

Utah Tech University Policy

310: Part-Time Employment



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I. Purpose

- 1.1 To define the various types of Utah Tech University (“the University”) non-benefited part-time employment and outline employment guidelines for individuals who work in a part-time capacity as defined by University Policy 301.
- 1.2 To provide procedures for the hiring, maintenance, and termination of a Part-Time Employee.

II. Scope

- 2.1 This Policy applies to all part-time employment within the University. Since Part-Time Instructors are defined by University Policy 631 and Policy 638, this Policy focuses on part-time hourly employment, seasonal/temporary employment (including Contracted or Extra Services employment), and instances of a Part-Time Employee requesting more than one part-time concurrent assignment.

III. Definitions

- 3.1 **Contracted or Extra Service (CS):** Work performed by a Seasonal/Temporary Employee during a specific time frame, usually limited to work completed in less than a pay period but not to extend beyond an academic semester.
- 3.2 **De Minimis Work:** Infrequent or insignificant periods of time beyond the scheduled work hours that cannot as a practical matter be precisely recorded for payroll purposes (as defined by the US Department of Labor Wage and Hour Division). This rule applies only when there are uncertain and indefinite periods of time involved, a few seconds or minutes in duration, and where the failure to count such time is justified by industrial

realities.

- 3.3 **Instructional Aide:** A Part-Time Employee who provides indirect instruction to undergraduate students in an academic setting (e.g., classroom assistance to a faculty member) and is not listed as an instructor of record for a specific course. This is not a Teaching Assistant (see below definition).
- 3.4 **Minor-Age Part-Time Employee:** A Variable Hour Employee who is under the age of eighteen (18), but eligible for hire per State of Utah employment law guidelines.
- 3.5 **Part-Time Employee (Variable Hour Employee):** An individual who is scheduled to work between 0-29 hours per week with varying hours based on job assignment and availability. A Part-Time Employee may be classified into several subcategories, including:
 - 3.5.1 **Hourly Employee:** A non-benefited Part-Time Employee who does not meet the definition of a Student Employee or Work-Study Employee.
 - 3.5.2 **Student Employee:** A University student who is enrolled in six (6) or more credit hours in the current academic semester who also works in a non-benefited part-time University position.
 - 3.5.3 **Work-Study Employee:** A University Student Employee who is eligible for a needs-based financial aid award specifically allocated for University work as part of their school financial aid package. These positions are subject to special federal guidelines governed by the University's Financial Aid & Scholarships Office and Work-Study Supervisor Handbook.
- 3.6 **Part-Time Instructor:** Part-time instructional faculty as defined by University Policy 631 and Policy 638.
- 3.7 **Seasonal/Temporary Employee:** A University Part-Time Employee, whose employment status is expected to be of short duration and of an intermittent nature, specifically hired to complete a certain task within a specific time frame. While an Hourly Employee may be considered to have seasonal/temporary work assignments, a Seasonal/Temporary Employee differs in the specific time frame assigned, pay method and frequency, and does not remain employed on an ongoing basis for an unspecified period of time.
- 3.8 **Standard University Business Hours:** Monday through Friday from 8:00 am

until 5:00 pm.

- 3.9 **Teaching Assistant:** A Part-Time Employee who is admitted and enrolled in a University undergraduate or graduate program, and assigned as an instructor of record to provide direct instruction to undergraduate students during a specific semester, under the guidance and direction of a regular faculty member. This is not an Instructional Aide (see above definition).
- 3.10 **Work Month:** The time frame for which part-time work is compensated in any given month within the University's payroll structure. Specifically, a month of part-time work at the University is the 21st of one month through the 20th of the subsequent month. For example, part-time hours worked February 21st – March 5th are payable on March 15th and part-time hours worked March 6th – 20th are payable on March 31st. Thus, February 21st – March 20th is defined as one Work Month, since that entire time frame is payable within the month of March.
- 3.11 **Work Week:** The time frame for which work at the University is deemed eligible for overtime wages if hours worked exceed forty (40). Specifically, a week of work at the University is Saturday morning at 12:00 am through the subsequent Friday evening at 11:59 pm.
- 3.12 **Work Year:** The rolling 12-month calculation used specifically by Human Resources to track Part-Time Employee work hours to ensure benefits ineligibility under the Affordable Care Act (ACA). For example, part-time hours paid February 2022 – January 2023 is considered one Work Year. As the hours for February 2023 are worked and paid, February 2023 hours will replace February 2022 hours in the rolling 12-month calculation for determining benefits ineligibility (e.g., March 2022 – February 2023 becomes the new Work Year). This process of maintaining a current rolling 12-month calculation continues year-round.

