

Policy Number/Title: 4.33 Dual Employment Policy
Effective Since: 12/12/2024
Last Revision Approved: 12/12/2024
Responsible Office: Human Resources

1. Scope:

This policy applies to all employees assigned to classified and unclassified positions and who occupy FTE.

2. Definitions:

This section was intentionally left blank.

3. Policy:

THIS DOCUMENT IS NOT A CONTRACT BETWEEN EMPLOYEES AND WINTHROP UNIVERSITY, EITHER EXPRESSED OR IMPLIED. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. WINTHROP UNIVERSITY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Applicability

This policy applies to all employees assigned to classified and unclassified positions and who occupy FTE.

Policy

Dual employment is defined as the outside employment of a Winthrop employee, within an FTE position, who will perform for and be paid by another state agency or Winthrop University for services which constitute independent, additional duties distinct from the employee's primary duties.

The South Carolina state Human Resources Regulations, Section 19-713 provide guidelines regulating dual employment, which Winthrop University employees must follow,



including the following:

1. State employees who occupy FTE may accept temporary, part-time employment of a consultative or technical nature with other state agencies, provided that prior approval is obtained in each instance from the appropriate vice president or highest-ranking administrative officer in the division and the Office of Human Resources, Employee Diversity, and Wellness (Office of Human Resources) before such work begins.
2. Dual Employment within the same agency must be approved by the Division of State Human Resources prior to implementation. The Office of Human Resources is responsible for requesting approval from the Division of State Human Resources.
3. Dual employment shall be limited in duration to the specific time frame approved which cannot exceed 12 months.
4. No state or Winthrop employee may accept any work or remuneration that could be reasonably construed as a conflict of interest. Acceptance without proper prior approval of work assignment or remuneration that is found to be a conflict of interest will be grounds for disciplinary action or termination.
5. An employee's work schedule shall not be altered or revised in order to provide time to perform dual employment duties.
6. No employee may receive additional compensation for services performed during scheduled hours of work, including mealtimes and breaks, unless the employee takes annual leave or leave without pay.
 - a. If dual employment is for a state agency other than Winthrop – A Winthrop employee may use annual leave while providing services during working hours for a state agency other than Winthrop and may receive compensation from that agency for services performed during the period of leave.
 - b. If dual employment is for Winthrop University – No Winthrop employee shall receive any additional compensation for dual employment duties performed during the employee's normally scheduled hours of work at or for Winthrop University while in a leave with pay status to include all designated paid state holidays and compensatory leave. The employee must request and report leave without pay for such dual employment.
7. The maximum compensation that an employee is authorized to receive for dual employment shall not exceed 30% of the employee's annualized salary for the fiscal year. Compensation for dual employment will be determined by the requesting (secondary) agency.



8. No employee shall be eligible for any additional fringe benefits as a result of dual employment, including annual leave, sick leave, military leave, state insurance, and holidays. However, dual employment compensation shall be subject to such tax and retirement deductions as stipulated by law.

9. Winthrop employees in non-exempt positions who perform dual employment duties at Winthrop must report their dual employment hours on the appropriate timesheet during the workweek in which the work is performed; any hours worked over 40 during a workweek must be considered overtime or compensatory time.

All dual employment must be requested by submitting the Winthrop University Dual Employment Request form or by submitting a similar form from the secondary agency.

4. Procedures:

This section was intentionally left blank.

5. Resources:

This section was intentionally left blank.

6. History of Revisions:

12/12/2024 Policy first established

7. Approvals:

Responsible Officer Signature/Date:

Vice President/Senior Administrator Signature/Date:

President Signature/Date: