

East Georgia State College Dual Appointment Policy

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East Georgia State College Dual Appointment Policy

Policy Statement: The employment of staff, faculty, and students by two or more institutions within the University System of Georgia (USG) during the same period of time is a recognized method of keeping costs to a minimum and maximizing resource utilization across the USG.

This policy defines three types of Dual Appointment:

1. Ongoing Dual Appointment
2. Occasional Dual Appointment
3. Part Time Dual Appointment

This policy does not currently apply if the individual providing services is working in the following capacities:

- Borrowed Services
 - An employee who is performing 100% of their time commitment at an institution other than their Home Institution
 - The Requesting Institution assumes 100% of the full costs for the employee.
 - A Dual Appointment Agreement is not completed for borrowed employees. They are covered by a memorandum of agreement between the institutions.
- Honorarium (Federal regulations and applicable Board policies apply to honorariums)
- Intra-Institutional Extra Compensation
- Independent Contractor
- Employee of another State Agency
- Faculty teaching eCore or eMajor courses
 - Faculty teaching eCore or eMajor are not hired by eCore, eMajor, or the University of West Georgia (the administrative home for eCore and eMajor).
 - Faculty teaching eCore or eMajor do so through the appointment at their home institution and should not be processed as dual appointed employees.
 - The process for faculty approval to teach eCore or eMajor is administered by the University of West Georgia, but faculty must be approved to teach eCore and eMajor by and the faculty member's home institution.

Reason for Policy: The purpose of this policy is to ensure that the USG is compliant with Federal and State laws and to ensure Dual Appointees are being appropriately compensated for any work commitment beyond their normal work commitments involving more than one unit of the USG. Processes and definitions have been developed to ensure consistent application of Dual Appointment throughout the USG.

Entities Affected By This Policy: All units of the University System of Georgia are covered by this policy.

Who Should Read This Policy: All Human Resources personnel, Academic Affairs personnel, and employees within the University System of Georgia should be aware of this policy.

Website Address for This Policy:

Business Procedures Manual: 5.3.3 Joint Staffing

http://www.usg.edu/business_procedures_manual/section5/C1235/#p5.3.3_joint_staffing

Human Resource Administrative Practice Manual: Classification, Compensation and Payroll

http://www.usg.edu/hr/manual/employee_categories

Academic and Student Affairs Handbook: 4.3 Appointments

http://www.usg.edu/academic_affairs_handbook/section4/handbook/4.3_appointments/#p4.3.4_inter-institutional_faculty_appointments

Academic and Student Affairs Handbook: 4.10 Faculty Overloads

http://www.usg.edu/academic_affairs_handbook/section4/C698

Related Documents/Resources:

The Dual Appointment Agreement and process map are available on the myEGSC website

<https://myegsc.ega.edu> within Online Forms – Business Office – Dual Appointment.

Definitions and Core Responsibilities:

Dual Appointment – Occurs when a Requesting Institution is in need of a specific knowledge and/or skill set from an employee that is currently working at another institution (Home Institution) in the University System of Georgia (USG) and:

1. Approval requirements have been met,
2. The transaction is in the best interest of the USG, and
3. Such service will not have a detrimental effect on their Home Institution work commitment.

An employee who is dual employed may also be referred to as a shared employee if they are providing services to two or more institutions who share associated costs.

Types of Dual Appointments:

1. Full-Time Equivalent Dual Appointment:

- a. Employee is shared by two or more institutions on an ongoing basis (semester or specified term) and work commitment equals one FTE. The institutions share associated costs.
- b. For contracted employees, this arrangement requires a contract addendum. See Section 4.10 in Academic and Student Affairs Handbook.

2. More than Full-Time Equivalent Dual Appointment:

- a. Full Time 12-month Employees
 - i. Employee is working full time for Home Institution and working outside normal business hours for a Requesting Institution; or
 - ii. Employee takes annual leave from regular position for engagement

- iii. Combo of both i. and ii.
- b. Full Time 10-month Employees
 - i. Employee is working full time for Home Institution and working outside normal business hours for a Requesting Institution

3. Part Time and/or Temporary Employees:

- Part Time and/or Temporary Employees are eligible for Dual Appointment. Conditions of Part Time employment for faculty are detailed in the Academic and Student Affairs Handbook, Section 4.2.

Dual Appointment Implications on Part Time Benefits Eligibility:

Institutions shall coordinate when hiring this category of employee to ensure compliance with benefits eligibility based on the definition in the Employee Categories policy in the Human Resources Administrative Practices Manual. If the combination of work results in benefits eligibility (either initially in the engagement or following the ACA measurement period), the institutions are required to offer benefits to the employee and share the associated costs. The Requesting Institution will be responsible for payment for their proportional share or jointly negotiated cost of applicable benefits and related pay.

