

## Ethics and the overemployed: A research agenda

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### ABSTRACT

The COVID Pandemic gave rise to the work from home phenomena as millions of people stayed home and worked remotely. These workers began to realize that the opportunity existed to hold another full-time remote job and in some cases two or three additional remote jobs unbeknownst to their employers. These workers have become known as overemployed. Employers expect that employees have a fiduciary duty of loyalty to their employer and employees tacitly recognize this duty since they engage in various subterfuges to keep their various employers from learning that they are overemployed. Given that the overemployed recognize a certain “moral ick” to their behavior what moral justifications do they use. This paper begins to examine those justifications in the light of various moral theories by examining the posts made on the various sites dedicated to overemployment, the implications for employers and proposes a larger research agenda.

Keywords: Overemployment, work from home, remote work, employee fiduciary duty, employee morality

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## INTRODUCTION

In March of 2020 the world changed as COVID sent much of the world to remote work. This trend seems to not only be continuing but also has every appearance of being the new normal for many jobs. According to the Bureau of Labor Statistics in August and September 2022, 27.5 percent of private-sector establishments (2.5 million) had employees teleworking some or all the time. (<https://www.bls.gov/news.release/brs1.htm>) Haan, (2023) citing Work From Home Research, reports that 12.7 percent of the workforce works full time remotely. Despite calls for back to the office, this working arrangement seems unlikely to reverse. Haan, (2023) reports that by 2025, 22 percent of the workforce will be working remotely. This translates into approximately 32.6 million Americans.

The work from home trend gave rise to the opportunity to work an additional job...or three or four. These workers describe themselves as *overemployed (OE)*. The trend also gave rise to at least two websites, [overemployed.com](http://overemployed.com) and [discord.com](http://discord.com) where the overemployed can share stories and tips for how to be successful in being overemployed, tips like, how to handle taxes for the overemployed, strategies for avoiding burnout, how to handle background checks, and how to not get caught. The last set of tips on how not to get caught gives rise to the understanding that the overemployed realize deep down that being overemployed is not acceptable. One person who is overemployed was quoted as saying "There is a certain moral ick to taking two jobs," (Ito, 2023).

From the employer's perspective, employees have a fiduciary duty of loyalty to their employer. This is an established matter of state law. For example, in *Snepp v. United States*, 444 U.S. 507, 518 (1980) the court said: "the employee possesses fiduciary obligations arising out of his duty of loyalty to his employer." In Restatement (Third) of Agency § 1.01 (Am. Law Inst. 2006) "Agency is the fiduciary relationship that arises when one person (a 'principal') manifests assent to another person (an 'agent') that the agent shall act on the principal's behalf and subject to the principal's control, and the agent manifests assent or otherwise consents so to act." The employee is an agent of the employer and owes a fiduciary duty of loyalty to their employer. In general, this is interpreted as a duty not to overtly compete with their employer while in the employment of said employer. Frequently, the legal line is crossed when the employee has access to secret information of his/her employer.

The general understanding of a duty of loyalty is at the heart of the "certain moral ick to taking two jobs." Employees are aware of it but still engage in overemployment anyway. When engaging in behavior that is inconsistent with one's self-concept individual experiences the individual experiences dissonance (Festinger 1957) This become to be known as cognitive dissonance theory. Festinger, later theorized that when the individual experiences two cognitions that do not fit the individual feels pressure to make them fit by generating self-justifying cognitions (Goethals, 1992). Employees as individuals generally see themselves as good people but find themselves motivated to engage in overemployment, this must produce dissonance requiring some sort of self-justification.

No research has been published concerning the actual reasons the overemployed make for engaging in the practice, however, a reading of the popular press provides some anecdotal reasons. One of the primary reasons is financial, with many of the overemployed saving that extra paycheck or two, for things like retirement or buying a home (Ito, 2023) Other reasons include security, if you lose one job you have another, and a "screw-the-man" mentality (Ito, 2023).

The purpose of this paper is to examine the anecdotal reasons for engaging in overemployment through the lens of several ethical theories and propose a research agenda. By better understanding the possible ethical positionality of the employees, employers will be in a better position to address the multiple motivations behind OE. The paper will examine the various arguments made in online posts by the overemployed in the light of four ethical theories: utilitarianism and ethical egoism, deontology, rights theory, and social contract theory. Finally, suggestions will be made to employers to work with the overemployed.

