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GENERAL STATEMENT OF POLICY

In recognition of the diverse need of both employees and University units, employees may be employed by the University in a number of different employment types. These types accommodate the differing employment relationships due to those diverse employee and employer needs. The types are: regular employment, temporary employment, casual or "on call," and term employment. Within each type there may be subtypes as designated by the University.

All employment with the University will either be on a full-time or part-time basis.

The Vice President for Finance & Administration shall be responsible for issuing and maintaining operating procedures to implement this policy.

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OPERATING PROCEDURES

This operating procedure defines types of employment and labor compliance guidelines under the Fair Labor Standards Act (FLSA) and the Patient Protection and Affordable Care Act (PPACA).

1. Employment Types –

- A. Regular employment: benefit-eligible employment in a budgeted position that normally requires the individual to work the standard work week for more than six months during the year.
- B. Temporary employment: employment in a position by the University to fill a temporary work need normally for a period less than six months. This type of employment is non-benefit eligible and shall be governed by the position, not the employee. An individual working in successive temporary positions which, when taken together, exceed six months, shall not be deemed a regular employee. Weekly hours worked are restricted to comply with the Patient Protection and Affordable Care Act (PPACA) 30-Hour Work Week Rule provisions as defined further in these procedures. Newly hired temporary employees cannot begin employment until approvals are obtained through the personnel requisition process and new hire paperwork is submitted and approved by Human Resources.
- C. Casual or "on call": a special type of temporary employment, which may be arranged on a fiscal year basis, whereby a department may establish a "pool" of interested workers and "call-in" such individuals for work activities as needed. This employment is non-benefit eligible and non-continuous in nature and is not subject to the six-month limitation for temporary employment set forth above.
- D. Term employment: benefit-eligible employment which is expected to last longer than six months but has a specified end date. Term employment shall not exceed two years. A job search must be conducted in order to extend a term assignment. Employment under a sponsored program, which is subject to receipt of continued funding from outside sources, is included within this type.


2. Full or Part-time Assignments –

- A. Full-time: Employment intended to be for the full standard work week (generally 40 hours per week).
- B. Part-time: Employment which is intended to be less than the full standard work week each week.

3. Fair Labor Standards Act (FLSA) -

All employment with the University is governed by applicable provisions of the Fair Labor Standards Act of 1938 and its amendments (FLSA). The determination of exempt and non-exempt status will be made in accordance with applicable provisions of FLSA.

- A. Exempt employment: employment which is exempt from the overtime provisions of the FLSA.
- B. Non-exempt employment: employment which is not exempt from the overtime provisions of FLSA.

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4. Patient Protection and Affordable Care Act (PPACA) Compliance –

- A. The PPACA defines a full-time employee as working thirty (30) hours or more on average per week. Temporary staff employees are not permitted to work more than thirty (30) hours per week on average in a rolling six (6) month period. Part-time faculty are not permitted to teach more than nine (9) credit hours per semester. A temporary faculty or staff employee who works more than the weekly average in a rolling six (6) month period requires prior approval by the division executive and the Vice President for Finance & Administration.
- B. Graduate assistants are not permitted to work simultaneously in student employment jobs during the academic year in order to maintain compliance with the PPACA 30-Hour Work Week Rule. Graduate assistants can only work in a student employment job during the summer term, if they are not actively working in the graduate assistant role during the summer term.