

Utah Tech University Policy

301: Personnel Definitions and Classifications



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I. Purpose

- 1.1 To define and clarify terms used within Utah Tech University's ("the University") policies and documents related to employment and volunteering.

II. Scope

- 2.1 This policy applies to all University employee classes and Official University Volunteers. Independent Contractors are defined by Policy 207 and are not governed by this policy.

III. Definitions

- 3.1 **At-Will Employee:** An individual whose employment and compensation can be terminated with or without cause and with or without notice, including (but not limited to) all part-time employees and any employee hired to work at the pleasure of the President (such as Vice Presidents, Senior Administrators, Academic Deans, Athletic Administrators, and Coaches).
 - 3.1.1 Within their probationary period of employment, full-time faculty and staff are also At-Will Employees. See Policies 325 and 641.
 - 3.1.2 A Faculty member with tenure who serves in an administrative capacity is an At-Will Employee only for the administrative assignment.
- 3.2 **Employee:** An individual who meets both of the following qualifications:

- 3.2.1 Receives compensation for work or services in which the University has the right (whether or not the right is exercised) to supervise and control the manner of performance as well as the result of the work or service; and
- 3.2.2 Receives compensation which has been appropriated from University-controlled funds, regardless of the funding source, the duties of the position, the amount of compensation paid, or the amount of time worked.
- 3.2.3 This includes all Faculty and Staff within their associated position classifications.
- 3.3 **Executive Staff:** Senior Administrators, including the University's President, Vice Presidents and Provost, Associate and Assistant Vice Presidents or Provosts, Deans, Associate Deans, and other chief administrators.
- 3.4 **Exempt Staff:** An Individual in a position which qualifies for exemption from overtime compensation under the Fair Labor Standards Act. See Policy 351.
- 3.5 **Full-Time Employee:** An individual whose employment status is expected to last nine (9) consecutive months or longer, working 75 percent or more of the normal possible annual working hours for that position. This includes individuals working consistently 30 hours or more weekly on a 12-month basis, and those working 75 percent or more for at least nine (9) consecutive months in jobs where the normal possible working hours are less than 2,080 hours (full-time annual equivalent).
 - 3.5.1 **Full-Time Faculty:** A Full-Time Employee whose primary responsibility is the teaching of University students, as well as performing service, scholarship, and research associated with instruction. See Policy 631.
 - 3.5.2 **Full-Time Staff:** A Full-Time Employee whose primary responsibility is administering the University's organization and functions (e.g. Executive Staff) or supporting University infrastructure, processes and/or programs (e.g. Exempt Staff, Non-Exempt Staff, Hourly Staff, Seasonal/Temporary staff, etc.).
- 3.6 **Good Standing:** An employee or volunteer is considered "in good standing" if the employee or volunteer is in compliance with all specific position obligations while not being subject to any form of current second-level

corrective or disciplinary action or above, as defined by University Policy 372.

- 3.7 **Independent Contractor:** A non-employee compensated through Accounts Payable for services performed for the University. See Policy 207.
- 3.8 **Non-Exempt Staff:** An individual in a position which qualifies for overtime compensation under the Fair Labor Standards Act. See Policy 351.
- 3.9 **Official University Volunteer:** Any individual who donates approved or accepted services that are directly related to University business or that supports the activities of the University without the promise, expectation, or receipt of any compensation, future employment, or any other tangible benefit.
 - 3.9.1 Individuals employed by the University, in any capacity, shall not volunteer their services to the University if the work is of the same type they, or others at the University, are employed to perform.
- 3.10 **Part-Time Employee:** An individual whose work is 74 percent or less of the normal possible annual hours for the position; those whose employment status is expected to be of short duration; and those whose employment is of an intermittent nature.
 - 3.10.1 **Part-Time Faculty:** A Part-Time Employee whose primary responsibility is the teaching of University students on a semester-by-semester or year-by-year basis, including (but not limited to) part-time instructors, clinical or auxiliary faculty paid on an hourly basis and term-appointed part-time salaried faculty positions. See Policy 631 and Policy 638.
 - 3.10.2 **Part-Time Staff:** A Part-Time Employee whose primary responsibility is supporting University infrastructure, processes and/or programs. See Policy 310.

IV. Policy

- 4.1 To comply with the Fair Labor Standards Act and to provide clarity in the application of University policies, the University categorizes Employee positions (including Executive Staff, Exempt Staff, Non-Exempt Staff, Part-Time Staff, Full-Time Faculty, and Part-Time Faculty) based on factors including scope/job responsibilities, hours worked, etc.
- 4.2 The definitions stated in this Policy are the official definitions of those defined terms for purposes of the University's policies and practices

regarding University employees and the University's Human Resources function.

V. References

- 5.1 University Policy 207: Independent Contractors
- 5.2 University Policy 310: Part-Time Employment
- 5.3 University Policy 325: Probation
- 5.4 University Policy 351: Job Classification and Reclassification
- 5.5 University Policy 372: Corrective and Disciplinary Action
- 5.6 University Policy 631: Faculty Categories
- 5.7 University Policy 638: Part-Time Instructor Track Faculty
- 5.8 University Policy 641: Faculty Retention, Promotion and Tenure
- 5.9 Utah Board of Higher Education Policy R901

VI. Procedures

- 6.1 Individual assessment of each University employment position and its associated position classification rests upon the Human Resources Department (under the supervision of the Executive Director of Human Resources) and requires the approval of the associated Vice President and/or President supervising the position or position's division or department.

VII. Addenda – N/A

Policy Owner: Executive Director of Human Resources
Policy Steward: Executive Director of Human Resources

History:

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