## UTILITARIANISM AND ETHICAL EGOISM

Utilitarianism is the ethical theory advanced by Jeremy Bentham, J.S. Mill, and Henry Sidgwick and has contributed significantly to contemporary moral philosophy. According to J.S. Mill, all human action should produce the greatest happiness overall, and that happiness itself is to be understood as consisting in higher and lower pleasures (Mill, 1998). Mill claims that the right act is that which maximizes the overall balance of happiness over unhappiness.

One of the big criticisms of utilitarianism is that there would be no qualms in society about deceiving others because there would be no deep personal relationships because those require giving special weight to the interest of the other person in the relationship (Mill, 1998). “The problem here is that an egoist, who believes the only reasons any person has to act are ultimately to pursue their own good, might accept the idea that they desire their own happiness. But, they might argue, it does not follow from this that the overall level of happiness should concern them in the slightest. What matters is how happy they themselves are” (Mill, pg. 24).

Sidgwick distinguished between utilitarianism and ethical egoism by highlighting their differing priorities. According to Sidgwick (1874), utilitarianism focuses on maximizing overall happiness, whereas ethical egoism prioritizes self-happiness above the collective interest of the whole. In essence, this means that ethical egoism advocates for individuals pursuing their own self-interest, even if it comes at the expense of the greater good. In contrast, utilitarianism seeks to optimize happiness for everyone involved.

This distinction becomes crucial when examining overemployment, as it sheds light on the underlying motivations driving individuals' choices. By recognizing the tension between self-interest and collective well-being, employers can better understand the various factors influencing employees' decisions to engage in overemployment. Looking at the arguments people make online to justify being overemployed, some arguments can easily be seen as stemming from an egoistic perspective, where individuals prioritize their own interests and goals over the greater good. In the context of overemployment, this might manifest as individuals justifying their choices by referencing personal benefits, such as financial security or career advancement, without fully considering the broader implications on others or society as a whole.

Several examples below from Reddit and Overemployed.com. [All indented are direct quotes, including all misspellings, etc.]

“Like in 1.5 - 2 years, I’ve been able to finance a AMG C63, give my dad 50k to help with the mortgage, get my mom whatever she wants and it barely affects me. I don’t need to be OE, but not worrying about money is crazy. It also helps that the stock market gains is like another job. Don’t get me wrong it’s still stressful, but I thank OE to let me live a great life at 24. I make 380k at two jobs btw.”

“Don’t think it’s wrong. Everyone knows what’s best for them. In my case I do it because I wanna retire early comfortably. But I also do some renovations in my house that I wouldn’t if I was OE, so a bit materialistic i guess?”

“We are each responsible for our own destiny. Often times, we are in a position where our boss or our job is controlling our destiny. When you look at it like that, you see that you're not controlling something that's ultimately your responsibility, this opens the mindset to questions like "how can \*I\* take control of my own destiny?" which is where OE comes in to play. It changes the conversation when you look at it that way.”

One post on overemployed.com is clearly utilitarian in its content and is entitled “How Much Money Is Enough? 3 Simple Ways To Reach ‘OE’ Happiness,”

## DEONTOLOGY

According to Immanuel Kant, deontology requires behavior that is consistent with universal norms regardless of whether the consequences involve suffering. (Kant, 1785/1998). Deontology, therefore, contrasts with utilitarianism which would require the optimizing of happiness regardless of the action itself. Deontology maintains that some actions are right not based on the benefit to ourselves but based on the nature of those actions (Boatright, 1997). Duty and obligations are featured in deontological theories and goodness is defined in terms of obligation or duty (Boatright, 1997). “Kant regarded all such appeals to consequences are morally irrelevant,” (Boatright, 1997, 54). Deontologists believe that the rightness of an action is dependent in part on the motives of the individual and not on the consequences (Boatright, 1997). “Kant’s principle is, act only on rules that you would be willing to see everyone follow,” (Boatright, 1997, 55).

