

**FROSTBURG STATE UNIVERSITY
DUAL EMPLOYMENT
EXEMPT AND NONEXEMPT EMPLOYEES**

To address a documented need, a current FSU employee may be asked or may volunteer to serve the university in a capacity beyond their primary duties. In all cases, approval from the employee's primary supervisor and the appropriate Vice President is required. When such need arises, the following guidelines shall apply:

Exempt Employees:

1. Prior to assuming additional duties, the employee must complete the [Dual Employment Certification](#) form, obtain all required signatures, and submit the finalized form to the Office of Human Resources (OHR).
2. The employee is expected to work the hours necessary to fulfill a minimum of 80 hours per biweekly payroll period in their primary job and must maintain accurate positive time records to document compliance.
3. Compensation for secondary duties is not permitted if those duties overlap with hours reported for the primary position.
4. Teaching assignments for exempt employees are limited to:
 - No more than two (2) courses regardless of credit hours, during fall and spring semesters.
 - No more than one (1) course per summer session and intersession, regardless of credit hours.

Non-Exempt Employees:

1. Prior to assuming additional duties, the employee must complete the [Dual Employment Certification](#) form, obtain all required signatures, and submit the finalized form to the Office of Human Resources.
2. The employee is required to record hours worked in the primary and secondary positions to document compliance.
3. If the secondary assignment/position results in the employee working more than 40 hours a week, OHR will coordinate with Payroll Services to determine the appropriate overtime rate of pay in accordance with Fair Labor Standards Act (FLSA) guidelines.
4. Where an employee's primary position is classified as non-exempt under FLSA regulations, the secondary position must be treated as non-exempt, even if duties of that role would otherwise be considered exempt. As such:
 - Lump-sum payments or daily rates are not permitted.
 - All work must be tracked by hours and compensated at an hourly rate.
 - The pay rates of both roles will be blended per FLSA regulations to determine the correct overtime rate. Overtime costs will be charged to the secondary department.
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6. In cases of unanticipated overtime, Payroll Services will notify the secondary department so that appropriate steps can be taken to prevent recurrence.

7. Compensation for secondary duties is not permitted if those duties overlap with hours reported for the primary position.
8. Teaching assignments for non-exempt employees are limited to:
 - No more than two (2) courses regardless of credit hours, during fall and spring semesters.
 - No more than one (1) course per summer session and intersession, regardless of credit hours.

Important Compliance Reminder

- 1. Employees may not begin dual employment until Step 1 completion and submission of the *Dual Employment Certification form* with all required approvals is fully completed and received by OHR.**
- 2. Full-time non-exempt employees should not routinely and/or consistently serve in a dual capacity, as this places the employee in an overtime status for all secondary hours worked. Secondary employment for full-time non-exempt employees should be reserved for emergencies or exceptional situations only.**

Approved by FSU Executive Committee 10/2000; Updated 6/2015; Updated 11/2025; Updated 9/2026.