Dual Appointment Implications Regarding Legal Limitations on Transacting Business with an Employee's Own State Agency:

State law prohibits a state employee from “transacting business” with his or her own state agency unless the transaction falls within certain exceptions. *See* O.C.G.A. § 45-10-20 through § 45-10-28. In some instances, an employee’s taking on an employment role at a second institution may constitute transacting business with his or her own agency (i.e. the Board of Regents of the University System of Georgia). These situations need to be considered on a case-by-case basis. Nevertheless, as a general guideline: a “more than full-time equivalent dual appointment” in which the employee takes annual leave to work at the Requesting Institution during his or her normal business hours at the Home Institution will likely constitute such a transaction, and a “more than full-time equivalent dual appointment” in which the employee works full time for the Home Institution and then works outside normal business hours for the Requesting Institution often will as well. A “full-time equivalent dual appointment” conducted during normal business hours and coordinated between the Home and Requesting Institutions will likely not constitute such a transaction.

Situations that do constitute “transacting business” with the employee’s own state agency, as defined at O.C.G.A. § 45-10-20, are prohibited unless they meet one of the following exceptions:

- Full-time employee where the second appointment is serving as a member of the governing board of a private, nonprofit, educational, athletic, or research related foundation or association that is organized for the purpose of supporting institutions of higher education in Georgia and that in furtherance of this purpose may transact business with such institutions or with the Board of Regents of the University System;

- Part-time employee where the second appointment does not exceed \$250 for a single transaction and does not exceed \$9000 in the aggregate in the calendar year;
- Full-time or part-time employee (where the second appointment is part-time) who holds a doctoral or master's degree from an accredited college or university and/or is a licensed physician, dentist, or psychologist, a registered nurse or licensed practical nurse, or a certified oral or manual interpreter for deaf persons, chaplain, or firefighter; and the other approval requirements of O.C.G.A. § 45-10-25(a)(8) are met;
- Full-time or part-time employee where the second appointment is serving as a teacher or instructor of an evening or night course or program; and the other approval requirements of O.C.G.A. § 45-10-25(a)(15) are met; or
- Any other applicable exception set forth for in O.C.G.A. Title 45, Chapter 10, Article 2.

Home Institution (HI): the institution that employs the individual whose services are requested by another USG institution. The Home Institution is the employee's primary place of employment and where they are on payroll.

Home Institution Roles and Responsibilities:

- Is designated by Dual Appointment Coordinators based on examples in Appendix A
 - If designation cannot be made, contact SSC Dual Appointment Coordinator for further guidance
- Certifies in writing that the employee is available to perform such services and that the performance of such service will not have a detrimental effect on their Home Institution work commitment
- Is responsible for funding the Home Institution's portion of associated costs as outlined/agreed upon in Compensation Details of the Dual Appointment agreement
- Serves as the Common Paymaster as defined by O.C.G.A. 34-8-27
- Is responsible for the execution of the Dual Employment Agreement **prior** to work initiating
- Invoices the Requesting Institution for payment made to the employee
- Maintains personnel data and records
- Proactively ensures work hours requested are in compliance with the Employee Categories Policy
- Ensures compliance with Federal and State laws, including immigration, FLSA (overtime) and effort reporting where applicable
- Is responsible for paying overtime at the rate assigned to the position that incurs the overtime
- Is responsible for working with RI to evaluate the employee's multiple positions to determine the appropriate FLSA status
- Ensures hours worked are reported to central location for ACA compliance monitoring
- Negotiates travel expense payment, if applicable, with RI and employee
- Holds the primary job in HRMS (if SSC Supported school)

- Is responsible for completing the USG Contract Addendum for Temporary Overload Compensation (if applicable) [HI Academic Affairs] Academic & Student Affairs Handbook 4.10 Faculty Overloads & Instructional Staff Responsibilities
- Is responsible for sharing minimal credentialing of any Dual Appointee for SACS/COC compliance with RI [HI Academic Affairs]

Requesting Institution (RI): institution in need of a specific knowledge and/or skill set. Requesting Institution has identified an employee that currently has a primary place of employment and/or is on the payroll at a Home Institution. That employee meets the qualifications to perform the services.

