nothing new. Before he created Infosys, Narayan Murthy was employed by Patni Computer Systems. While working for Amazon, Sachin and Binny Bansal launched Flipkart.

Current Moonlighting Situation in India
Employee moonlighting in India has drawn notice, and the largest corporations are voicing their opinions on the subject. The morality and legality of moonlighting are still up for debate.

A moonlighting policy must be developed by the organization and its HR division. As a result, each organization may have a different policy about moonlighting.

A few businesses—Wipro, TCS, and IBM—have already established policies on moonlighting, and a few others are considering doing the same. Though most organizations are emphasizing prohibiting their employees from working in other organizations where the nature of work is similar and leads to a conflict of interest.

According to research, almost 30% of India's workforce will need to work remotely by 2022. Given the increase in telecommuting, statistics could alter. Telecommuters, or those ready to give up their day jobs to work from home, can now double their income by taking on a second job.

Employees' take-home pay has more than doubled since they started working as IT professionals, and their experience has increased as well. Many professionals now have two corporate Identities, two email accounts, and two bosses in WFH mode, according to a study. Techies are aware of this, particularly in the USA. The idea has further developed into the Overwork community, which assists professionals in leading multiple lives, but India is a different tale.

Current Trends on Moonlighting Policy by Corporates
Companies that are in favour of moonlighting:
- Swiggy announced a side job policy for its staff, allowing them to work on other projects outside of regular hours with some restrictions.
- Nova encourages moonlighting and gives employees the freedom to explore new opportunities and follow their passions or interests beyond work hours.
- C P Gurnani, the CEO of Tech Mahindra, said he would think about working a second job. We must realize that this is how work will be done in the future.

Companies which are against moonlighting:
- Recently, Wipro's CEO Rishad Premji called moonlighting dishonest and fired three hundred employees after learning they were working for competitors.
- IBM has warned its employees against accepting any additional employment outside the business.
- Moonlighting, according to TCS, is unethical and goes against company culture and ethics. Despite warning employees against moonlighting, Infosys has allowed them to work additional

tasks outside of regular business hours with the approval of human resources and company executives.
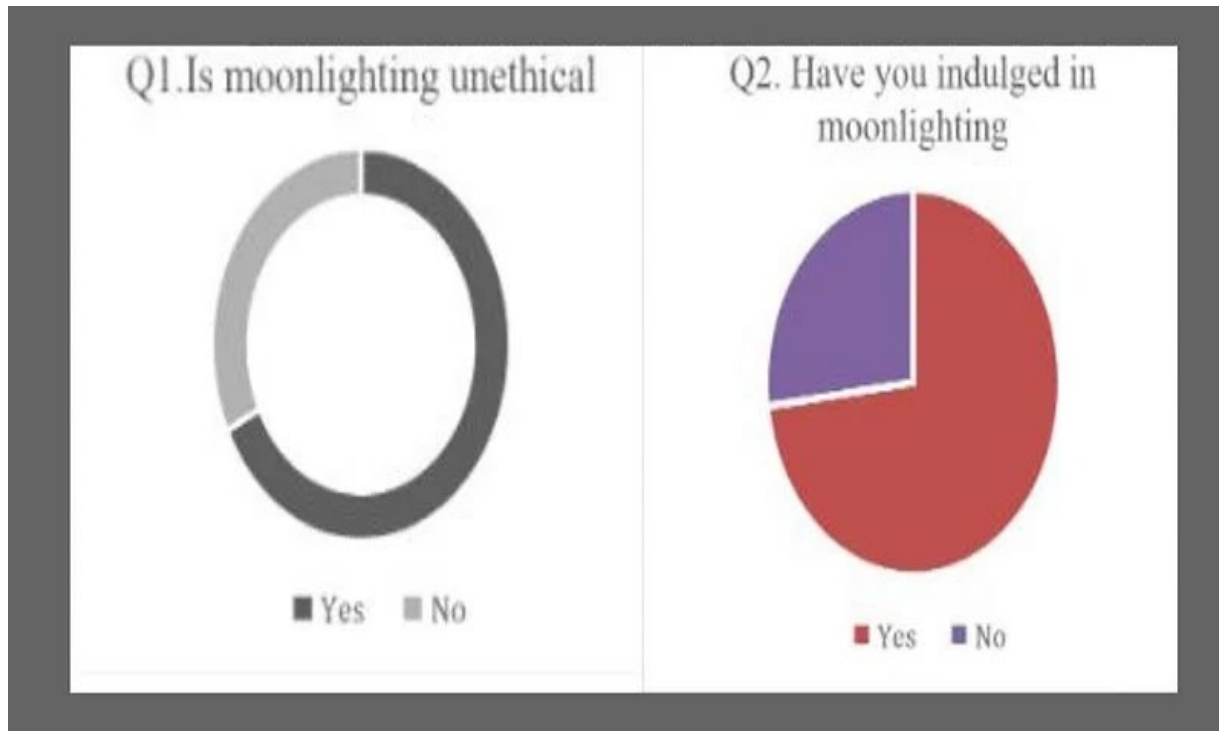
- Infosys has warned its employees against engaging in any sort of side job. On the other hand, it has permitted employees to take assignments from businesses during their downtime with approval from human resources and industry decision-makers.

