

Additional Employment Policy

Definition:

Additional Employment is defined as employment compensated by the CSU, regardless of the source of funding, that is in addition to the primary or normal work assignment for which the individual is employed.

CSU employment is defined as any employment compensated through CSU payroll, regardless of funding source (e.g., General Fund, Extended University, Lottery, or CSU employment reimbursed by an auxiliary or other source). Outside employment is any employment not compensated through the CSU payroll, including CSU Foundation and CSU auxiliary employment. **When determining additional employment under the CSU Additional Employment Policy, all CSU employment and all outside CSU Foundation and other CSU auxiliary employment are considered together.**

The salary rate for additional employment may be the same as the rate for the primary appointment; however, a different salary rate is permitted if appropriate for the work performed and if allowed by the funding source (e.g., a private corporation contract). In the case of a federal grant or contract, the rate of pay for the additional employment must be the same as the CSU base rate of pay for the primary assignment.

Additional employment appointments in excess of full time do not increase retirement credits or benefit payments.

Purpose:

The Additional Employment Policy establishes reasonable limits on the total amount of employment an individual may have with the CSU. An employee may accept an appointment not to exceed twenty-five percent above a 1.0 full-time position. Generally, the additional employment shall be of a substantially different nature than the primary or normal work assignment. Such employment may include work on a special project separate from normal daily assignments that is determined to require special knowledge not available through another resource.

Scope:

This policy applies to all staff, faculty, administrators, student assistants, graduate assistants, and teaching associates employed at California State University, Bakersfield or any of its authorized auxiliary organizations. The auxiliary organizations that can hire State employees include the Associated Students, the CSUB Foundation, and the University Student Union. This policy also applies to employment within the Extended University. Summer session and intersession faculty appointments are covered by this policy.

Where the provisions of the Additional Employment Policy are in conflict with collective bargaining agreements, the collective bargaining agreements shall take precedence.

Faculty (Tenured, tenure-track, lecturers, coaches, librarians, and counselors):

Additional employment limitations are based on timebase, not salary. Unit 3 employees are allowed additional employment of up to 25% of a full-time position only if the overage employment meets one or more of the following criteria:

- (a) consists of employment of a **substantially different nature** from the primary or normal employment; **OR**
- (b) is funded from non-General Fund sources; **OR**
- (c) is the result of the accrual of part-time employment on **more than one campus**

Note: Part-time faculty may be employed up to 18.75 units as a Lecturer **only if the work is split between two or more CSU campuses**. Otherwise, they are restricted to a total of 15 units of teaching per quarter, even if the units are in two different departments on the same campus. However, they may work the additional 25% overage in a position that is **substantially different** from their Lecturer position.

For faculty with 12-month appointments, the 25% additional employment maximum is based on a calendar year.

For ten-month or academic year faculty, the 25% additional employment maximum applies to the academic year (generally September through June). Appointments during the time periods between academic years, such as during Summer session or December intersession, or during vacation periods, also cannot exceed 125%. However, the normal academic year appointment is not counted as part of Summer session, December intersession, or vacation period employment. During each of these periods, the additional employment maximum is calculated separately from and independently of the academic year appointment and of each time period between academic years.

The Additional Employment Policy also applies to employment within the Extended University, Summer session and intersession faculty appointments, substitute teaching assignments, and work paid through the Foundation.

Note: Any Foundation hourly salary paid above the CSU Special Consultant daily rate (as of 07/01/02, the maximum is \$1,042 per day, which equals \$130 per hour) requires approval from the Provost and Vice President for Academic Affairs.

A faculty member paid 100% from federal grant funds may not work more than 100% time.

In accordance with Article 27.14 of the CSU-CFA Unit 3 Collective Bargaining Agreement, faculty on sabbatical leave shall not accept additional and/or outside employment without prior approval of the President.

Participants in the Faculty Early Retirement Program (FERP) are further restricted by regulations set forth in Article 29 of the Unit 3 Collective Bargaining Agreement. Total CSU employment for FERP participants is limited to **either: (a) 90 days per fiscal year** (a quarter is typically 56 days) or, **(b) 50% of the faculty member's timebase in the year preceding service retirement.** (Note: 12-month faculty appointments are converted to academic year appointments before the 50% timebase is calculated). FERP participants who teach one quarter each academic year fall under the 90 day rule. They may work an additional 33 to 35 days each year depending on the number of academic work days in the quarter of their FERP employment. FERP participants who teach 22.5 Weighted Teaching Units (WTUs) over two or more quarters of the academic year fall under the 50% rule and are not permitted to accept any additional employment, as they are already half-time (50%) in their FERP position.

