

Policies of the University of North Texas System Administration	Chapter 03
03.702 Dual Employment with other Texas State Agencies or Public Institutions of Higher Education	Chapter Name Human Resources

Policy Statement. The primary responsibility of employees of University of North Texas System Administration (System Administration) is to fulfill the duties and responsibilities of their respective positions. However, System Administration recognizes that employees may desire to engage in dual employment with other Texas state agencies or public institutions of higher education. This policy sets forth guidelines regarding such dual employment.

Nothing in this policy should be interpreted as granting an employee a property interest in or right to continued dual employment.

Application of Policy. All employees.

Definitions.

1. **Agency.** “Agency” means a department, commission, board, office, council, authority or other agency in the executive, legislative, or judicial branch of state government that is created by the constitution or a statute of the state of Texas, including a university system or institution of higher education as defined by Section 61.003 of the Education Code.
2. **Component Institutions.** “Component Institutions” refers to the University of North Texas System Administration, University of North Texas, University of North Texas Health Science Center, and the University of North Texas at Dallas.
3. **Conflict of Commitment.** “Conflict of Commitment” refers to when an employee dedicates time to dual employment in excess of the time permitted by System Administration policy or that detracts from the employee’s primary duties or responsibilities to the System Administration.
4. **Conflict of Interest.** “Conflict of Interest” means an outside interest of a System Administration employee that could directly or significantly affect the employee’s performance of their employment duties or responsibilities. The proper discharge of an employee’s duties or responsibilities could directly or significantly be affected if the dual employment: (1) has the propensity to influence the way the employee performs the employee’s employment duties or responsibilities or the employee knows or should know the dual employment is or has been offered with the intent to influence the employee’s conduct or decisions as an employee of the System Administration; (2) could reasonably be expected to impair the employee’s judgment in performing the employee’s employment

duties or responsibilities; or (3) might require or induce the employee to disclose confidential or proprietary information acquired through the performance of the employee's employment duties or responsibilities.

5. Dual Employment. "Dual employment" means work performed by a System Administration employee for another Texas state agency or a Texas public institution of higher education for remuneration, including Component Institutions of the University of North Texas System. Having multiple jobs within the System Administration does not constitute dual employment.
6. Employee. "Employee" means an individual who is employed full-time, part-time, or in a temporary capacity.
7. Institution. "Institution" means any public technical institute, public junior college, public senior college or university, medical or dental unit, public state college, or other agency of higher education as defined by Section 61.003 of the Education Code.

Procedures and Responsibilities.

1. An employee may engage in dual employment provided that the employee has followed the procedures outlined below and the additional employment does not create a conflict of interest or conflict of commitment with the employee's employment duties or responsibilities to System Administration.
2. An employee who desires to engage in dual employment must inform System Administration of the planned additional employment before accepting the additional employment. A request to engage in dual employment must be submitted to the employee's supervisor and department head in writing using the official form designated by Human Resources. The employee must provide confirmation to the employee's supervisor that the additional employment was accepted following approval. Requests must be made at least annually in order to continue the dual employment.
3. If it is determined that a conflict exists and if the employee has accepted or accepts the other employment, the employee must voluntarily resign the other employment. If the employee does not resign the other employment voluntarily, the administrative official who made the initial determination may recommend other action, including discharge, to see that the System duties are performed properly.

Responsible Party: Employees, Supervisors, Department Heads,
Human Resources

4. An employee who is legally employed by more than one Texas state agency or Texas public institution of higher education, including Component Institutions of the UNT System, may

not receive benefits from the State of Texas in excess of those provided for one full-time employee. An employee so employed is subject to the following provisions and must be informed of them before becoming employed by more than one Texas state agency or Texas public institution of higher education:

- a. Separate vacation and sick leave records must be maintained for each employment. When the employee terminates employment at one agency or institution, the accrued leave balances of that agency or institution may not be transferred to the remaining employments.
- b. The employee accrues state service credit, for all purposes, as if the employee had only one employment.
- c. If applicable, State of Texas contributions towards taxes imposed on the employee by the Federal Insurance Contributions Act (FICA) may not exceed the overall limit specified in the General Appropriations Act. System Administration adheres to Texas State Comptroller prescribed accounting and reporting procedures meant to ensure that contributions do not exceed this limit.
- d. The total state contribution towards the employee's group insurance is limited to the amount specified in the General Appropriations Act for a full-time active employee.
- e. Overtime compensation accrues to an employment independently of every other employment with the following exception. If an employee is subject to the overtime provisions of the Fair Labor Standards Act ("FLSA") at either employment, each of the employing agencies and institutions must ensure that the employee is compensated for all combined time worked in excess of 40 hours per week according to the FLSA overtime provisions. The agencies and institutions will cooperate to determine which of them is responsible for ensuring that the employee is properly compensated according to those provisions. For additional guidance, refer to the System Administration Policy titled Compensatory Leave and Overtime.

Responsible Party: Human Resources

5. Employees shall not utilize state time, property, facilities, or equipment, or other resources for any purpose other than official state business, unless such use is reasonable and incidental and does not result in any direct cost to the State of Texas or the System or to the System Administration, interfere with the employee's official duties, or interfere with the functions of the System or the System Administration. Use of UNT System Administration resources in connection with dual employment is prohibited except in instances where use clearly provides a legitimate public purpose, adequate controls are in place to ensure a public purpose is met, and the Chancellor or the Chancellor's designee has approved the use in writing. The employee is responsible for obtaining written approval from the Chancellor or

the Chancellor's designee through normal administrative channels before resources may be used.

Responsible Party: Employees

6. An employee who engages in dual employment with a Component Institution of UNT System is responsible for monitoring compensation, benefits, leave, and service records for the multiple positions and promptly notifying Human Resources of any inaccuracies.

Responsible Party: Employees

7. Employees who change supervisors must submit a new request to engage in dual employment.

Responsible Party: Employees

8. Human Resources will monitor compliance and coordinate employee benefit and compensation with the other employing Texas state agency or Texas public institution of higher education.

Responsible Party: Human Resources

References and Cross-references.

System Administration Policy 03.701, Ethics and Standards of Conduct

System Administration Policy 03.602, Compensatory Leave and Overtime

Regents Rule 05.802

Sec. 574.001, Tex. Gov't Code; Article XVI, Sections 33 and 40, Constitution of the State of Texas.

Sec. 666, Tex. Gov't Code.

Sec. 667, Tex. Gov't Code.

Sec. 61, Tex. Education Code

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