Perspectives with regards to Moonlighting
As the internet is divided on moonlighting and everyone has their perspective, there is a question that arises, if the government is lenient and whether many IT companies are also ready to embrace the new work culture and demands of the future.

Ethical Considerations
Fig 1:Moonlighting Ethical/Unethical

Source:-https://www.freepressjournal.in/education/what-is-moonlighting-paradox-for-employers-and-employees

The above analysis is published in a Free Press Journal article.
Considering the impact of moonlighting on the business ecosystem, the PGDM student of FOSTIIMA Business School surveyed the 950 employees of five companies representing three industries-IT, education and financial services. The respondents were as follows:

IT companies: 540
Financial services: 325
Education industry: 85
61% of the respondents believed moonlighting to be unethical, nonetheless 73% of the respondents indulged in moonlighting.

According to the contract, any employee who works part-time, especially for a rival, is in flagrant breach of the letter and spirit of the agreement. From their point of view, it is just that businesses decide to fire these workers to safeguard their interests.

Employees, particularly the younger generation who were hired during the pandemic, do not appear to share this opinion, and they enjoy their freedom and flexibility to pursue different job options to increase their money balance. There is a glaring imbalance in terms of lack of ownership and long-term thinking, which businesses value.

Legalizing moonlighting has its own set of challenges and impacts. It is going to impact various aspects of business and the lives of employees too. Lots of HR practices need to be changed and the way corporate operates is also going to change. below could be a few examples,

- **Strict working hours**: It's surely going to empower employees, as allowing moonlighting will lead to extremely strict work timings, as employees who indulge in moonlighting will not be able to do starch beyond office hours but also, will be losing flexible work hours as their commitment of work will not allow stretching beyond timelines.
- **Stricter NDA policies and fines:** as an employer is aware of the dual employment of employees, it has become vital to save the confidentiality of work, data, and information shared with employees. Violation could lead to higher penalties and could not be limited only to the termination.

Creating two separate employer-employee contracts—one for full-time work and the other with built-in flexibility that permits contractual employees to pursue other possibilities so long as they do not clash with the employer's business—is the best course of action in this case. They are often temporary positions that do not give full-time employees any long-term rewards or chances for career progression. Many businesses already work on short-term contracts with a few of these part-time employees or gig workers.

- **Lesser salary packages**: as the employer's expectation is getting confined, it could lead to a significant reduction in salary packages of employees who indulge in moonlighting.
- **Less Flexible leave system**: it could lead to a reduction in leaves and other rewards like allowances, overtime, bonuses, etc. employees.
- **Better and employee-friendly policies to increase retention:** it is obvious to become a sticker for employers to save their confidential information but at the other end it is going to be challenging for companies to retain employees, as they have plenty of options for employment. to avoid a high attrition rate, there need to be employee policies to attract potential employees and discourage dual employment.

