

**DUAL EMPLOYMENT**

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*Related Board of Trustees Policy: BP 2.26*

*OPR: Vice President for Administration*

*Approval: July 11, 2017*

*Revision:*

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**DUAL EMPLOYMENT**

Dual employment occurs when an employee holds two or more paid positions (primary and secondary) with Craven Community College.

Dual employment at Craven Community College 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. If the primary position is exempt, the employer is not required to pay overtime for the second position. If the primary position is non-exempt, the employer is required to pay overtime for the second position unless the secondary position qualifies as being classified “occasional or sporadic.” Within our College, most dual employment arrangements would not have a secondary position which qualifies for the occasional or sporadic classification.

**Non-Exempt Dual Employment**

- If a non-exempt employee works an additional job that is also non-exempt, overtime pay is required. The College and the employee will enter into a written agreement to pay time-and-one-half of the regular rate of the second job.
- If a nonexempt employee works an additional job that is exempt, the employee must be compensated at a time-and-one-half overtime rate for any hours worked over 40 per week (treated as if the second position was non-exempt rather than exempt). The College and the employee will enter into a written agreement to pay time-and-one-half of the regular rate of the second job.
- If a non-exempt employee works an additional position that is non-exempt and is also considered to be occasional/sporadic and in a different occupational classification the employee can earn either compensatory time or straight time rate for any hours exceeding 40 per week.

All dual employment arrangements with non-exempt employees must be approved in writing. The unit Vice President shall coordinate with Human Resources to ensure the correct classification is used, with final approval being made by the President. Non-exempt employees are not permitted to waive their right to overtime compensation under a dual employment arrangement. Times must be recorded weekly to ensure accurate calculations of overtime pay.

## **Exempt Dual Employment**

- If an exempt employee works an additional job that is also exempt, the employee will earn two separate salaries without any additional compensation regardless of how much time the employee spends in either position.
- If an exempt employee works an additional job that is non-exempt, the hours worked at the second job are paid at the regular straight time rate for the second job.

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