

Institutional Handbook of Operating Procedures Policy 3.3.5	
Section: Human Resources Policies	Responsible Vice President: Vice President and Chief Human Resources Officer
Subject 3.3: Employment	Responsible Entity: Human Resources

I. Title

Dual State Employment

II. Policy

The primary responsibility of members of the UTMB faculty and staff is the accomplishment of the duties and responsibilities assigned to one's position of appointment. If the faculty or staff member wishes to obtain dual State of Texas (State) employment, he or she must first complete a [Request for Dual State Employment](#) form and have it approved by his or her appropriate supervisor and Human Resources before accepting the other state employment. Dual employment with the State is contingent upon there not being any conflict between the office or position with the principal employer and the secondary employer. The dual State employment should not interfere with the performance of duties with UTMB. Therefore, all UTMB employees, regardless of job title, must request prior approval for the non-UTMB employment pursuant to IHOP Policy 6.5.3, Individual Conflicts of Interest.

In connection with any outside employment, faculty, and staff must comply with State laws governing the conduct of State employees, including ethics standards and provisions prohibiting conflict of interest and use of State resources.

The University of Texas Medical Branch, in compliance with applicable federal laws and regulations, strives to maintain an environment free from discrimination against individuals on the basis of race, color, national origin, sex, age, religion, disability, sexual orientation, gender identity or expression, genetic information, or veteran status.

III. Application Procedures

Employees applying for dual State employment may not commence such employment until it is approved by UTMB. Approval, if granted, is valid for a period of one year only and only while the employee remains in his or her current position with UTMB or the secondary position. Dual State employment beyond one year or after an employee changes positions or work schedule in UTMB or the secondary employment will require a new request and approval. Requests will be submitted and processed as follows:

1. Employees notify their supervisor of their intent to apply for dual State employment, consulting, or self-employment.
2. For dual State employment, employees submit a [Request for Dual Employment](#) to the department head. For faculty members, the approval of the appropriate Chair and Dean must also be obtained. A *Dual State Employment Request, Secondary Employer* must be attached to the request. Whenever there are changes to information on either of these two forms, a new *Request for Dual State*

Employment must be submitted.

3. The employee's Department Head reviews and indicates approval or disapproval and forwards the request to Human Resources for final approval and inclusion in the personnel file.
4. Employees must request prior approval pursuant to IHOP 6.5.3, Individual Conflicts of Interest, through the UT System Outside Activity Portal.
5. Signed copies of the Request for Dual Employment are provided to the department and the employee.

IV. Administration

Upon approval of dual state employment, UTMB Finance - Payroll Services coordinates with the payroll department of the secondary state agency to ensure that:

- There is an official record of the dual State employment and the compensation to be received by the employee, including salary, hours worked, per diem, or other types of compensation; and
- UTMB, as well as the secondary state agency employer, maintains personnel and leave records in compliance with the provisions of the current General Appropriations Act.

V. Definitions

Dual State Employment: This includes employment by UTMB and/or another State agency.

Principal Employer: UTMB is considered the principal employer for all fulltime employees. This excludes independent contractors who are paid by a private employer or other State organizations.

Secondary Employer: for employees whose principal employer is UTMB, the secondary employer is the other state agency to which they are applying for dual employment.

VI. Relevant Federal and State Statutes

Texas Government Code, Chapter 667, *Multiple Employments with State*

VII. Relevant System Policies and Procedures

[Regents' Rules Standards of Conduct Rule: 30103](#)

[Regents' Rules, Conflict of Interest Rule: 30104](#)

[UT System Policy UTS 180](#), Conflicts of Interest, Conflicts of Commitment, and Outside Activities

[IHOP - 06.05.03 - Individual Conflicts of Interest](#)

VIII. Dates Approved or Amended

<i>Originated:</i> 12/19/2001	
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>
08/01/2008	
03/16/2022	

IX. Contact Information

Human Resources Employee Relations
(409) 772-8696