Legalizing moonlighting is not simple, as it comes with serious impacts, it becomes important to consider this crucial factor to abide by the labor laws and save the rights of both employees and employers. The following factors are important.

- **Work-life balance**: though employees are doing dual jobs, it has become important to have a work-life balance and it should not stretch to 24 hours.
- **Compromised physical and mental health**: as the person is doing additional work, each day. Considering health is important as prolonged extended working hours could lead to serious health conditions for both blue and white-collar jobs to maintain that serious amendments in labor laws, including insurance support, are needed.
- **Mental pressure**: there is no wonder that it would lead to a tremendous amount of pressure, to retain two jobs, sufficient support needs to be there from infrastructure and government, as well as employers.
- **Sufficient infrastructure** to support it needs to have adequate infrastructure to support the new system. Extended transport timings, creches for working mothers, sufficient food supply, medical support in office premises, enhanced safety measures for women employees, etc are a few measures to consider.

The idea of a "job" is evolving, according to Harold D'Souza, co-founder, and director of Walk Water Talent Consultants, as people demand greater freedom and flexibility because of the changes the pandemic has wrought. Moonlighting is a trend that will continue, and it also reflects what the market demands.

Harold states, there will be a skills gap in some fields, and I believe those individuals will have to juggle and work numerous jobs. Considering these elements, moonlighting will be effective in some contexts, according to Harold, who also asserts that since people develop over time, the industry will eventually accept it.

According to Kamal Karanth, founder of the specialized staffing solutions business Xpheno, - Employees were comparably less involved in and connected to their employers because of the widespread WFH and full-time remote working that the pandemic heralded. This distancing and physical anonymity of remote working has employees experimenting with moonlighting choices, to which they were previously not exposed. He believes that the availability of flexible remote work options and business control constraints have made it possible for workers to experiment with side jobs without jeopardizing their full-time jobs. Also, the availability of numerous gig sites like Work Flexibility and Flexible increased the potential for computer workers to moonlight.

According to NITI Aayog research, the number of web-based platforms available globally via which firms may outsource jobs like design, data entry, analytics, and financial services, among others, has tripled. These platforms have grown in number from 142 in 2010 to 777 in 2020, bringing in at least $52 billion in revenue in 2019—the most recent year for which such data is available—alone. According to the jobs search website Talent.com, the average annual income for part-time computer work in India is Rs. 2,60,000. The starting salary for entry-level positions is Rs 1,80,000 per year, and the annual salary for most experienced professionals is Rs 5,20,000.

A list of common causes of moonlighting,

● Layoffs
● Job insecurity due to recession or other factors
● Incompetent salary in the primary job to earn additional money to meet financial needs.
● Upskilling for higher job profiles
● Demotivation, lesser growth opportunity, or exploitation by current employers
● Utilizing free time, especially among unmarried/separated employees
● Starting a side venture/pursuing a passion
● Being over-competitive or ambitious

