

APPROVED

September 1, 2010

Concurrent Employment Procedures for Staff

Concurrent employment procedures to be used with the concurrent employment policy

Concurrent employment within the university is defined as working additional positions in a department that is not the primary department, or working additional positions in the same department on an on-going basis. The guidelines below address typical situations; other circumstances must be reviewed with the appropriate HR divisional office to ensure that the appropriate course of action is taken for a specific situation.

Key features concerning Concurrent Employment:

1. Each position the employee holds within JHU is assigned a separate position number. The employee is assigned multiple personnel numbers, one for each of the positions held.
2. Each position is separate and distinct. One position is primary. JHU employees who wish to work in another department or another position in the same department must obtain prior authorization from their primary department head and the divisional Human Resources representative.
3. A current JHU employee seeking a secondary position must apply for an open position on JHUjobs and all standard employment processes will be followed.
4. As part of the standard hiring process for the secondary position, the hiring department will determine the appropriate salary offer/hourly rate of pay for the position in collaboration with the divisional HR or compensation office.
5. Overtime pay for non-exempt employees who work multiple jobs may be calculated using one of two methods:
 - a. Weighted average is generally the method in which overtime pay is calculated. Weighted average is determined by dividing total pay received for the workweek (certain exclusions apply; consult your division compensation staff) by the total hours worked in the workweek. (see attached example).
 - b. Rate-in-Effect is an alternative method of calculating overtime. The rate in effect may be used only when an employee performs identifiably different kinds of work for which there are different hourly rates of pay in effect. This method allows the department to pay overtime at time-and-a half times the

hourly rate which applies when overtime hours are worked. In order to use this method the employee must agree in writing to this method of calculating overtime before overtime is worked. (see attached example)

6. Staff Members with a primary position classified as non-exempt and a secondary position(s) classified as exempt are eligible for premium overtime pay for any hours worked over 40.
7. Staff members with a primary position that is classified as exempt and a secondary non-exempt position(s) are not eligible for overtime pay, assuming the amount of non-exempt duties in both positions does not cause the employee to lose FLSA exemption. The hiring department should consult with their divisional compensation representative who will determine if there is a limit to the number of hours the employee can work in the secondary position to preserve exempt status. This will depend on an analysis of the duties and responsibilities of both positions.

Examples of Concurrent Employment Situations using Rate-in-Effect:

- Employee has two jobs within the University.

Ex. Rebecca works full-time at School of Medicine as a Research Program Coordinator and also works for School of Public Health as a Research Program Assistant II. Both are non-exempt, hourly positions. Two different rates of pay apply; one for each position. The employee receives and signs a rate-in-effect letter before starting work in the secondary position.

Ex. Andrew works full-time at the Krieger School of Arts and Sciences as an Academic Program Manager and holds a casual position at the School of Education as an Academic Advisor. There are two different rates of pay, but no overtime issues. He will receive a rate-in-effect letter and will not be eligible for overtime pay.

- Employee paid different hourly rates within the same department.

Ex. Owen is a full-time Research Program Manager and holds a casual position as a Research Data Analyst. He reports to different PIs in the same department. Each position has a different rate of pay. Each different rate of pay is treated as a separate job; each job is assigned a different personnel number in SAP.

What Concurrent Employment is Not:

- *The following scenario can only occur when the employee is classified as exempt.*

Concurrent employment is not applicable when the additional work is project based, designed to be of short duration, or is a one-time event. This can occur either within the

department or outside of the primary department. The employee must secure permission from the supervisor and the HR divisional office. The payment for these types of services will typically be made by one or two payments, and advance coordination is required for the primary department to make the appropriate payment. The payment amount must be approved by the appropriate HR divisional office.

Ex. Jack is a Website Designer in the Whiting School of Engineering. He has been asked to create a website for a new program within Homewood Student Affairs (HSA). It is expected to take 15-20 hours and is needed within 30 days. HSA has consulted with the HR Manager and plans to pay a flat fee of X dollars. * Engineering has agreed to process this one-time payment and charge the appropriate cost center when the work is completed.

**flat fees must closely approximate the level of effort for the job and ensure that the employee is paid no less than the prevailing minimum wage per hour.*

Ex. Emily is a Sr. Research Program Coordinator II at the School of Medicine. She has been asked to speak at two sessions of the current Research Program Coordinator certification series administered by the School of Nursing. She will receive the standard rate for presenters. After consultation with division compensation staff, SON coordinates with Emily's primary department to process two separate payments, one after each session.

Examples of the two methods available for computing overtime pay

Example of how to calculate pay using the Rate-in-Effect Method:

1. Primary Job: \$ 12.00 per hour
2. Secondary Job: \$ 10.00 per hour
3. OT Pay:
 - a. If OT hours occur when working the primary job, then OT Pay is calculated at one-and-a half times of \$12.00 per hour.
 - b. If OT hours occur when working the secondary job, then OT pay is calculated at one-and-a half times of \$ 10.00 per hour.

Note: Rate-in-Effect Method for calculating OT is permissible only under certain conditions. The staff member must sign an agreement for using this method before working overtime. Consult the Personnel Manual for details. Section 7:D:2:b and your compensation staff.

Example of how to calculate pay using the Weighted Average Method:

1. Primary Job: \$ 15.00 per hour; shift differential of \$ 1.50 per hour; employee works 40 hours night shift for the week.

Pay equals: $((\$ 15.00 * 40 \text{ hours}) + (\$ 1.50 * 40 \text{ hours})) = \$ 660.00$

2. Secondary Job: \$ 10.00 per hour; employee works 5 day shift hours for the week.

Pay equals: \$ 50.00

3. Overtime pay for 5 hours of overtime (over 40 hours for the week)

$(\$ 660 + \$ 50 / 45) * (.5) * (5) = \$ 39.45$

Consult with your divisional compensation staff or HR representative to determine the appropriate method of calculating pay.

Attachment – Rate in Effect Letter Template

MEMORANDUM

PERSONAL & CONFIDENTIAL

TO:

FROM:

DATE:

SUBJECT: **Rate-in-Effect Letter for Non Exempt Employees**

This memorandum documents your work and pay arrangements with (Department). By signing on the space provided below, you confirm the following to be correct:

1. You agree to work a second job as a (Job Title) for the (Department and School). This job is identifiably different from the work that you perform in your primary department.
2. For this work, you agree to an hourly rate of (Rate) per hour.
3. Should your total hours worked in this job and your primary job exceed 40 hours per week, you will be compensated at time-and-one half of your hourly rate that was in effect during those hours.

Please do not hesitate to contact me or your Human Resources Office if you have any questions regarding this work and pay arrangement.

Employee Signature

Date

MEMORANDUM

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TO:

FROM:

DATE:

SUBJECT: **Rate-in-Effect Letter for Exempt Employees**

This memorandum documents your work and pay arrangements with (Department). By signing on the space provided below, you confirm the following to be correct:

1. You agree to work a second job as a (Job Title) for the (Department and School). This job is identifiably different from the work that you perform in your primary department.
2. For this work, you agree to an hourly rate of (Rate) per hour.
3. You will not be eligible for overtime pay.

Please do not hesitate to contact me or your Human Resources Office if you have any questions regarding this work and pay arrangement.

Employee Signature

Date