

Sam Houston State University
A Member of The Texas State University System

Finance & Operations Human Resources Policy HR-25
Multiple State Employment

SUBJECT: Multiple State Employment

PURPOSE: To provide a policy for employing and administering benefits to employees who are employed in two or more positions within Texas State government.

POLICY It is the policy of Sam Houston State University (University) to ensure employees holding multiple employment positions with Texas State government employers are appropriately compensated and notified of the impact of the dual employment on their compensation in accordance with the multiple employment provisions of the General Appropriation Act. All personnel actions are reviewed to ensure Equal Employment Opportunity (EEO) compliance.

CONTENTS: 1. Multiple Employments with the State
2. Employee and Employing Department Responsibility

1. Multiple Employments with the State

General Provisions: A person who is employed by more than one Texas state agency or institution of higher education may not receive benefits from the state in excess of those provided for one full-time employee. The employee is subject to the following provisions and must be informed of them before the employee is employed by more than one agency or institution:

- a. Separate vacation and sick leave records must be maintained for each employment. When the employee terminates from one employer, their leave balances accrued during that employment may not be transferred to the remaining employment.
- b. The employee accrues state service credit for all purposes as if the employee had only one employment.
- c. The total state contribution towards the employee's group insurance is limited to no more than the amount for a full-time active employee.
- d. The employee will be entitled to receive longevity payment for no more than one (1) employment.
- e. The State contribution towards the employee's portion of social security tax liability will be subject to the overall limit specified by State law.
- f. Overtime compensation accrues to each employment independently of every other employment with the following exception. If the person is subject to the overtime provisions of the Fair Labor Standards Act of 1938 (FLSA) in an employment, the employing agencies and institutions must ensure that the person is compensated for all combined time worked in excess of 40 hours per week, according to the FLSA overtime provisions. The agencies and institutions shall coordinate to determine which agency or institution is responsible for ensuring that the employee is properly compensated according to those provisions.
- g. An employee must inform their employing state agencies or institutions of higher education before accepting an additional employment with another agency or institution.

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2. Employee and Employing Department Responsibility

- a. University employees are advised annually of their obligation and responsibility to inform both their primary and other state employers of their intent to accept additional employment with another state employer.
- b. [Per Policy HR-01](#), before accepting an additional employment with another Texas State Agency or Institution, University employees must complete the Outside Employment approval process. If approved, the employee must submit the approved Outside Employment Form and a completed [Multiple State Employment form](#) to the HR Department. This applies to all University employees. (List of Texas State agencies and institutions of higher education: <https://fm.xcpa.texas.gov/fm/contacts/agynum/index.php>).
- c. Multiple employments with the State should not result in any conflict between the office or position of the principal and other state employers; should be of mutual benefit to the University and the State; should not interfere with the performance of duties with the University; and the employee's work schedule should not be altered to accommodate the secondary employment unless there is a clear benefit to the University.
- d. The University is considered the principal employer for all full-time University employees when the other state employment is part-time. Community colleges receiving state funds are not considered state agencies, except for insurance purposes.

Reference: TX Govt Code 667, Multiple Employments with State

Reviewed by: Rhonda Beassie, Associate VP for People and Procurement Operations, August 2022