In certain instances, overemployment can be viewed as a moral imperative driven by a sense of duty or obligation. This perspective is rooted in the above deontological principles, which prioritize the fulfillment of obligations and duties over considerations of personal consequence. For example, individuals may feel a strong moral obligation to provide for their families, leading them to take on multiple jobs or side hustles to ensure their loved ones' well-being. In this context, overemployment becomes a necessary evil, justified by the perceived moral requirement to meet one's responsibilities. By extension, the decision to pursue overemployment can be seen as an act of moral integrity, demonstrating a commitment to duty and obligation above personal comfort or convenience. This moral dimension of overemployment challenges simplistic views of the phenomenon as purely economically motivated, instead revealing a complex interplay between ethics and necessity.

Looking at arguments people make online for being over employed, we can see deontological arguments focus on duty to family. For example, the below man and woman need to support their children.

“Hi guys, I am a single mom with a lot of kids :) I had a good paying job (for my area) working fully remote as a marketing Director for a major insurance company. Sadly, those of us who ere remote were on the chopping block due to them going to the hybrid model. I have many different 1099 jobs now and don’t make anywhere near the income. I was making previously with everything added together! Not even a third!! I have tried,

indeed, glass door, flex jobs, remote.io, even LinkedIn, which never gets me anything. I know this isn't place to really ask for job advice, but I truly want to be over employed and financially NEED to be!!!! (Unless someone wants to be my remote sugar daddy) only joking!!! “

“I've watched this sub for some time and have been amazed to see how people have been able to achieve great financial security through OE. I have a family of four, and I want more than anything to build a strong financial foundation for my kids so that that didn't have to grow up like I did. As such, I'm hoping to work towards better pay through OE. I currently have ~3 months of leave, and I'd really like to spend at least part of that time trying to work towards something OE (ie. learning a new skill, networking, etc). I'm hoping that I can get some advice from the people of this sub on how I could best spend my time to set up for good OE opportunities.”

“I think its finally time for me to stop OE for at least a year or two. I'm having multiple jobs for 4 years now, never knew I have been doing OE until I joined this reddit community. The reason for OE is for me to support my mother's chemo treatment(she is now recovering from cancer), and luckily money I got from OE is more than enough to support my mother, get married and buy nice things in life. Max Js I have is 3 jobs, max monthly income is 12k used this is very big since I live in a 3rd world country. Thankful to OE since I helped my mother's chemo, I bought a mustang gt and a wrx, bought a 4 bedroom house and married with 1 child and there's another 1 incoming, had save almost 80k usd in bank.”

This duty can also reach natural extensions of the traditional family unit as well, including pets:

“Dog got pneumonia super randomly in 2020. She developed megaesophagus (which is now gone) and that got fluid in her lungs, etc. She got really sick, definitely had trouble breathing. Overnights at the vet, etc., \$6k in the hole between Monday and Friday one week.”

“I was making good money, we were doing fine and living in the budget in general. ~1k in the hole at the time wouldn't have been too hard to climb out of but \$6k just felt like too much. I was scrambling for a way to get some extra income in, made shirts, self published super hard under pen names (got that to \$500/month for the first time in 8 years lol). Was spending 8 hours a day on stuff that wasn't my main job, so I was like wtf am I doing this for? Got a second one, dug us out in a month rofl. Did 2 for a year and then started 3. Now I have 4 but 3 and 4 are PT. “

## RIGHTS THEORY

John Locke's rights theory is often referred to as natural rights theory. Rights theory is a category of ethical theories that emphasizes the importance of individual rights in moral decision-making. Locke's approach asserts that individuals possess certain rights simply by virtue of being human. (Locke 1689).

Of the various components of Locke's rights theory is the right of property. Locke argued that property rights are derived from labor. When an individual provides their labor, they claim the fruits of that labor. Extending this argument to the overemployed, the overemployed are exercising their right to labor and, consequently, their right to earn and accumulate property (income and assets) from that labor. For the overemployed this argument is generally seen as financial with the desire to accumulate wealth or property.

However, by engaging in multiple jobs, overemployed individuals may also be exercising their right to autonomy and self-determination, rather than simply pursuing financial gain for its own sake. This perspective suggests that the desire for independence and control over one's future could be a fundamental driver of overemployment, rather than merely a response to economic necessity. In this sense, the proliferation of overemployment could be seen as a manifestation of individuals asserting their natural rights, as described by Locke, and rejecting the constraints of traditional employer-employee relationships.

