



HUMAN RESOURCES

Position Definitions

Effective Date: April 30, 2008

Last Updated: November 25, 2013

Responsible University Office: Human Resources

Responsible Executive: Associate Vice President for Human Resources

Approved: Cabinet

Scope: Staff

A. REASON FOR POLICY

Positions are defined as either exempt (salaried) or non-exempt (hourly) according to criteria set forth in the Federal Fair Labor Standards Act (FLSA) and applicable state laws. In addition, positions are further categorized as set forth hereafter in this policy.

B. POLICY

FAIR LABOR STANDARDS DEFINITIONS

1. **Exempt (salaried)** positions are those which meet the FLSA definitions of executive, administrative, professional, computer professional or outside sales. Salaried employees are paid base salary and/or commission for duties and responsibilities which are assigned to them; they are **not** paid an hourly rate or overtime pay.

2. **Non-Exempt (hourly)** positions are generally those which do not meet the FLSA definition of executive, administrative, professional, computer professional or outside sales. Non-exempt employees are paid on an hourly basis, including overtime pay.

Employees may not be placed in both salaried and hourly positions at the same time.

C. POSITION DEFINITIONS

1. **Full-Time Positions** are positions that have a regular work schedule of at least 30 weekly work hours. All other positions are part-time.

2. **Continuing Positions** are those positions which have assigned FTE (full time equivalent) approved by the University Planning and Resourcing Council (UPRC) and are eligible for benefits based on the positions exempt/non-exempt status and the number of weekly work hours.

3. **Fixed Term Positions** are positions created for a specific period of time typically no less than six (6) months, but no longer than three (3) years. Fixed term positions are eligible for benefits based on the positions exempt/non-exempt status and the number of weekly work hours. Such positions are likely created for new grants, start-up programs, or extended project assignments where intentions are not for a continuing position.

4. **Temporary Positions** are positions which are created for a short-term project, short term coverage in a vacant position or to cover for an absent employee. Temporary positions may continue for a twelve (12) month period and can be renewed for one additional year up to a maximum of twenty-four (24) months. Temporary positions are not benefit eligible. On-going seasonal positions are temporary positions which exist for a certain and discreet part of any year. On-going seasonal positions may continue beyond twenty-four (24) months.

5. **Grant or External Agency Funded Positions** may be categorized under any of the position definitions. These positions exist for the duration of the funding with no guarantee of continuing beyond the existence of the outside funds.

6. **Independent Contractors** reflect the times the University contracts with individuals to provide a service to the University where the University controls or directs only the results of the work and not what will be done or how it will be done. These individuals will be considered independent contractors, receiving neither benefits nor withholdings, if so classified by the Controller's Office.

D. PROCEDURE

1. **Continuing Positions** have assigned FTE. New continuing positions must be approved through the budget process or mid-year by the UPRC.
2. **Fixed Term Positions** do not have assigned FTE. New fixed term positions which are not funded by a grant or external funds must be approved by the UPRC. Fixed term positions which are grant or external funded must be approved by the division head in consultation with the Office of Human Resources. If a fixed term position is needed for longer than three (3) years, excluding grant or externally funded position, departments must have approved FTE and funding, thus changing the position to a continuing position. If FTE and funding is not approved the fixed term position may not exist past three years time.
3. **Temporary Positions** do not have assigned FTE. New temporary positions must be approved by the division head. Funding for temporary positions must be approved each fiscal year. These positions are not intended to be benefit eligible. Therefore, the maximum number of hours worked may not exceed 25 hours in a week. In addition, a temporary employee may not work more than 999 hours in an anniversary and/or calendar year..
4. Managers are responsible for ensuring hours are within acceptable limits.

Other applicable policies and/or resources:

Job Posting and Selection
Fair Labor Standards Act (FLSA)
Hours of Work
Overtime
Reduction in Workforce
Getting Paid