

31.01.01.R0.03 Approval Procedures for Supplemental Compensation and Dual Employment



Approved August 6, 2012
Reviewed May 2, 2017
Next Scheduled Review: May 2, 2022

Procedure Statement

This procedure is set forth to provide guidance on various situations of dual employment and supplemental compensation at Texas A&M University-Commerce in accordance with the guiding The Texas A&M System (system) policies and regulations and university rules and procedures.

Reason for Procedure

This procedure establishes the method for A&M-Commerce for the prudent payment of monies to employees for work conducted outside of the scope of their regular employment.

Procedures and Responsibilities

1 GENERAL

1.1 Faculty and staff who are budgeted at a specific rate of pay may occasionally enter into an additional employment situation in which they provide services outside the scope of their primary appointment. There are two distinct situations that may arise in which an employee is entitled to additional compensation:

- 1.1.1 Single activities that result in one or more payments being made to the employee, and
- 1.1.2 On-going activities that result in dual employment and multiple payments to the employee.

In either situation, the work performed in the additional employment need not be related to educational and experience requirements of the primary appointment and may be in a different capacity from the employee's primary appointment.

- 1.2 Services that qualify for supplemental compensation include: Dual employment arrangements such as providing editing or translating services, taking tickets at athletic events, umpiring, teaching craft classes, etc.
- 1.3 Any employee, whether exempt or non-exempt under the provisions of the Fair Labor Standards Act, may accept additional employment with another department, unit, or component of the system provided the employee obtains the **advance approval** of the head of both the current department or unit and the employing department or unit. This approval is necessary to assure proper coordination of payment for employment when more than one department is involved.
- 1.4 Under the provisions of the Fair Labor Standards Act, non-exempt employees will be paid overtime for hours worked over 40 in a workweek. Non-exempt employees who accept additional employment within the system qualify for overtime pay unless the employment is occasional and sporadic, solely at the employee's option, and in a different capacity from that in which the employee regularly engages [see System Regulation 31.01.02, *Fair Labor Standards Act*, (Minimum Wage, Overtime Pay, Child Labor and Equal Pay)] to assure compliance with the Act. This procedure outlines the steps to follow for a non-exempt employee to assure compliance with the Act.

2 APPROVAL PROCEDURES

- 2.1 Additional employment may result in payments to the employee for a single activity or on-going activities. Separate forms are attached for each situation. These approval procedures must be completed **before** the activity begins.
- 2.2 **Single activities** such as lectures or extension center teaching activities will be processed for prior approval using the Supplemental Payment Agreement form on the Payroll Services website. The approval process will follow these steps:
 - 2.2.1 The form is completed by the employing department, and the form is approved and signed by:
 - 2.2.1.1 The faculty or employee providing the service;
 - 2.2.1.2 The employee's primary Department Head/Associate Director (may not be delegated);
 - 2.2.1.3 The Department Head/Associate Director of the unit conducting the activity (may not be delegated);
 - 2.2.1.4 The appropriate Academic Dean/Director of School when faculty is involved (may not be delegated);

- 2.2.1.5 The Associate Provost of Academic Affairs when compensation to an individual faculty member will exceed \$5,000 per fiscal year for extension course and other non-contract teaching activities (may not be delegated);
- 2.2.1.6 The Vice Provost for Research (required if funding sources are in 4XXXXXX account range).
- 2.2.1.7 The Texas A&M Office of Shared Research Services (required if grant or contract administered by Office of Shared Research Services).
- 2.2.2 Both the current department and the employing department will receive a copy of the completed agreement for the departmental files.
- 2.3 Prior approval must be obtained for **on-going activities**, such as ticket takers or translators, by completing the Supplemental Payment Agreement on the Payroll Services website. The approval process will follow these steps:
 - 2.3.1 The form is completed by the employing department and must be renewed at the beginning of each fiscal year and reestablished in the university payroll system;
 - 2.3.2 The current system employer will initiate the agreement for each dual employment arrangement involving another system component;
 - 2.3.3 When the employee is non-exempt and eligible to receive overtime, the departments or units shall agree on which department will pay overtime;
 - 2.3.4 If the employment arrangement requires the employee to be paid overtime under the Fair Labor Standards Act, the employee and both departments or units must agree that overtime will be paid at the rate of pay of the highest paid position in which the employee is working. This agreement will be recorded on the Supplemental Payment Agreement Form; and both the current department and the employing department will receive and maintain a copy of the completed agreement in the employee's personnel file.

3 PROCESSING

- 3.1 Approved forms for supplemental compensation for single payments shall be forwarded to the appropriate payroll office as authorization to pay after the activity occurs.
- 3.2 Approved forms for dual employment shall be maintained in departmental payroll files as evidence for future requests for payment.

3.3 Appropriate payroll forms shall be forwarded to the appropriate payroll office after the activity occurs. Questions regarding how to record and make payments should be directed to the Payroll.

4 REPORTING

Periodic reports on supplemental compensation for activities involving continuing education and extension center course teaching will be forwarded by Payroll to the Associate Provost, and the Associate Vice President for Business & Administration.

Related Statutes, Policies or Requirements

System Policy [31.01 Compensation](#)

System Regulation [31.01.01 Compensation Administration](#)

System Regulation [31.01.02 Fair Labor Standards](#)

System Regulation [33.99.05 Part-Time Employment](#)

[Supplemental Payment Forms at Payroll Services](#): Agreement, Faculty/Staff, Athletics, Students /Hourly

Contact Offices

Human Resources:
903.886.5282

Payroll Director:
903.886.5046

Office of the Provost:
903.886.5410