

TALLAHASSEE COMMUNITY COLLEGE
ADMINISTRATIVE PROCEDURES

TITLE: Dual and Outside Employment Procedure	NUMBER: 04-17-AP
AUTHORITY: Florida Statute: 112.313, 1001.64, 1001.65	SEE ALSO:
UPDATED: 06/2013, 01/2020	

Purpose

To establish procedures relating to dual and outside employment for employees of Tallahassee Community College.

It is the practice of the College to allow employees to engage in dual employment as well as outside employment, including self-employment, when the employment:

- does not interfere with the ability and availability of the employee to perform his/her assigned duties with the College;
- does not constitute a conflict of interest;
- does not interfere with the College's core hours of operation, Monday through Friday, 8:00 a.m. to 5:00 p.m. or with the employee's work schedule
- does not have the appearance of, or potential to be a conflict of interest in accordance with Ch. 112.313(3), Florida Statutes;
- does not involve the rent, lease or sale of any realty, goods or services to the employee's own agency in accordance with Ch. 112.313(3), Florida Statutes

Dual employment occurs when a secondary supervisor (hiring manager) wishes to hire a current College employee to perform an additional job assignment (a second job with the College). Extra teaching assignments, overloads, and being paid from multiple funding sources will not constitute dual employment if all appointments are managed by the same supervisor.

Outside employment occurs when a current College employee engages in employment with an entity other than Tallahassee Community College or on behalf of oneself, if self-employed, and for which the employee receives compensation.

Definitions

- A. Primary Assignment/Employment – The assignment with the earliest date of hire. However, OPS assignment will be secondary unless both positions are OPS.
- B. Primary Supervisor – The employee’s current supervisor.
- C. Secondary Assignment/Employment – Simultaneous assignment in a position subsequent to the employee’s primary assignment. A secondary assignment/employment constitutes dual employment.
- D. Secondary Supervisor – The hiring manager of the secondary assignment.

Approval Process for Dual Employment:

- A. Employee Responsibilities and Conditions –
 - a. The employee is responsible for requesting approval for Dual Employment prior to accepting a second position with the College;
 - b. To gain approval, the employee must:
 - i. Complete the employee section of the Dual Employment Request Form.
 - ii. Submit the Dual Employment Request Form to the Primary Supervisor for approval.
 - c. The request for dual employment will be reviewed for the following:
 - i. Does the dual employment interfere with the employee’s ability and availability to perform his/her primary assigned duties with the College;
 - ii. Does the dual employment have the appearance of a conflict of interest; Will the dual employment have overtime or insurance liability; or
 - iii. Will the dual employment result in total hours worked for TCC to be 25 per week or greater.
 - d. If dual employment is approved by the Primary Supervisor, the Executive Team member and Human Resources the employee is responsible for:
 - i. The full and competent performance of all duties pertinent to his/her primary employment;
 - ii. Not allowing any interference or conflict with his/her regularly assigned duties;
 - iii. Not performing duties of the secondary employment during the primary employment working hours; and
 - iv. Notifying the appropriate supervisor and HR of any changes to hours, job duties, etc.
 - e. As a condition of dual employment in more than one benefitted position, the employee must voluntarily waive any claim to benefits in excess of one full-time position.

B. Primary Supervisor's Responsibilities

- a. The primary supervisor is responsible for reviewing the documentation provided by the employee and should approve or deny the dual employment. The review shall consist of the following:
 - i. Does the dual employment interfere with the employee's ability and availability to perform his/her primary assigned duties with the College;
 - ii. Does the dual employment have the appearance of a conflict of interest; or
 - iii. Will the dual employment have overtime or insurance liability?
- b. Upon approval or denial, the primary supervisor will forward the Dual Employment Request Form to Human Resources.
- c. The primary supervisor is responsible for noting on the annual performance evaluation the employee's dual employment status, as well as discussing the job duties of the secondary employment to ensure at least annually that the duties will not interfere with the employee's primary position.