Requesting Institution Roles and Responsibilities:

- Is designated by Dual Appointment Coordinators based on examples in Appendix A
 - If designation cannot be made, contact SSC Dual Appointment Coordinator for further guidance
- Proactively ensures work hours requested are in compliance with Employee Categories Policy
- Is responsible for paying the Requesting Institution’s portion of associated costs as outlined in Compensation Details of the Dual Appointment agreement. Associated costs would include applicable benefits costs if employee becomes benefits eligible as a result of the addition of Dual Appointment obligations unless agreed upon otherwise.
- Is responsible for the initiation and execution of the Dual Appointment Agreement **prior** to work initiating
- Typically pays Home Institution for work completed within a 30 day billing cycle or before end of the fiscal year (whichever is sooner) unless agreed upon otherwise
- Ensures hours worked are reported to central location for ACA compliance monitoring
- Ensures compliance with Federal and State laws, including immigration, FLSA (overtime) and effort reporting if applicable
- Is responsible for paying overtime at the rate assigned to the position that incurs the overtime
- Is responsible for working with HI to evaluate the employee’s multiple positions to determine the appropriate FLSA status
- Is responsible for notifying HI of any changes to the Dual Appointment Agreement with related possible payment changes to include class not making and/or employee discontinuing work
- Negotiates travel expense payment, if applicable, with HI and employee
- Is responsible for maintaining minimal credentialing of any Dual Appointee for SACS/COC compliance

Common paymaster: employees with dual appointments should be paid from the designated Home Institution. A common paymaster will help ensure the USG is compliant with Federal and State law and ensure Dual Appointees are being appropriately compensated for any work responsibilities outside their normal work duties involving more than one unit of the USG. In addition, all institutions in the USG are considered related corporations and one common paymaster should be applied as defined in O.C.G.A. 34-8-27.

Dual Appointment Coordinator (): the Institution's Chief Human Resources Officer shall appoint in writing employee(s) at each USG institution.

The will be responsible for:

- Coordinating and facilitating completion of Dual Appointment Agreement Form
- Negotiating Home Institution designation
- Facilitating work completion form, invoicing and payment
- Retaining records of agreements for institution
- Reporting in compliance with Employee Categories Policy in conjunction with internal constituents
- Coordinating the sharing of faculty records for credentialing as required for accreditation agencies

Overload: if conditions are met as specified in Academic and Student Affairs Handbook 4.10, an overload may apply. Reference policy for further instructions and requirements.

Dual Appointment Agreement Form (DAA): form that facilitates (1) the flow of appropriate information to all involved parties and (2) the review and approval of Dual Appointment details between the HI and RI. Payment and invoicing details will be itemized (including associated costs) and will be agreed upon between the HI and RI.

- Dual Appointment Agreements will not be executed for a period beyond the end of a fiscal year. The form will be re-executed if engagement is needed beyond the fiscal year end date.
 - For dual faculty appointees employed for a term than spans two (2) fiscal years, one DAA is acceptable provided details concerning the funding split between fiscal years are included on the DAA.
- If any changes are made to an executed Dual Appointment Agreement that affects the compensation details or obligations, a new agreement must be executed. If changes do not affect the compensation details or obligations, an addendum to the current agreement can be executed.

Confirmation/Verification of Work Form: form that is completed to certify that Dual Appointment work is commencing as outlined in the Dual Appointment Agreement Form.

This form will be required for invoicing and payment of Dual Appointees with a one-time engagement.

This form will also be required for Dual Appointees that have an ongoing engagement as agreed upon between the HI and RI in the USG Dual Appointment Agreement (at a minimum by the employee's first scheduled pay date).

The Confirmation/Verification of Work process shall also follow grant funding requirements, if applicable. This may require additional time and effort certification.

Process/Procedures:

Dual Appointment Agreement Execution: completion required prior to work initiating

1. RI identifies the need for a Dual Appointee.
2. Dual Appointee discusses potential engagement with their HI supervisor and acquires initial email approval.
3. RI Dual Appointment Coordinator (DAC) contacts the HI Dual Appointment Coordinator to preliminarily discuss employee eligibility and possible benefit implications of a Dual Appointment arrangement.
4. RI DAC works with HI DAC and appropriate parties to fill out Employee Information and Payment and Invoicing details of the Agreement Form.
5. RI DAC forwards Agreement Form to employee for review and sign off.
6. RI DAC forwards agreement Form to RI Dean/Administrative Department Head who signs the Dual Appointment Agreement Form.
7. RI DAC routes Dual Appointment Agreement to President/Designee for review and approval/sign off.
 - a. If the president of an institution wishes to delegate signature authority to department heads, etc. for this process, this must be done in writing.
 - b. BOR Policy Manual § 2.5.1 – “Presidential Authority and Responsibility: Executive Head of Institution” includes the following: “The president’s discretionary powers shall be broad enough to enable him/her to discharge these responsibilities.”
8. If approved, the RI DAC sends Dual Appointment Agreement to HI DAC. If not approved, the RI DAC notifies the employee, the RI dean/department head, and the HI DAC.
9. HI DAC reviews completed sections of USG Dual Appointment Agreement for accuracy and send back to RI DAC for updates if necessary.
10. HI DAC forwards the agreement to the Employee’s HI Dean/Department Head.
11. HI Dean/Department Head reviews the USG Dual Appointment Agreement Form and approve/sign off
12. Is Dual Appointee a HI faculty member? If yes, proceed to step 12.a. If no, proceed to step 13.
 - a. HI DAC will forward the Agreement to HI VP Academic Affairs for review and approval/sign off.
 - b. HI VP Academic Affairs ensures appropriate supporting documentation has been completed, i.e. overload agreement, contract amendment.
13. Either HI DAC or VP Academic Affairs sends the USG Dual Appointment Agreement to HI President or Designee for review and approval/sign off.
 - a. If the president of an institution wishes to delegate signature authority to department heads, etc. for this process, this must be done in writing.
 - i. BOR Policy Manual § 2.5.1 – “Presidential Authority and Responsibility: Executive Head of Institution” includes the following: “The president’s discretionary powers shall be broad enough to enable him/her to discharge these responsibilities.”

