

## Employee Categories

Adopted by President's Cabinet 12/20/16

**Policy Statement:** The University System of Georgia has established employee categories (types of employees and types of employment) to identify persons who are employed by the University System of Georgia institutions. The types of employees and types of employment are used to determine benefits eligibility and applicability of Board of Regents policy, as well as ensure accuracy in reporting based on employee and employment type.

**Definitions:** the below definitions apply to terms used in this policy:

- **Benefits Eligible:** There are three definitions pertaining to benefits eligible as described below:
  1. **Full Benefits Eligible:** This is defined as 30 or more hours per week or .75 FTE and greater, which applies to regular faculty and regular staff employees. Full benefits include all benefits in accordance with University System of Georgia of Board of Regents policy 8.2.9 Insurance.
  2. **Partial Benefits Eligible:** This is defined as 20 to 29 hours per week or .5 FTE to .74 FTE. Partial benefits eligible may apply to regular faculty and regular staff employees. Partial benefits include retirement and pro-rated leave accruals.
  3. **Non-Benefits Eligible:** This is defined as 19 or less hours per week (.49 FTE or less), which applies to regular faculty and staff employees. Non-benefits eligible also includes temporary faculty, staff, and student employees who may not work more than 1,300 hours in a 12 month period as defined later in this policy. Students may not be placed into a regular status.
- **Board of Regents:** The governing body of the University System of Georgia

### Employee Categories

- **Faculty:** The faculty shall consist of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.
- **Staff:** Staff employees shall consist of two major employee groups 1) staff *professional and administrative employees* and 2) *staff non-exempt* and defined as follows:
  1. **Staff Professional and Administrative Employees** are exempt from the Federal Wage-Hour provisions of the Fair Labor Standards Act (FLSA) because of their professional or administrative responsibilities. (This group does not include faculty or graduate assistants); and
  2. **Staff Non-Exempt Employees** are not exempt from the federal wage-hour provisions of the Fair Labor Standards Act (FLSA). (NOTE: The University System of Georgia position classification system includes the appropriate FLSA status in the "Master List with Definitions and Guidelines".)
  3. **Classified Employees** shall consist of the Staff Professional and Administrative, and Staff Non-exempt employees as defined above.
- **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers. (See *EGSC Student Employment Handbook*)

## Employment Status

- **Regular Employment Status:** Regular employment is *considered continuous* and may also be defined by agreement, contract, term, or restricted funding source(s). Regular employment may be benefits eligible, partial benefits eligible, non-benefits eligible, full-time or part-time, exempt or nonexempt. Regular exempt employment must meet the “salary basis” requirement under the federal Fair Labor Standards Act (FLSA).
  - **Salary Basis:** Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis and the predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work subject to exceptions under FLSA.
- **Temporary Employment Status:** Temporary employment is short in duration to address business needs and must meet the requirements and characteristics described below:
  1. A temporary is non-benefits eligible.
  2. A temporary does not have an expectation of long-term employment.
  3. A temporary may be full-time or part-time.
    - A temporary employee may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Once a temporary employee has worked 1,300 hours or has been employed for 12 consecutive months, whichever comes first, the temporary employee must have a break in service of 26 consecutive weeks. Employment applies across all USG institutions.
    - If a temporary employee is needed beyond the 1,300 hours, they must be moved to a regular employee status.
    - A temporary who is dually or jointly employed in more than one position must have all hours worked counted towards the 1,300 hour worked limit from the date of hire into the first position this includes Temporary Staff Arrangements.
  4. A temporary may be separated at any time for any reason without notice and either the employer or the employee can end the employment relationship. Such separation is not grievable or subject to appeal.
  5. A temporary is typically considered non-exempt under the federal Fair Labor Standards Act’s overtime provisions and paid for all hours worked on an hour-for-hour basis. For hours worked over 40 in a workweek, a non-exempt temporary employee will be entitled to compensatory time or overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay as provided by the *EGSC Fair Labor Standards Overtime Compensatory Time Policy*. In some instances, temporary employees, such as graduate assistants, post docs or credentialed professionals, may be exempt.

