

Henderson State University

Section: Human Resources **Subject: Concurrent Employment**

Concurrent employment exists when a state employee receives compensation from (1) two different state agencies/institutions or (2) from the same institution/agency for additional duties over and above those of the employee's primary position and regular work schedule and where such duties are clearly not a part of the employee's primary job.

Under certain circumstances and with prior approval, University employees may work for two university departments or two state agencies or institutions concurrently. The work performed for the second department, agency or institution must not interfere with the proper and required performance of the employee's duties in the primary position. The combined salary payments must not exceed the maximum allowable salary for the higher paid position, except that, under Arkansas Code Ann. § 19-4-1604, state employees may teach temporarily at state-supported institutions of higher education even though their combined salaries will exceed the line-item maximum. This exception is subject to the approval of the Chief Fiscal Officer of the State.

Concurrent employment services must meet the criteria as specified in Arkansas Code Annotated §19-4-1604 (2011) and §6-63-303 (2011). Penalties for non-compliance are outlined in Arkansas Code Annotated §6-63-307 (2011).

I. General Information

Employees who receive compensation from two different state agencies/institutions must complete a Concurrent Employment form. Employees who receive compensation from the same agency/institution for additional duties not defined as part of the employee's primary job must complete a Request for Additional Compensation. Please note, concurrent employment does not differentiate between funding sources; therefore any faculty/employee working for two different departments or receiving supplemental pay for additional work must have an approved Additional Compensation Form before the services are to begin and

before an Electronic Personnel Action Form is submitted to Payroll Services. Electronic Personnel Action Forms should not be submitted until notification from Payroll Services has been received stating that the request was approved.

Concurrent employment requests (internal and external employees) are submitted by Payroll Services to the State Office of Personnel Management (OPM) and are subject to the approval of the Chief Fiscal Officer of the State. The State Office of Personnel Management requires that all forms be submitted to OPM at least five (5) days prior to the intended start date for the secondary appointment.

To ensure Payroll Services has time to verify the information and to work with the departments to make any necessary corrections, the Request for Additional Compensation form must be submitted to Payroll Services at least ten (10) working days prior to the actual start date of the secondary appointment.

All state employees are covered by the Concurrent Employment regulations. City School Districts are not considered State institutions.

II. Definition of Primary versus Secondary Employer

- A.** Primary Employer is defined as the agency/institution or department employing the employee in a fulltime appointment, the employer paying the greater salary, and/or the employer with the longest duration of employment.
- B.** Secondary Employer is defined as the agency/institution or department employing the employee on an adjunct or part-time basis, the employer that is paying the lesser salary, and/or the employer with the shortest duration of employment.

III. Employee Responsibility/Liability

Payroll Services coordinates all concurrent employment requests for the University. Employees should contact lwinn@astate.edu for information and assistance prior to seeking or agreeing to additional employment at the University or any other state agency/institution. Additional employment, without prior approval is not authorized.

IV. Additional Information

- A.** Full-time faculty members teaching an overload course through an extra compensation assignment are exempt from concurrent employment if the overload course is within the employee's primary department. Comments must be entered in the Additional Compensation Form to note "overload for primary department". If the overload is performed for a secondary department a concurrent employment form must be submitted to Payroll Services for approval by the State.

- B.** Concurrent employment requests are limited to the specific time frame approved and cannot exceed twelve (12) months except that concurrent employment for summer school sessions may extend beyond the fiscal year limitation. The employee is ultimately responsible to communicate to both the primary and secondary employer and to ensure that the Concurrent Employment Request form is properly submitted and approved prior to the date of hire or work being performed.

- C.** Employees are allowed to draw a second paycheck if the work performed occurs outside the employee's regular scheduled hours of work from the primary employer. Flex time may not be used to perform work for the secondary employer. However, employees are allowed to use accrued annual leave from the primary employer while working the same hours at the secondary employer.

- D.** Any compensation received by an employee for participation in a noncredit seminar, conference, or convention sponsored by an institution of higher education that is paid with funds generated by the seminar, conference, or convention is excluded from the concurrent employment process and a Concurrent Employment Request form is not required.

V. Record Keeping

Concurrent Employment records for Henderson State University employees will be retained in the employee's Payroll file at Arkansas State University.