14. USG Dual Appointment Agreement is sent to HI Dual Appointment Coordinator to review for completeness and the HI DAC forwards the information to RI Dual Appointment Coordinator.
15. RI Dual Appointment Coordinator reviews USG Dual Appointment Agreement for completeness and accuracy and works with HI Dual Appointment Coordinator if updates are needed.
16. Dual Appointment Coordinators at both institutions notify appropriate parties of completed USG Dual Appointment Agreement and provide copies.
17. When EGSC is the RI, the Dual Appointee will be required to complete a satisfactory background investigation. A background investigation request form will be sent by the RI Human Resources Department upon approval of the Dual Appointment Agreement. The Dual Appointee cannot begin work until a satisfactory background investigation has been completed.
18. When EGSC is the RI, the Dual Appointee will be required to complete new hire training (e.g., Sexual Harassment). The Right to Know and Ethics trainings are the same across all USG institutions and will not be included as required training for EGSC. The Dual Appointee will be required to renew training annually.

NOTE: If any party denies the conditions of the USG Dual Appointment Agreement during execution, Dual Appointment Coordinators at both institutions will either coordinate updates needed or communicate to appropriate parties that agreement could not be executed.

East Georgia State College Required Signatures:

The following approval signatures will be required to execute a Dual Appointment Agreement for East Georgia State College.

- Dean/Administrative Department Head
- Vice President of Academic Affairs
- Vice President of Business Affairs
- President

Dual Appointment Payment/Invoicing:

1. Payment and Invoicing is initiated
 - a. If Dual Appointee is receiving a one-time payment, the DAC is required to work with the RI Dean/Administrative Department Head to complete the Verification of Work section of the Dual Appointment Agreement.
 - b. If Dual Appointee has ongoing engagement, the DAC is required to work with the RI Dean/Administrative Department Head to complete the Verification of Work section of the Dual Appointment Agreement prior to the employee's first scheduled pay date. Any payments after initial verification should follow the schedule outlined in the Dual Appointment Agreement Form.
2. Payment to Employee:
 - a. HI Payroll Office processes payment to Dual Appointee based on Dual Appointment Agreement Form.

NOTE: Once services have been rendered, employee must be paid and such payment to employee should not be dependent on invoicing and receipt of payment between HI and RI.

3. Invoicing RI:
 - a. HI Dual Appointment Coordinator works with HI Accounting Office to initiate invoice to RI.
 - b. HI Accounting Office sends invoice and copy of agreement / completion of work form to RI Accounting Office.
 - c. RI Accounting Office issues check and sends to HI Accounting Office for payment.
 - d. Both institutions reconcile and adjust accounting and budget as necessary. (See BPM Section 5.3.3).

Responsibilities:

The responsibilities each party has in connection with the Dual Appointment policy are:

(Party)	(Responsibility)
Vice Chancellor for Human Resources	Ensure compliance with policy.
Vice President of Academic Affairs	Ensure compliance with policy.
Vice President of Business Affairs	Ensure compliance with policy.
Director of Human Resources	Ensure compliance with policy.
Dual Appointment Coordinator	Ensure compliance with policy.

Information Sharing:

The Dual Appointment Coordinator (DAC) will coordinate collection of the following information from the Home Institution (HI) and will share the information internally with the applicable Offices. The DAC will work collaboratively with internal Offices to submit credentialing and other requested information to the Requesting Institution (RI).

Documentation	Offices
Executed Dual Appointment Agreement	<ul style="list-style-type: none"> • Academic Affairs • Applicable Dean or Department Head • Business Affairs • Human Resources
Credentialing SACS/COC	<ul style="list-style-type: none"> • Academic Affairs • Applicable Dean or Department Head • Business Affairs • Human Resources
FMLA Utilization	<ul style="list-style-type: none"> • Human Resources
e-Verify	<ul style="list-style-type: none"> • Human Resources