C. Secondary Supervisor (Hiring Manager) Responsibilities

- a. The secondary supervisor (hiring manager) is responsible for ensuring that all documentation related to the normal hiring procedure be included in the employee hiring packet including the Dual Employment Request Form, prior to submission to the appropriate executive team member or designee for review and approval.
- b. The secondary supervisor should confirm with the employee's primary supervisor the dual employment will not interfere with the employee's ability and availability to perform his/her primary assigned duties with the College.
- c. The secondary supervisor (hiring manager) is responsible for notifying the employee, HR, and the primary supervisor of any changes to hours, job duties, etc.

D. Executive Team Member Responsibilities

- a. When the secondary supervisor (hiring manager) submits the dual employment request to the appropriate executive team member or designee, the member or designee shall apply the following criteria:
 - i. There must be a demonstrated need for the proposed action;
 - ii. Compensation must be commensurate with assigned duties as per the salary schedule; and
 - iii. The services must not give rise to the appearance of a conflict of interest or otherwise violate College intent.
 - iv. A reasonable confidence the dual employment will not interfere with the employee's ability and availability to perform his/her primary assigned duties with the College.
- b. Upon approval or denial of the Request for Dual Employment, the Executive Team member is responsible for forwarding the request to Human Resources for final determination.

E. Human Resources (HR) Office Responsibilities

- a. HR will review and approve all requests for dual employment prior to application. The request for dual employment will be reviewed for the following:

- i. Does the dual employment interfere with the employee's ability and availability to perform his/her primary assigned duties with the College;
 - ii. Does the dual employment have the appearance of a conflict of interest; or
 - iii. Will the dual employment have overtime or insurance liability?
- b. Human Resources will provide final determination to the Executive Team member and to the employee.
- c. Once an employee secures dual employment, a copy of the approved Dual Employment Request Form will be placed in the employee's personnel file.
- d. A database of those persons dually employed is maintained for tracking purposes.
- e. The HR-Payroll section reviews reports on a monthly basis to identify employees who have more than one salary and/or OPS wage payment on a single payroll.

Approval Process for Outside Employment, Including Self-Employment:

- A. Employee's Responsibilities
 - a. All employees must submit an Authorization for Outside Employment Form to their supervisor for approval and gain College approval for outside employment prior to the acceptance and/or commencement of any outside employment, including self-employment. If an ongoing activity, the Authorization for Outside Employment form must be submitted annually by September 1 of each year.
- B. Supervisor's Responsibilities
 - a. The primary supervisor is responsible for reviewing and providing the first approval of the Authorization for outside employment. The review shall consist of the following:
 - i. The outside employment does not interfere with the ability and availability of the employee to perform his/her assigned duties with the College; and
 - ii. The outside employment does not have the appearance of a conflict of interest; and
 - iii. The outside employment does not involve the rent, lease or sale of any realty, goods or services to the employee's own agency in accordance with Ch. 112.313(3), Florida Statutes.
 - b. If there appears to be no conflict of interest with the outside employment and the employee's primary position and duties with the College, the supervisor may proceed with approving the request and routing to the next level supervisor. Should the supervisor be a member of the Executive Team, the approval shall progress directly to Human Resources.
 - c. If there appears to be a conflict of interest with the outside employment, the supervisor shall prepare a communication to Human Resources asking for a determination as to whether the outside employment would be a conflict of interest.
 - d. The supervisor is responsible for noting on the performance evaluation the employee's outside employment status as well as discussing the job duties and other pertinent information each evaluation period.

C. Executive Team Member's Responsibilities

- a. Upon receipt of the authorization for outside employment and any attachments provided, the Executive Team member will review and approve or deny the employee's request. Should the authorization be approved, the form will be sent to Human Resources for final determination.

D. Human Resources (HR) Office Responsibilities

- a. Upon receipt of a request for outside employment from an executive team member, Human Resources will review the request and enlist any other resources required.
- b. Human Resources will make a final determination based on College policy and State Statute.
- c. The HR Office is the official custodian of the authorization for outside employment.
- d. A copy of the approved form is placed in the employee's personnel file.
- e. HR will notify the employee in writing of the request's status.
- f. A database of those persons who are authorized for outside employment is maintained for tracking purposes.

Office of Responsibility:

Administrative Services, Human Resources Office

Forms

Dual Employment Request Form

Authorization for Outside Employment Form