



CALIFORNIA STATE UNIVERSITY, LONG BEACH

Subject: Additional Employment	
Department: Staff Human Resources	Reference No.:
Division: Administration and Finance	Issue Date: February 2002
References: N/A	Revision Date: NA
Web Links: Additional Employment HR 2002-05 Collective Bargaining Agreements	Expiration Date: NA

Overview

- **Additional Employment** refers to any CSU employment that is in addition to the employee’s primary appointment. Additional employment limitations are based on time-base, not salary. A maximum of 125% time-base is allowed under certain circumstances. (Please refer to the appropriate section below for specific rules.) 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., 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.
- **Outside Employment** refers to any employment not compensated through the CSU payroll. Employment directly compensated by a CSU foundation or other CSU auxiliary that is not compensated through the CSU payroll is considered outside employment. Employment that is compensated through the CSU payroll and is reimbursed by a foundation, other auxiliary, or other funding source is considered CSU employment. CSU employees may, consistent with campus policies governing outside activities, be employed outside the CSU system. However, conflicts of interest are not permitted. **When determining the 125% additional employment under the CSU Additional Employment Policy, all CSU employment and all outside CSU foundation and other CSU auxiliary employment are considered together.**
- **Overload** is a term exclusive to employees represented by the CFA and refers to CSU additional employment in excess of a full-time workload, or when appropriate, in excess of a full-time (100%) time-base. A faculty member paid 100% from federal grant funds may not work more than 100% time.

FACULTY UNIT EMPLOYEES

Article 36 of the CFA MOU limits CSU employment (i.e., employment compensated through the CSU payroll) to the equivalent of one full-time position in a primary or normal work assignment. However, the MOU provides for additional employment of up to twenty-five percent (25%) of a full-time position if the additional employment;

1. consists of employment of a substantially different nature from the primary or normal work assignment; or
2. is funded from non-general fund sources; or
3. is the result of part-time employment on more than one campus.



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As defined previously, “**overload**” refers to CSU additional employment of up to twenty-five percent (25%) of a full-time position in excess of a full-time workload, or when appropriate in excess of a full-time (100%) time-base. Overload limitations and calculations are based on workload or time-base, not salary. Additional employment is allowed at a different rate of pay if appropriate for the work performed and if allowed by the external funding/granting source (e.g., 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.

When applying the limitations of the additional employment policy, the applicable time period for an employee in a twelve-month assignment is the calendar year. The applicable time period for ten-month and academic year employees is the campus’ academic year.

Additional employment and overload limits are calculated and applied independently during vacation, holiday periods, or other academic breaks.

OTHER EXEMPT EMPLOYEES

Represented or non-represented employees, including those in the Management Personnel Plan, who are in positions exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) do not receive additional compensation for work considered part of their primary work assignments. However, an exempt employee may be assigned additional employment equivalent to twenty-five percent (25%) above a 1.00 full-time time-base if the additional assignment is unrelated to their primary work assignment.

NON-EXEMPT EMPLOYEES

Non-exempt employees are employees who are subject to the regulations of the Fair Labor Standards Act (FLSA), which requires payment of overtime at a time and one-half regular pay rate for hours worked over forty (40) in a workweek. If an employee holds a non-exempt position and an exempt position, the employee must be considered non-exempt for pay purposes. It is anticipated that additional employment for employees in a non-exempt positions will be infrequent. In the event a campus President or designee is considering an additional employment opportunity 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 time-base of the primary position so the primary and additional appointments in total do not exceed a 100% time-base; or
3. Pay the employee appropriate over-time in accordance with FLSA and his or her respective MOU or employment policy. Guidelines for paying overtime are provided below.

For non-exempt non-represented employees:

- Overtime is required to be paid for hours worked in excess of 40 in a week if the employee receives an additional employment assignment on a regular or sporadic basis that is not substantially different from the current assignment.
- Overtime is not required to be paid for hours worked in excess of 40 in a week if the employee receives an additional employment assignment on an occasional or sporadic basis that is substantially different from the current assignment. Under this circumstance, the campus should



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establish a concurrent appointment in the additional assignment classification and pay for the work performed at the appropriate pay rate. (For reference, Section 553.30 of the Code of Federal regulations addresses “occasional or sporadic” and “different capacity.”)

For non-exempt represented employees:

→ Overtime is required to be paid for hours worked in excess of 40 in a workweek regardless of assignment. Whether the employee receives an additional employment assignment on a regular or sporadic basis that is or is not substantially different from the primary assignment, the employee is to be paid overtime.

In accordance with CSU collective bargaining agreements, overtime for non-exempt employees is to be paid for hours worked in excess of 40 in a week