

**Office of Personnel Management
Policy Directive**

Policy Title: Concurrent Employment	Policy Number: 20.24
Citation: Arkansas Code Annotated § 19-4-1604; § 6-63-307; OPM Memorandum dated July 2, 2012	Forms: Concurrent Employment Request

Specific Provisions

An employee may work in two legislatively authorized positions (regular, extra help, or a combination) in two different state agencies and/or institutions, provided that a request is made by an agency or institution director to the Chief Fiscal Officer of the State and provided that the combined salary payments from the agencies or institutions do not exceed the larger maximum annual salary of the line item position authorized.

An employee of an institution of higher education may occupy a secondary legislatively authorized position in the same institution, provided that a request is made by the institution director to the Chief Fiscal Officer of the State.

Concurrent employment shall be limited in duration to the specific time frame approved and cannot extend beyond fiscal years, except that concurrent employment for summer school sessions may extend beyond the fiscal year limitation.

An institution of higher education may pay additional compensation to classified employees for the performance of additional duties assigned to them at non-job-related institution-sanctioned events, provided that those additional duties are performed at times other than normal working hours.

When any non-exempt employee works occasionally or sporadically, and in a different capacity from the regular employment, the hours worked in the different jobs shall not be combined for the purpose of determining overtime compensation. If the different jobs are within the same general occupational category as the employee's regular work, the non-exempt employee would be eligible for overtime compensation.

The work performed for the second state agency or institution may not interfere with the employee's proper and required job duties for the primary state agency or institution.

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State employees may teach as adjunct faculty at state-supported institutions of higher education even though their combined salaries will exceed the line item maximum if they receive approval from the Chief Fiscal Officer of the State. Prior to employment at the institution of higher education, the agency must complete and submit a Concurrent Employment Request to the Office of Personnel Management (OPM) for review and approval.

A part-time or job-share public defender may receive compensation from an appellate court for work performed in connection with an indigent's appeal to the Arkansas Supreme Court or the Court of Appeals.

A full-time public defender who is not provided a state-funded secretary may also seek compensation for appellate work from the Arkansas Supreme Court or the Court of Appeals.

Leave benefits may be awarded to an employee employed by different state agencies and/or institutions at a pro rata rate.

Annual, sick, and holiday leave may be accrued in a regular secondary employment position proportionate to the hours worked in the secondary employment position. Holiday leave may be accrued in an extra-help secondary employment position accordingly.

Employees are allowed to use accrued annual leave from the primary employer while working the same hours at the secondary employer. Employees are not allowed to use accrued sick leave from the primary employer and be paid a salary or compensation from the secondary employer. Likewise, employees are allowed to draw a second paycheck if the work occurs outside the employee's regular scheduled hours of work from the primary employer.

Any compensation received by an employee for participation in a noncredit seminar, conference, or convention sponsored by an institution of higher education that is paid with funds generated by the seminar, conference, or convention shall be excluded from the maximum salary restrictions established in law.

Revised June 16, 2014