



Department of Transformation and Shared Services Office of Personnel Management

Policy Title: Concurrent Employment

Policy Number: 37

Authority: Ark. Code Ann. § 6-63-307; § 19-4-1604; § 21-8-203 and § 21-8-204

Effective Date: November 16, 2022

A state employee is prohibited from receiving a salary or other compensation from another or the same state agency unless the employee receives approval from the Secretary of the Department of Transformation and Shared Services (TSS) to work in two authorized positions concurrently. Concurrent employment approval is required when the secondary employment is in a regular or extra help position.

Each affected state agency must certify the following using the [Concurrent Employment Request](#) form:

1. The combined salary payments from the two positions will not exceed the larger maximum salary of the line-item position or grade authorized for either position; and
2. The work performed in the secondary employment position will not interfere with the employee's proper and required job duties with the primary employment position.

The secondary employer must submit the completed [Concurrent Employment Request](#) form to the Office of Personnel Management (OPM) for review and approval prior to hiring the employee. OPM will then submit the form to the TSS Secretary for final approval.

Institutions of Higher Education

A state employee may work for a state agency and institution concurrently. If the institution of higher education is the secondary employer, the secondary employer must submit the request to the Director of the Division of Higher Education for approval prior to hiring the employee.

The combined salary payments must not exceed the larger maximum salary of the line-item position or grade authorized for either position. A state employee may temporarily teach at a state supported institution of higher education and be compensated in an amount that exceeds the larger maximum annual salary.

Public Defenders

A part-time or job-share public defender is not prohibited from receiving compensation from an appellate court for work performed in connection with an indigent client's appeal to the Supreme Court or Court of Appeals. A full-time public defender who does not have a state-funded secretary may request compensation for appellate work from the Supreme Court or Court of Appeals.

Leave Accrual and Use

Annual, sick, and holiday leave may be accrued in a secondary employment position at an accrual rate proportionate to the time worked in the secondary employment position. An employee may not be on paid sick leave with one state agency and be compensated for the same hours from the other state agency.

Income Disclosure

State employees who work concurrent employment are required to disclose each source of income greater than \$500 earned during a calendar year from sources other than their regular salary from employment rendered for any agency. The disclosure must be made on or before January 31 of each year with the Secretary of State.



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Outside Employment

A state employee may be authorized to work for a non-state employer provided the employee notifies his or her state agency, the hours worked for the non-state employer do not conflict, and the outside employment is not prohibited by law.