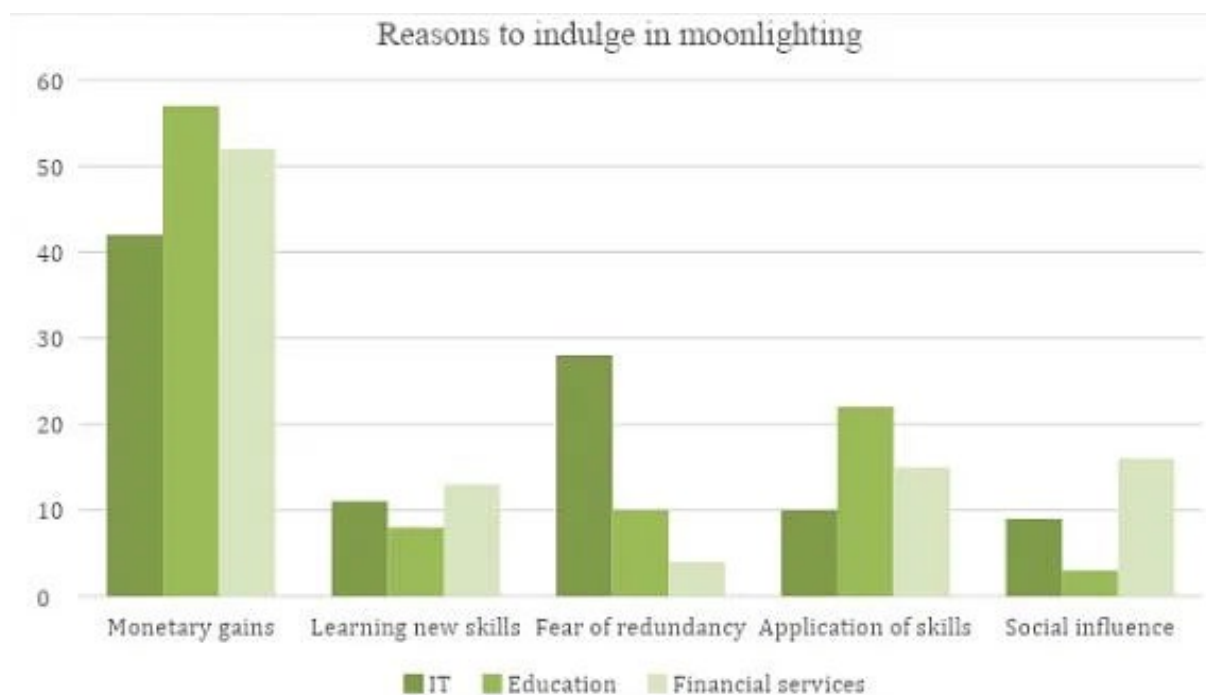
Fig 2 :- Reasons for indulging in Moonlighting
Source:-https://www.freepressjournal.in/education/what-is-moonlighting-paradox-for-employers-and-employees
(A survey conducted by a student mentioned that Employees go for moonlighting mainly because of Monetary gains.)

Findings

Today, the discussion of moonlighting usually creates a negative image of the employees who do it and it tends to paint a nasty picture of an employee living a "dual life" and even "deceiving" and cheating the organization where they work full-time. All these discussions in the IT industry ignore the fact that the benchmark for top management in an organization does not apply to juniors or middle-management people. When executives of one company can sit on the boards of other companies, can it be called moonlighting or ethical? A company's top management invests their money in start-ups and buys them out at a later stage, which could be considered moonlighting. If a senior or even a junior employee invests in the stock market and makes money, could this be moonlighting? Is a journalist authoring a book or opinion piece for another publication called Moonlighting? So why should any extra activity an employee does beyond the 9-5 working hours be called moonlighting? Interestingly, the pandemic and the subsequent lockdown have allowed people to acquire new skills and abilities that they now want to use in countless numbers and on different platforms.

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Published in Free Press Journal (2022) has following conclusions
1) 61% of the respondents believed moonlighting to be unethical, nonetheless 73% of the respondents indulged in moonlighting.
2) A survey conducted by a student mentioned that Employees go for moonlighting mainly because of Monetary gains.

Conclusion
Not that it was not there before the pandemic, but in the post-covid world, moonlight can be seen and felt even more, because employees have found and learned new ways to communicate with the outside world. Amazing facts emerge from the business world, especially from the IT sector. But the question remains should employees be allowed to do whatever they like in their spare time? When top management of an organization doing the same activities is still considered to be ethical then why does the radar only cover the junior level employees? Shouldn't that be considered cheating or injustice to junior employees? The growing trend of multitasking and more than one job is the future of work, as change is the only persistent thing in today's world, is it greed or need? ethical or unethical? Moonlighting should be adapted or addressed is the question that remains to be answered.

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