IV. Policy

- 4.1 Departments are responsible for working with the Financial Aid & Scholarships Office for all Work-Study positions (including advertising, selection, and/or hiring) and Career Services to advertise open student positions. Departments are responsible for working with Human Resources to advertise hourly and Part-Time Instructor positions. Hiring guidelines for Part-Time Employees should be established within the department to ensure fair and equitable screening, and hiring practices comply with University Policy 305 and Policy 306.
- 4.2 Individuals under the age of eighteen (18) are not eligible for hire into a

part-time position that requires a background check under University Policy 329. Such individuals can work within the University in positions not requiring a background check, but new hires under the age of eighteen (18) must be approved by Human Resources prior to being offered employment.

- 4.2.1 Minor-Age Part-Time Employees are ineligible for certain employee benefits and privileges, such as access to, and use of, the Human Performance Center.
- 4.2.2 Supervisors with Minor-Age Part-Time Employees are required to follow additional guidelines concerning required meal periods, paid rest periods, etc. See Utah State Administrative Code R-610-2-3 (Employment of Minors) for details.
- 4.3 Part-Time Employees must be residents of the State of Utah, or a state in which the University has approved employment established, to accept University employment. Such residency must also be maintained during University employment, with any changes in address for out-of-state employees being reported to Human Resources immediately. A list of approved employment states is available from Human Resources and may only be updated with approval from Human Resources and the Payroll Office.
- 4.4 Prior to beginning work, Part-Time Employees are required to complete employment paperwork with their hiring department and/or Human Resources. This paperwork will also disclose the rules and regulations governing part-time employment including job classification, benefit ineligibility, employment policies, timekeeping practices, required trainings, etc.
 - 4.4.1 Work-Study Employees must sign a contract and complete employment paperwork with the Financial Aid & Scholarships Office prior to beginning work. Work-Study Employees are not allowed to work during class time.
 - 4.4.2 Departments must work with Human Resources (and the Financial Aid & Scholarships Office, in the case of Work-Study Employees) and the new or re-hired employee to ensure correct and up-to-date hiring paperwork is completed in a timely manner.
 - 4.4.2.1 Failure of employees or departments to comply with the above regulations within the timelines governed by the University or federal employment law violates University policy and federal law regulating employment. Such

violations may result in federal fines for the hiring department and possible corrective and disciplinary action for hiring authorities. See University Policy 372.

- 4.5 Student and Hourly Employees should not be scheduled to work more than twenty-nine (29) hours per week on a consistent basis (e.g., over multiple weeks during any given month and/or year). All Part-Time Employees, including Seasonal/Temporary Employees paid on a Contracted or Extra Service form, are limited to no more than 125 hours per month. In months with more days in a pay period, schedules of Part-Time Employees may need to be adjusted to keep their work hours below 125 hours per month. Part-time Instructor limits are established in University Policy 631 and Policy 638.
 - 4.5.1 International Student Employees are limited to working no more than twenty (20) hours per week during fall and spring semesters, per visa regulations. Such employees may work up to twenty-nine (29) hours per week during the summer.
 - 4.5.2 Hourly Employees must obtain their supervisor's approval prior to working more than twenty-nine (29) hours per week.
 - 4.5.3 Departments and Part-Time Employees are responsible for monitoring employee hours each month to ensure compliance with this policy. Human Resources will also monitor workload and work with departments and/or Part-Time Employees to ensure compliance with federal and state regulations governing part-time employment. Failure to comply with the above regulations may result in employee reclassifications, additional departmental costs, and possible corrective and disciplinary action for supervisors and/or employees. See University Policy 372.
 - 4.5.4 In rare instances, a department may require Variable Hour Employees to work overtime, with department head prior-approval. The University provides overtime pay to Variable Hour Employees whose work exceeds forty (40) hours in a workweek, with overtime hours paid/compensated at the rate of time and one-half of the regular base pay rate for each overtime hour worked.
 - 4.5.5 A Variable Hour Employee who travels to meetings, conferences, etc. on the University's behalf must account for the employee's work hours as follows:
 - 4.5.5.1 A Variable Hour Employee who commutes from home before the regular workday and returns to their home at the end of

the workday is engaged in ordinary home to work travel, which is not considered work time.

4.5.5.2 A Variable Hour Employee who regularly works at a fixed University building/location who must visit another fixed University building/location for meetings, assignments, etc. must be compensated for the travel time as work time, except for the time the employee would normally spend commuting to the regular work site at the start/end of the employee's workday.