Thus, from a rights theory perspective, the motivating factors behind overemployment appear to combine economic necessity with a desire for personal fulfillment and a quest for future financial autonomy. Some examples include:

“I started overemploy at 22 with two tech jobs. I grew my net worth to over \$500k in just two years at 25. I own two investment properties (4 doors) and am working to buy my Third. I have grown my 401k (two matches) to over 120k and investment portfolios to over 100k. I live in Manhattan, which I never dreamt of in my life that I would accomplish. Fly first class now. I can't thank OE enough. I am now looking for my third to retire my mom. I am looking forward to a million dollar net worth in 3 years hopefully. I am a woman btw. I know it is not necessary to say but I think it is a big deal.”

“Received and officially accepted offer for J2. I'm now at 205k base pay between both Js with J2 paying a higher salary. I am bragging here because I can't tell anyone besides my wife and she is not thrilled that I'm working two FT jobs. My purpose for OE is to pad up the savings after they dropped when we put forth a large down payment on our new home last month. Plan is to divvy up between 401k, HSA, mortgage, and all the updates we want to make to the house. We are extremely introverted so lifestyle creep isn't something I'm worried about since we really don't know how to spend money on ourselves. But alas, I've typed more than I probably should have. I'll post an update after month 1.”

“New to the OE world and have loved going through your posts and seeing all the advice and comments. Feels nice to be part of a community here. I just wanted to know, what are your financial goals right now from being OE? It's opened up a world of new possibilities and ways of living for me that I could never have imagined. For me I started from 0 last year and since getting a new job I'd love to start investing more and get to around 30k in SAFETY savings. I'd also love to eat out more, socialize more and use the money for me without worrying about it. I'd also like to start saving for a house and to treat/spoil a special someone someday and help my family and friends out when they need it. I'm

currently sponsoring a few people where I live to do certain classes on weekends and would love to do more of that!”

## **SOCIAL CONTRACT THEORY**

Social contract theory in the employment setting has been defined as, “the set of norms, assumptions, and beliefs that society conceives as fair and appropriate for parties involved in employment relationships. Thus, it defines the beliefs and norms pertaining to reciprocity, job security, loyalty, good faith, and fair dealing that should be maintained by employees and organizations in general,” (Edwards and Karau 2007, 67). To simplify this, it can be viewed as the employee agrees to do X and the employer agrees to do Y.

A significant concern emerges when considering the power imbalance inherent in employer-employee relationships under the social contract theory. In ideal situations where the social contract is mutually negotiated, both parties perceive themselves as equal partners, increasing the likelihood of fulfilling both explicit and implicit terms. However, when the contract is imposed upon the employee, as is often the case, the employee may feel like an unequal partner, reducing their sense of obligation to uphold the agreement - particularly when they believe the employer has breached its end of the bargain.

Since the social contract is implicit rather than explicit, it is shaped by the perspectives of both employers and employees. As Edwards and Karau (2007) note, "when individuals enter into an 'actual' employment relationship, they develop perceptions about the specific obligations that an employer and an employee have to one another" (69). Crucially, the ideas of what obligations are owed to the employer by the employee vary significantly depending on whether you ask the employer or the employee. This disparity in perspective can lead to feelings of discontent and mistrust among employees, ultimately driving them to seek supplementary or alternative arrangements through overemployment.

Therefore, from the employee’s perspective if the employer violates the social contract, or appears to violate the social contract, the employee to have violated the social contract, the employee is justified in acting outside the social contract as well. When the justifications employees make in online forums to justify being overemployed, many of those justifications center around the idea that the employer has violated the social contract, therefore the employee does not owe the employer the fiduciary duty of loyalty. This can be seen in the quotes below.

“My J1 and J3 are super chill with honestly great leadership, however J2 is the opposite. I don’t blame my manager as she is just passing down information but the executives at J2 are constantly letting us know if we do X wrong we will be fired. Company also is constantly doing both hiring and layoffs. Everyone else is obviously trying their hardest to stand out and seem useful while I’m just chilling and getting my work done with little stress.”

