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# MANAGEMENT DIRECTIVE

525.11 Amended  
Number

## COMMONWEALTH OF PENNSYLVANIA GOVERNOR'S OFFICE

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Subject:

Dual Employment

By Direction Of:

  
Thomas G. Paese, Secretary of Administration

Date:

February 10, 1997

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The approval of all dual employment is delegated to Agency Heads. This directive is being amended specifically to update and contains minor changes.

- 1. **PURPOSE.** To outline policy and procedures for authorizing payment for dual employment.

### 2. DEFINITIONS.

- a. **Dual Employment.** The hiring of an employe already on a payroll or on contract with the Commonwealth, whether in a different agency or in a different position in the same agency. To be considered dual employment, both positions must be in agencies under the Governor's jurisdiction.

- b. **Position Classification Plan.** A plan, consisting of a schedule of class titles arranged according to series of classes and occupational services, as approved by the Executive Board on July 13, 1956, together with such amendments and revisions that are approved by the Board. The plan also consists of class specifications.

- c. **Commonwealth Pay Plan.** The plan set forth in *Manual M525.2* that provides an appropriate pay schedule and pay rate for each class in the Position Classification Plan.

### 3. POLICY.

- a. Any Agency Head wishing to employ the services of a person already on a payroll or on a contract in an agency under the Governor's jurisdiction should first attempt to secure the services in accordance with §501 of *The Administrative Code of 1929*.

- b. When the primary and secondary employment are within the same agency, compensatory time should be considered first.

- c. No employe shall be authorized dual employment if either the secondary or primary work would interfere with the other. **Administrative leave with pay to perform either the primary or secondary work is not authorized.**

- d. By Executive Board action, approval authority for the performance of and payment for dual employment services is delegated to Agency Heads. Agencies are required to complete Form STD-338, Request for Dual Employment. The form is to be maintained for one fiscal year following the fiscal year in which the services were performed.

Distribution:     B

e. Rates of pay for dual employment are to be determined as follows:

(1) Classify the duties in accordance with *Management Directive 505.7, Personnel Rules, Section 27.2.*

(2) If an appropriate class exists in the Position Classification Plan, use the pay range assigned to the class. Payment above the minimum of pay ranges must be justified in accordance with the *Personnel Rules.*

(3) Agency heads may authorize payment of dual employment when the rate of pay is stipulated in a federal grant.

(4) If an appropriate class does not exist in the Position Classification Plan, determine the pay in relation to classes that exist in the Position Classification Plan and in relation to prevailing rates of pay for comparable work in the labor market.

(a) If the Executive Board has previously approved a special pay rate for this work, Agency Heads may authorize payment for the work at that rate.

(b) If the Executive Board has not previously approved a special pay rate for this work, approval must be obtained prior to the rendering of any services for the work.

f. Dual employment cannot be authorized for an indefinite period of time. Each authorization must include an expiration date which must be no later than one year from the effective date of the dual employment.

• **4. RESPONSIBILITIES.**

a. **The Office of Administration (OA)** will conduct a quarterly audit of dual employment payments made to each agency. Failure to complete all parts of Form STD-338 and to maintain the forms for the required period, or a continued pattern of noncompliance with the provisions of this directive, may result in a rescission of the agency's authority to approve dual employment.

b. **Agencies** are to refrain from scheduling nonexempt employes in a dual employment situation to work more than an aggregate of 40 hours per week in both positions to avoid mandatory premium overtime payments.

**5. PROCEDURES.**

a. Form STD-338, completed with all required signatures, shall constitute authorization for dual employment work and payment. Dual employment payment shall not be authorized under any other circumstances.

b. Where a special pay rate must be approved by the Executive Board under Section 3.e.(4), Form STD-338 must be submitted, complete with signatures, to the Office of Administration with a request for the special pay rate and justification for that rate.

| Action By                           | Step | Action   |
|-------------------------------------|------|--|
| Supervisor of Dual Employment Work. | 1.   | Prepares Form STD-338, Request for Dual Employment, to include clear justification for classification, rate of pay, and period of time for the services. |
|                                     | 2.   | Signs and forwards STD-338 to head of bureau or institution.   |
| Head of Bureau or Institution.      | 3.   | Reviews for completeness and justification.  |
|                                     | 4.   | Signs and forwards to agency head for approval and signature.  |
| Head of Dual Employment Agency.     | 5.   | Approves or disapproves. If approves, signs and forwards to Personnel Office of primary agency.  |
| Personnel Office, Primary Agency.   | 6.   | Forwards to supervisor of primary work.  |

| Action By   | Step | Action  |
|---|------|---|
| <ul style="list-style-type: none"> <li>Supervisor of Primary Work.</li> </ul> | 7.   | Completes Form STD-338.   |
| Head of Primary Agency.   | 8.   | If approves, forwards to head of primary agency   |
| Head of Primary Agency.   | 9.   | Approves or disapproves. If approves and the rate of payment does not need authorization of the Executive Board, forwards to dual employment agency comptroller for payment.  |
| Head of Primary Agency.   | 10.  | If approves, but the rate of payment has never been authorized by Executive Board, forwards to Bureau of Personnel, OA.   |
| Bureau of Personnel, OA.  | 11.  | Reviews the rate of payment for justification and forwards to Executive Board with recommendation for approval or disapproval.  |
| Executive Board.  | 12.  | <p>a. Approves or disapproves. If approves, distributes copies of resolution to agency head and comptroller of dual employment agencies.</p> <p>b. If disapproves, notifies the agency and the Bureau of Personnel, OA.</p> |
|   | 13.  | Retains original documents.   |

**This directive supersedes Management Directive 525.11 dated September 4, 1980.**