

EMPLOYMENT RESTRICTIONS

DBF

DUAL EMPLOYMENT

DUAL EMPLOYMENT Dual Employment is defined as being concurrently employed by two or more State of Texas agencies, including state universities and colleges.

Government Code 667

Texas School for the Deaf (TSD) may approve dual employment in limited situations.

FLSA EXEMPT EMPLOYEES

In some cases, Fair Labor Standards Act (FLSA) exempt TSD employees may receive approval to be employed concurrently by other Texas state agencies, including state universities and colleges in another FLSA exempt position.

FLSA exempt employees may not be employed in an FLSA non-exempt position with another state agency, including state universities and colleges.

FULL-TIME FLSA NON-EXEMPT EMPLOYEES

A TSD employee working in a full-time (30 or more hours per week) position classified as FLSA non-exempt may not be concurrently employed at another state agency, including state universities and colleges.

PART-TIME FLSA NON-EXEMPT EMPLOYEES

In some cases, a TSD employee employed in a part-time (25 hours or less per week) FLSA non-exempt position, including substitute employees, may receive approval to be employed concurrently by other state agencies, including state universities and colleges, however, the combined total of work hours at both agencies may not exceed 40 hours in any work week (Sunday – Saturday).

PRE-APPROVAL REQUIRED

TSD employees must notify both employing agencies of the contemplated dual employment arrangement and receive approval prior to beginning dual employment.

Government Code 667.007

REQUIRED NOTICE

TSD will provide the following information to employees and applicants requesting approval to enter into a dual employment arrangement:

- Separate vacation and sick leave records must be maintained by each agency. Transfer of leave balances is prohibited;
- State service credit will accrue as though the individual had only one employment;
- Group Insurance Contributions are limited to the amount specified in the General Appropriations Act for a full-time active employee; and
- For individuals in FLSA non-exempt positions, overtime compensation will accrue for each employment independently and will

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be based on the total hours worked at both state agencies, including state universities and colleges.

Government Code 667.001 - .006

RESPONSIBILITY
FOR
OVERPAYMENTS

If an improper duplication of state-paid benefits occurs, the employee will be required to refund the amount of the overpayment to the appropriate agency.

HUMAN RESOURCES
RESPONSIBILITIES

TSD Human Resources staff are responsible for:

1. Developing an agreement regarding any overtime with the other employing agency prior to employment beginning
2. Obtaining copies of timesheets showing hours worked at the other agency on a monthly basis
3. Running monthly reports to identify Dual Employment situations not reported.

Adopted:

04/29/2022