“A friend asked if I was doing 2 jobs since I'm remote, I was like "what? no. I handle multiple projects at work, that's about it." Few days later he disclosed that he got laid off, financial company, tech department, 20 years he was there, mid 50s, kid in college. They could've easily let him work few more years and retire with dignity, but no, this is corporate America guys, you're just a number. The way he asked me about 2 jobs, his tone had regret and desperation in it, as if he wished he hadn't put all his eggs in the

same basket. Finance industry doesn't update tech very often, he's **completely** out of touch as to what's going on in the industry. They did him dirty, left him high and dry.”

“Keep looking, keep updating your resume, keep up to date with the industry, keep switching jobs to make more money even if you're not OE, keep your head on a swivel because its not a matter of if, its a matter a matter of when they'll chop it off.”

“If it's anything, the last 40 years have shown me that corporations and their leadership would sell anybody, kill anybody, hurt anybody, destroy anything for a few extra dollars. Right now we are just witnessing the most recent version of it with Boeing.”

“There's always some person who deems it necessary to put people's lives in danger to squeeze an extra few hours of work, a few dollars of savings... Always. Corporations now are just more open about it, Now they just want to take everything to a skeleton crew and work those people to death. Doesn't matter if they disrupt or destroy people's lives...”

“Nobody is guaranteed a lifetime job at any company. Therefore, always be willing to change companies during your career for more money. They owe you nothing. You owe them nothing. It is play for pay. Until you or they don't want to play anymore.”

“Been at J1 3 years now, it was a dream job. One meeting a week, couple hours of work a week and chill management, got top performance reviews. Had to switch projects a month ago and now working with an idiot micromanager PM tracking teams status, daily updates on work done. I can't tell if the real manager knows what's going on or if they're trying to run me off because of lack of work coming in. They fired someone else a few weeks ago which I suspect was due to lack of work at the company disguised as a performance firing.”

“Luckily I started OE 6 months ago and have another J2 which pays the same. If I didn't have J2 I'd be real nervous now. Avoid lifestyle creep, you never know when things will change.”

## CONCLUSION

Many employees appear to understand that they do owe the employer the fiduciary duty of loyalty since when they violate that duty, they are motivated to reduce the dissonance they feel and justify their behavior using an ethical precept. The online sites for the overemployed provide a wide variety of strategies to not get caught including multiple monitors, working for companies in different time zones, mouse jigglers, don't tell anyone what you are doing, hibernate your LinkedIn, don't reveal your metadata that can lead back to you, be average, and even so far as creating a fake profile. However, these sites provide instructions for the overemployed, not the resolution of any ethical dilemma that they face.

Given this, employers need to recognize that overemployment is often driven by a mix of personal and financial reasons. Employers can strive to create environments that acknowledge and support these diverse motivations. Employers can encourage transparency



and open conversations with employees about their goals, concerns, and aspirations. This helps build trust and can aid in identifying potential issues before they escalate. Employers can assess job responsibilities and expectations to prevent both burnout and boredom. Employers can provide resources and opportunities for professional growth, skills development, and mentorship to keep employees engaged and motivated as well as prioritize policies and benefits that promote healthy work-life integration, acknowledging that employees' personal lives affect their performance and overall well-being. Each of these possibilities embraces one or more of the ethical arguments by employees in favor of overemployment and creates an environment supporting the employees.

For example, one specific strategy may be to keep your employees overemployed in-house. Employers are hard pressed to determine if a remote worker is working more than one job. What if the employers permit them to actually apply and work and be paid for more than one job within the company? The multiple jobs would be evaluated individually and separately as if different people actually held them. This may seem drastic, but if an individual can do more than one job, why not keep that talent within the company? Such a policy would discourage individuals from going outside and may encourage increased company loyalty as well as respecting the individual motivations behind overemployment.

## **LIMITATIONS AND FUTURE RESEARCH**

This paper only reviewed the justifications for overemployment individuals made in online forums and is therefore biased. Nothing much is known about the individuals who have posted, not even basic demographics. The sample was self-determined by the individuals posting and it is not possible to determine to what degree it represents the larger population of remote working employees.

It is possible that employees who cannot work remotely may view remote work itself in a negative fashion. Therefore, future research should then select a large sample of remote employees using a quantitative instrument to determine how remote workers view the ethics of overemployment. Such an instrument could be developed using as its basis the various justifications that have been made online to determine how much agreement there is amongst remote workers.

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