University of Houston Clear Lake
Office of Human Resources

Dual Employment with a Texas State Agency

Employee FAQs

What is dual employment?

Dual employment means working for the University and another Texas state agency at the same time.

Who does this policy apply to?

This policy applies to current University employees and applicants for employment who currently hold, or are seeking to hold, employment with another State of Texas agency.

Do I need approval before accepting or continuing dual employment?

Yes. You must receive approval before you begin or continue dual employment with another Texas state agency.

What form do I need to complete?

You must complete the Dual Employment with a Texas State Agency form and submit it for review.

Why does Human Resources review dual employment requests?

HR reviews requests to assess FLSA, overtime, benefits, and overall policy compliance.

How does dual employment affect overtime?

Because the State of Texas may be treated as a single employer for FLSA purposes, hours worked across both positions may need to be combined when determining overtime obligations for non-exempt employees. The employing agencies must coordinate to ensure the employee is properly compensated for all time worked.

Can the University deny a dual employment request?

Yes. The University does not approve dual employment with another State of Texas agency if the arrangement would cause the University to incur increased financial liability under FLSA overtime requirements.

What happens if a non-exempt employee has unapproved dual employment?

University employment of a non-exempt employee working at more than one State of Texas agency may be terminated once identified if the dual employment was not approved by the Human Resources Office.

Are there exceptions for faculty appointments?

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

What is a principal employer, and why does it matter?

When dual employment is approved, the University and the other State of Texas agency must enter into any necessary agreements to designate the principal employer. This helps define the employment relationship and coordinate compliance responsibilities.

How are benefits handled if I work for more than one State of Texas agency?

Your University benefits are based on your FTE, and combined state benefits cannot exceed full-time eligibility.

Do I need to report changes to my appointment with the other agency?

Yes. Employees with a dual appointment must immediately notify the Human Resources Office if their appointment with the other agency ends or changes so that benefits and compliance can be reviewed.

Can dual employment affect Teachers Retirement System (TRS) eligibility?

Yes. TRS membership may be required when an employee has concurrent employment with another State of Texas agency and is contributing to TRS. A position that is not independently TRS-eligible may become eligible when combined with another TRS-eligible position at a different agency.

Where can I find the form and related guidance?

The University provides a Dual Employment with Texas State Agency form and a Dual State Employment policy with additional process details.

Manager FAQs

What should a manager do if an employee discloses dual employment?

Direct the employee to complete the Dual Employment with Texas State Agency form and ensure the arrangement is reviewed by Human Resources before work begins or continues.

What should HR evaluate during review?

HR should evaluate total hours worked, exempt or non-exempt status, possible overtime exposure, benefits administration, TRS implications, and whether the request can be approved under policy.

When is an agreement between agencies needed?

If dual employment is approved, the University and the other state agency may need to designate the principal employer and coordinate responsibility for compliance.

How should faculty exceptions be handled?

Faculty exceptions require prior consideration and written approval from the respective Provost or department designee.

What happens if the employee's other appointment changes after approval?

The employee must notify Human Resources immediately so benefits, TRS status, and ongoing compliance can be reviewed.

Quick Reference Sheet

- Approval required: Employees must be approved before starting or continuing dual employment.
- Required form: Request for Dual Employment with a Texas State Agency form.
- HR review includes: FLSA, overtime, benefits, TRS, and compliance review.
- Possible denial: The University may deny requests that create added overtime liability.
- Non-exempt risk: Unapproved dual employment may lead to termination.
- Faculty exception: Requires prior written approval from the Provost or department designee.
- Benefits: Combined state benefits cannot exceed full-time eligibility.

- Employee responsibility: Report any change or end of the other appointment immediately.

Need help?

If you are not sure whether this applies to you, contact Human Resources at humanresources@uhcl.edu before accepting or continuing another state agency job.