



*Note: Some features may not work when completing the form in the browser. Please download forms to a PDF before entering information. All forms are downloadable PDFs.*

## ACCEPTING TERMS OF DUAL EMPLOYMENT

Employee Name	EIN	Phone	Date
Primary Employer	Unit	Distribution	Pay Rate
Secondary Employer	Unit	Distribution	Pay Rate

An employee who has more than one position with State government is considered to be in Dual Employment. An employee in dual employment must accept the following terms in order to continue working in more than one position.

This agreement conforms with Department of Human Resource Management policy.

An employee can hold up to four positions within State government. The supervisor of the employee's primary position must authorize the employee to hold additional positions. This form only applies to the additional positions.

Dual employment with the State requires compliance with the Fair Labor Standards Act (FLSA). The employee's FLSA status (exempt or non-exempt) for the secondary position will be that of the employee's primary position. The secondary position is considered AT-Will Employment.

Form FI 8, Time Sheet for Dual Employment, is required to be signed by the employee's supervisor of each position and a copy must be sent to the primary employer. If the secondary position is within a department other than the primary employer's department, a copy of the FI 8 must be submitted by the department payroll person to the Division of Finance Payroll Section for data entry.

Regular and overtime pay will be charged when and where it is earned. The "Regular Hours Ceiling" is the point at which additional time worked is considered overtime according to FLSA and State regulations. By default, whatever position the employee is working in at the time his/her regular hours ceiling is exceeded will be charged for the overtime. For example: An employee with a 40-hour per week ceiling works Monday through Friday 8 hours a day in his/her primary position and 2 hours a day in his/her secondary position. No overtime will be earned or charged to either position until Friday. Every hour worked on Friday is overtime and will be charged as 8 hours of overtime to the first position and 2 hours of overtime to the second position. Overtime can be charged directly to a position by indicating on the timesheet which hours should be charged as overtime, otherwise overtime will be charged as described in the example.

The employee will not accrue compensatory time while in dual employment status. Overtime is always paid when the regular hours ceiling is exceeded. Overtime pay is calculated at straight time or time and one half depending on the FLSA status of the primary position. The time and one half pay rate is the weighted average of the hourly pay rate and other earnings of each position worked in the pay period.

The employee will not accrue excess leave hours while in dual employment status. All excess leave hours are paid at the straight time pay rate of the position where the excess leave hours are worked.

The employee's state paid benefit costs are proportionately distributed among all employing departments, NOT just the primary employer.

No annual or sick leave will be accrued for the secondary position. However, if annual and sick leave are accrued in the employee's primary position, all hours worked for each position will be taken into account to determine the amount of leave accrued. The amount accrued will not exceed the maximum amount allowable in the primary position.

If additional positions are held, another form must be filed.

**By signing this form, I am agreeing to the terms of Dual Employment.**

Primary Supervisor Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

Employee Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

Secondary Supervisor Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_