Participants in the Pre-Retirement Reduction in Timebase Program (PRTB) are considered to be full-time for purposes of applying additional employment restrictions (see Article 30.10 of the Unit 3 Collective Bargaining Agreement). Therefore, they may work an additional 25% only if the work meets one or more of the criteria described in (a), (b), or (c) above.

Staff – Exempt Employees:

Employees whose primary work assignment is in a represented or non-represented staff position (including those in the Management Personnel Plan) which is determined to be “exempt” from the overtime provisions of the Fair Labor Standards Act do not receive additional compensation for work that is considered to be a part of their primary work assignment. However, except as noted below for MPP employees, exempt employees may be assigned additional employment equivalent to 25% above a 1.0 full-time equivalent timebase if the additional assignment is unrelated to their primary work assignment. Exempt employees are not eligible for overtime payments.

The provisions of the Collective Bargaining Agreement regarding additional employment provide the appropriate regulations for the administration of additional employment pay for exempt employees in collective bargaining units.

Staff – Non-Exempt Employees:

Employees in positions classified as “non-exempt” from the provisions of the Fair Labor Standards Act (FLSA) must be paid overtime for all hours worked in excess of forty hours in a week in accordance with the provisions of the Fair Labor Standards Act and collective bargaining agreements, if applicable.

If an employee concurrently holds a non-exempt position and an exempt position, the employee must be considered non-exempt for pay purposes and therefore is eligible for overtime pay for all hours worked in all positions in excess of 40 hours in a work week.

In the event a campus President or designee is considering an additional employment appointment for a non-exempt employee, the following options are available:

1. Exclude the non-exempt employee from the additional employment appointment; or
2. Reduce the timebase of the primary position so the primary and additional appointment in total do not exceed a 100% timebase; or
3. Pay the employee appropriate overtime in accordance with FLSA and the employee's collective bargaining agreement or employment policy. Contact CSU Human Resources for guidance if considering this option.

Graduate Assistants:

Graduate Assistants are limited to a maximum of 20 hours per week of total employment while school is in session (20 hours per week is considered full time for a Graduate Assistant). Graduate Assistants employed for less than 20 hours per week may accept concurrent employment in another **student** classification up to a combined total of approximately 20 hours per week. During academic breaks, Graduate Assistants may be appointed to an additional non-academic or student assistant classification and work up to 40 hours per week.

Teaching Associates:

Teaching Associates appointed during an academic year at half-time or more may not be appointed concurrently in another classification. Those appointed for less than half-time may be appointed concurrently in another **student** classification, up to a combined total of approximately 20 hours per week. However, hours in another student classification do not count toward benefits eligibility in the Teaching Associate classification. During academic breaks, Teaching Associates may be appointed to an additional non-academic or student assistant position and work up to 40 hours per week.

Student Assistants:

Student Assistant and Work Study employees may work up to 20 hours per week when school is in session. They may work in more than one student classification during the academic year, however, the total combined hours cannot exceed the 20 hour per week limit (this includes employment with the Foundation). During academic breaks, they may work up to 40 hours per week.

Management Personnel Plan (MPP) Employees:

MPP employees can be given an additional appointment only for a special assignment and only for a short-term duration. A continuing additional appointment paid from the General Fund is not allowed pursuant to the Supplemental Compensation policy of the CSU (HR 96-13). Further, Administrators may not be paid for any CSUB teaching assignment paid from the General Fund unless a specific exemption is granted by the Provost and Vice President of Academic Affairs.

All Employees:

CSU employees may, consistent with campus policies governing outside activities, be employed outside the CSU system. However, conflicts of interest are not permitted.

It is an employee's obligation not to accept employment that exceeds the limitations set forth above. If an employee accepts an appointment causing the workload maximum to be exceeded, the employee may be required to resign from one or more positions.

Weighted Teaching Unit (WTU) Conversions

There is an average of 56 days in a quarter.
Full-time teaching load is 15 WTUs per quarter.
Therefore 56 work days = 15 WTUs.

One work day = .2679 WTUs (15 WTUs / 56 work days in a quarter)
One work hour = .0335 WTUs (.2679 WTUs in a work day / 8 hours in a work day)

Normal AY employment is 45 WTUs (15 WTUs per quarter x 3 quarters)
Maximum additional employment for AY faculty = 11.25 WTUs
(45 WTUs per AY x 25%)

Using the calculations above, Special Consultant / Substitute Teaching pay would result in the following conversions:

2 hours worked = .067 WTUs (.0335 WTUs per hour x 2 hours)
4 hours worked = .134 WTUs (.0335 WTUs per hour x 4 hours)
8 hours worked = .268 WTUs (.0335 WTUs per hour x 8 hours)

Maximum additional employment for 12-month faculty = 15 WTUs
((45 WTUs per AY + 15 WTUs per summer session) x .25%)