



STATE OF NORTH CAROLINA
OFFICE OF STATE HUMAN RESOURCES

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TO: All Agency HR Directors

CC: OSHR Leadership

FROM: Joseph Gilroy, Temporary Solutions Manager

RE: Employment of N.C. Public School Teachers in State Government Temporary Positions

This memo provides clarification on whether North Carolina public school teachers who are permanently employed members of the Teachers' and State Employees' Retirement System (TSERS) can work a second job as a temporary state employee.

There are three primary considerations. The first is whether temporary wages earned by a permanently employed TSERS member are reportable to TSERS as "compensation." Wages earned by state government temporaries are not automatically reported to TSERS and a retirement contribution deduction is not applied to temporary wages. The second is whether the State Dual Employment Policy would apply. The third is whether the State Secondary Employment Policy would apply.

Are temporary wages reportable to TSERS as compensation?

We consulted with the NC Department of the State Treasurer (DST) on this question. DST advised that individuals employed through Temporary Solutions are not working in contributory positions and the earnings from a temporary job are not reportable to TSERS as "compensation," no contributions are made to TSERS on those earnings, and no membership service is earned. As such, there is no prohibition in Chapter 135 that prevents a permanently employed TSERS member from working a second job as a temporary State employee for a different agency. There is also no federal prohibition against such temporary employment.

Does the State Dual Employment Policy apply when hiring a North Carolina public school teacher as a temporary State employee?

Employment of N.C. Public School Teachers in State Government Temporary Positions

No. The State Dual Employment Policy is to be followed “when one state agency or university secures the services of an employee of another state agency or university on a temporary, part-time, consulting or contractual basis.” NC public school teachers are employed by local boards of education and therefore not covered by the State Dual Employment Policy.

Does the State Secondary Employment Policy apply?

No. The State Secondary Employment Policy covers any employee who holds a full-time position with the State. However, local school boards of education may have their own secondary employment requirements for NC public school teachers.

How should NC public school teachers be employed in the Integrated HR-Payroll System (IHRPS) for temporary work?

Please follow all normal temporary employee hiring and payroll processes when employing an NC public school teacher working a second job as a temporary with your agency. This includes establishing an hourly rate, entering and onboarding them in Workday, submitting time at least weekly, and adhering to the 11-month limit for temporary employment. N.C.G.S. § 126-6.3(a1).

Please note that while NC public school teachers are paid by their local school boards of education and not in the IHRPS, some teachers have previously worked as permanent or temporary state employees and already have a personal ID number (PERNR) in IHRPS. Before hiring an NC public school teacher as a temporary employee and entering them in IHRPS, please run a Cross Agency Verification Report to check whether the individual has a PERNR assigned to them. Temporary Solutions will complete this step for all NC public school teachers hired as temporary workers through Temporary Solutions.

Does this guidance also apply to permanent State and university employees seeking temporary state employment?

Permanent State and university employees are subject to the State Dual Employment Policy. Consequently, agencies and universities that enter into a dual employment agreement must follow the dual employment pay procedures as the employee cannot simultaneously occupy a temporary position and a permanent position in IHRPS.

Also, permanent State and university employees are subject to the State Secondary Employment Policy.

Please feel free to contact me at joseph.gilroy@nc.gov with any questions.

Thank you.