



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**WILL WILSON
ATTORNEY GENERAL**

October 3, 1961

Honorable William K. Peace Opinion No. WW-1158
Acting State Librarian
Austin, Texas

Re: Construction of Sec. 2
of the Position Classi-
fication Act, and of
Sec. 13b of Art. III,
page III-188, Hiring
Policies of the Appro-
priation Act, in
reference to employ-
ing of two half-time
employees to fill one
full time position and
related question.

Dear Mr. Peace:

We are in receipt of your letter of recent date in which you request an opinion from this office regarding construction of Section 2 of the Position Classification Act, and of Section 13b of Article III, page III-188, Hiring Policies of the Appropriation Act, in reference to employing two part-time employees to fill one full time position. From your letter we quote the following question:

"1. Will the salary, if used full-time for some months of the year, and half-time for the remaining months, with the position filled by the same student employees as heretofore, be increased or adjusted at the same rate as if the position had been and would continue to be filled by the same employee on a constant full-time basis?"

Section 13b(4) of Article III is set out as follows:

"(4) Part Time Employees. Regular full-time positions paid out of funds appropriated for 'Salaries of Classified Positions' may also be filled by

Honorable William K. Peace, page 2 (WW-1158)

part-time employees. In computing salaries of these employees, the rate of pay shall be proportional to the regular rate authorized for full-time employment."

It is the opinion of this office that under the Position Classification Act the salary of a part-time employee is to be determined in the same manner as the salary of a full-time employee, and that it shall be increased or adjusted as if the position were held by a full-time employee. However, this increase or adjustment would only be proportioned to the regular rate of adjustment given to full-time employees. We are enclosing a copy of our opinion WW-1135 for your information.

S U M M A R Y

The salary of a part-time employee under the Position Classification Act is to be determined in the same manner as the salary of a full-time employee but on a proportioned basis.

Yours very truly,

WILL WILSON
Attorney General of Texas

JTW:lgh

By J. J. Walker
J. J. Walker
Assistant

APPROVED:

OPINION COMMITTEE
W. V. Geppert, Chairman

W. Ray Scruggs
Bob Eric Shannon
Elmer McVey
John C. Steinberger

REVIEWED FOR THE ATTORNEY GENERAL
BY: Houghton Brownlee, Jr.