**Note:** If a temporary employee exceeds an average 30 or more hours per week during the ACA measurement period and meets the definition of healthcare eligibility under ACA, if they continue employment in a regular position, they will become eligible to enroll in healthcare benefits during the ACA administrative period.

**Employee Categories: Types of Employment:**

- **Faculty:** Consists of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.
1. The types of faculty are described below:
    - **Regular Faculty** are employed on a continuous basis and whose duration of employment may also be defined by agreement, contract, term, and/or restricted funding source(s). Regular Faculty may be full-time or part-time. Those faculty with a work commitment of half-time or greater are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible. Regular Faculty who are not hired through a competitive search will typically be given a “term” appointment for one academic or fiscal year, and may be reappointed for one (1) additional year, not to exceed a total duration of 2 years. Regular Faculty who have a full-time (1.0 FTE) appointment may be tenured, on tenure track or hold a non-tenured position in accordance with Sections 8.3.7 and 8.3.8 of the Policy Manual of Board of Regents of the University System of Georgia.
    - **Temporary Faculty** are employed on a short term basis through written appointment. They are not employed on an academic year contract. If they are employed for more than one consecutive academic semester for 30 hours or more, except when the Academic semester is combined with Summer semester immediately preceding or following the Academic Semester, they shall be employed as Regular Faculty. Temporary Faculty are non-benefits eligible.
  2. **Requirements of the Affordable Care Act (ACA):** Under the ACA, a reasonable method of crediting hours for Part-time Regular and Temporary Faculty may be used to determine healthcare eligibility. The University System of Georgia has determined that a reasonable method for converting credit hours or contact hours to standard hours work is as follows: 1.25 Prep/Grading hours + .5 Office/Meeting hours per each Classroom/Contact hour per week. Graduate Assistants and Graduate Research Assistants will track hours worked. Below is a conversion chart which will be used for crediting hours on a weekly basis for Part-time Regular and Temporary Faculty for purposes of the ACA to determine healthcare eligibility:

Contact Hours per week	Classroom/Contact Hours	Prep/Grading Hours	Office/Meeting Hours	Standard Hours Worked	FTE/Effort
1 Contact Hours	1	1.25	.5	2.75	.07
2 Contact Hours	2	2.5	1	5.5	.14
3 Contact Hours (1 course)	3	3.75	1.5	8.25	.21
4 Contact Hours	4	5	2	11	.28
5 Contact Hours	5	6.25	2.5	13.75	.34
6 Contact Hours (2 courses)	6	7.5	3	16.5	.41
7 Contact Hours	7	8.75	3.5	19.25	.48
8 Contact Hours	8	10	4	22	.55
9 Contact Hours (3 courses)	9	11.25	4.5	24.75	.62
10 Contact Hours	10	12.5	5	27.5	.69
11 Contact Hours	11	13.75	5.5	30.25	.76
12 Contact Hours (4 courses)	12	15	6	33	.83

*\*Regular part-time faculty eligible for leave accrual and retirement at .5 FTE and above*

*\*\*Regular faculty are fully benefits eligible at .75 and above (includes health and voluntary benefits and retirement and leave)*

- **Staff Employees:**

1. The types of staff employees are described below:
    - **Regular Staff** are employed on a continuous basis and whose duration of employment may also be defined by term and/or restricted funding source(s). Regular Staff employees may be full-time or part-time. Those with a work commitment of half-time or greater or .5 FTE are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible.
    - **Temporary Staff Employees** are employed for a short duration and are non-benefits eligible.
  2. **Requirements of the Affordable Care Act (ACA):** Under the ACA, all regular staff employees who work less than 30 hours per week (less than .75 FTE) and all temporary staff employees shall record and report all hours worked to determine health benefits eligibility.
- **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers. Student Employees may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Student employees' are not subject to the re-employment restriction requiring a break-in-service after 12-consecutive months of employment. International students in lawful F-1 and J-1 status who are enrolled full-time are eligible to work for an institution but must not work more than 20 hours per week in accordance with visa restrictions and must ensure compliance with Federal Work Study requirements. See the policy on position classification for additional information on student employees. (See *EGSC Student Employment Handbook*)