



WINDHAM SCHOOL
DISTRICT

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SUPERSEDES: SD-07.33
March 31, 2009

SUPERINTENDENT DIRECTIVE

SUBJECT: MULTIPLE EMPLOYMENTS WITH THE STATE

AUTHORITY: Tex. Gov't Code Chapter 667; *Fair Labor Standards Act*, 29 U.S.C. §201

APPLICABILITY: Windham School District (WSD)

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. WSD reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the superintendent's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of WSD and **do not** create any legally enforceable interest or limit the superintendent's authority to terminate a noncontract employee at will.

POLICY:

The purpose of this policy is to provide procedures regarding applications for, and administration of, multiple employments with the state of Texas or employment with institutions of higher education by employees of the WSD.

DEFINITIONS:

"Multiple Employments" refers to simultaneous paid employment for more than one position with one or more state agencies.

"Primary Employer" for all full-time and part-time WSD employees is WSD.

"Secondary Employer" is the other state agency to which WSD employees are applying for employment.

"Superintendent" refers to the WSD superintendent.

PROCEDURES:

I. Qualifications

- A. The approval of multiple employments with the state is contingent upon there being no conflict between the office of, or position with, the primary employer and the secondary employer.
- B. The proposed multiple employments must be of benefit to the WSD and to the state.
- C. Secondary employment must not interfere with the performance of duties with WSD. The employee's work hours or cycle shall not be changed to accommodate secondary employment unless there is a clear benefit to the WSD.
- D. Employees shall not work for a college that offers college programs for offenders on their same unit of assignment unless approved by the superintendent.

II. Application Procedures

Multiple employments may not commence until it is approved by the superintendent. Approval is valid only while the employee remains in his or her current position within the WSD or in the approved secondary position. If an employee changes positions or work schedule within WSD, or with the secondary employer, a new request and superintendent approval shall be required. Requests shall be submitted via hand delivery, mail, fax, or scanned copies and processed as follows.

- A. The employee shall inform WSD before accepting secondary employment with another state agency.
- B. Employees shall submit a Request for Multiple Employments Form, available on the WSD share drive (HR/Public/Multiple Employments) to their principal/supervisor. Whenever there are changes to information contained on the request, a new Request for Multiple Employments Form shall be submitted.
- C. Principals/supervisors shall indicate their recommendation and forward the request to the WSD regional administrator for recommendation. The region shall forward their recommendation to the director of the WSD Division of Human Resources.
- D. The director of the WSD Division of Human Resources shall forward the final recommended request to the superintendent for final approval.

III. Administration

- A. Upon superintendent approval of multiple employments, the WSD Division of Human Resources shall ensure that the following is accomplished.

1. There is an official record of approval on file.
 2. Time worked in the secondary position is not used as additional credit for purposes of longevity or leave accrual for the primary position.
 3. The total state contribution toward the employee's group insurance is limited to no more than the amount specified for full-time active employees.
- B. Disapproved requests shall be returned to the employee with a copy maintained on file.

Signature on file

Dr. Clint Carpenter, Superintendent
Windham School District