SECTION: 02 Human Resources **NUMBER: 02.A.42**

AREA: General

SUBJECT: Dual Employment with Texas State Agency

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1. PURPOSE

This policy establishes guidelines for administering dual employment for University of Houston System employees who currently hold, or are seeking to hold, additional employment with another State of Texas agency. Dual employment occurs when an employee holds positions with two or more State of Texas agencies.

2. POLICY

All University employees must obtain prior approval before engaging in dual employment. The employee must submit a Request for Dual Employment with a Texas State Agency form, which will be reviewed by Human Resources. Human Resources will evaluate whether the hours worked in both positions must be combined under the Fair Labor Standards Act (FLSA). The employee may proceed with dual employment only after HR review and formal approval.

3. DEFINITIONS

Current Employee: An employee of the University is an individual in a faculty, staff, student, or temporary position.

Applicants for Employment: A candidate seeking employment with the University.

State of Texas Agency: Texas agencies and public institutions of higher education as listed in Texas Comptroller of Public Accounts.

Outside Activities and Interest: An employee's outside activities and interests have the potential to create conflicts of interest and conflicts of commitment with the employee's duties and responsibilities to their university Outside Activities/Interests Disclosures.

Exempt Employee: Employees who are exempt under the Fair labor Standards Act are paid on a monthly basis and are not eligible for overtime.

Non-Exempt Employee: Employees who are non-exempt under the Fair Labor Standards Act are paid on an hourly basis and are eligible for overtime pay or compensatory time for hours worked over 40 in a workweek.

4. PROCEDURES

4.1 The University and the State of Texas Agency employing a person with dual employment will enter into necessary agreements designating which agency will be the principal employer for the purpose of defining the person's employment.

4.2 The employing agencies must coordinate to ensure the employee is compensated for all time worked and cooperate to determine which agency is responsible for properly compensating the employee in accordance with the Fair Labor Standards Act.

4.3 The University does not approve dual employment with another State of Texas Agency, unless such employment can be shown to not cause the University to incur increased financial liability under the overtime compensation requirements of the Fair Labor Standards Act.

4.4 The University employment of non-exempt employees working at more than one State of Texas Agency may be terminated once identified if dual employment was not approved by the Human Resource Office.

4.4.1 For Faculty appointments, exceptions to this policy require prior consideration and written approval of the respective Provost or department designee.

4.5 Benefits are determined by the percent effort (FTE) of the employee's position at the University. An individual who works for more than one State of Texas agency cannot receive combined benefits that exceed what a full-time employee is eligible for. To ensure proper administration of benefits, any employee with a dual appointment at the University and another State of Texas agency must immediately notify the Human Resources Office if their appointment with the other agency ends or changes.

4.6 Teachers Retirement System (TRS) membership may be required when an employee has concurrent employment with another State of Texas agency whereby the employee is contributing to the TRS plan. A position that does not meet TRS eligibility requirements on its own may become eligible when combined with another TRS-eligible position held at a different agency.

5. REFERENCES AND RELATED STATUTES, POLICIES OR REQUIREMENTS

Texas Government Code, Section 667.001–009
Texas Education Code, Section 61.003
Texas Comptroller of Public Accounts – State Agencies and Public Institutions of Higher Education
SAM 02.A.29 Ethical Conduct of Employees
SAM 02.A.08 Outside Activities/Interests Disclosures

6. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice Chancellor for Human Resources

Review: Every five years

7. APPROVAL

Approved: /Raymond Bartlett/
Senior Vice Chancellor for Administration and Finance

/Renu Khator/
Chancellor

Date: June 2, 2026