4.5.5.3 Travel that keeps a Variable Hour Employee away from home overnight is travel away from home. Travel away from home is always considered work time when it occurs during Standard University Business Hours, including on days that are not scheduled workdays.

4.5.5.3.1 When the travel occurs outside Standard University Business Hours for the Variable Hour Employee, time spent as a passenger on an airplane, train, boat, bus, or automobile is not considered work time (is viewed as De Minimis) unless the employee is doing actual work such as preparing for a meeting/presentation the following day, etc.

4.5.5.3.2 When the travel occurs outside Standard University Business Hours for the Variable Hour Employee, time spent operating/driving the vehicle from one city to another is considered work time. Normal commuting away from home (e.g., hotel to meeting location, etc.) is considered ordinary home to work travel and not considered work time.

4.5.6 If an Hourly Employee is required to work a large event on an official University holiday (as defined by University Policy 346), the employee may be entitled to holiday premium pay (or double their regular rate of pay) for that specific day. Such premium pay requires the applicable Vice President's pre-approval and must be documented with Human Resources and Payroll prior to working the event. All other work completed on holidays will be paid at the employee's regular rate of pay or as overtime hours within the workweek, as outlined in Section 4.5.4 of this Policy.

4.6 Work-Study Employees shall work no more than twenty (20) hours per week to avoid exceeding the maximum allowable funding allocated per

semester and/or academic year and give priority to the student's educational endeavors.

- 4.7 Part-Time Employees are allowed to have only one active position at a time. In rare instances, Part-Time Employees may have a secondary active University employment position at the same time for a designated time period (e.g., March 21 – May 6, September 6 – November 21, etc.). Workload regulations as defined by Section 4.5 above must be adhered to for both positions.
 - 4.7.1 Employees with an active part-time non-instructional (hourly) position who are approved for a temporary Part-Time Instructor position (or vice versa) for the same period of time (August 25 – December 11, etc.) are required to report both positions as hourly with workload regulations defined under Section 4.5. Human Resources and the Payroll Office must be notified and approve of this arrangement prior to the secondary job being created in the University's HRIS system and the employee beginning work in the secondary position.
 - 4.7.2 Work-Study Employees are limited to only one active work-study position at a time and may not work in a secondary position while being classified and paid as a Work-Study Employee.
 - 4.7.3 Variable Hour Employees with active positions are not eligible to be paid or work in a secondary Contracted or Extra Services capacity if said CS payment is funded by a grant. Such service is considered supplemental pay and not permitted under current grant regulations for Part-Time Employees.
 - 4.7.4 Human Resources and the Payroll Office reserve the right to deny the request for a secondary assignment if the request causes undue hardship to either department, creates an undue administrative burden, or there is a failure to comply with this policy.
- 4.8 Changes to part-time assignments (pay rate, index code changes, title changes, etc.) must be submitted to Human Resources prior to the change being effective. Such changes must be submitted through the Electronic Personnel Action Form (EPAF) system. Justification should be provided for these types of changes that can be incorporated into the EPAF for the employee's personnel file.
- 4.9 When Part-Time Employees end employment (either through voluntary resignation/retirement, or involuntary termination, as defined by University Policy 373), the immediate supervisor and/or department head

is required to contact Human Resources immediately to terminate the position within Human Resources' records, utilizing the EPAF system. Comments relating to why the employee left employment will be added to the EPAF for the employee's personnel file. Human Resources will contact the Payroll Office, in the event of an involuntary termination, to arrange final payment.

- 4.9.1 Active part-time positions where time punches have not occurred and/or pay has not been issued for 60-90 consecutive days will be terminated automatically by Human Resources, to comply with federal and state new hire/re-hire regulations.

V. References

- 5.1 Financial Aid Office Work-Study Program:
<https://financialaid.utahtech.edu/work-study-program/>
- 5.2 Human Resources (for new hire forms, EPAF system information, etc.):
<https://humanresources.utahtech.edu/>
- 5.3 Payroll Office (for payroll forms, timekeeping information, etc.):
<https://employees.utahtech.edu/business-services/payroll/>
- 5.4 University Policy 301: Personnel Definitions and Classifications
- 5.5 University Policy 305: Hiring
- 5.6 University Policy 306: Equal Employment Opportunity, Affirmative Action, & Veterans' Preference
- 5.7 University Policy 329: Criminal Background Checks
- 5.8 University Policy 342: Payroll
- 5.9 University Policy 346: Staff Leave and Absences
- 5.10 University Policy 352: Staff Compensation
- 5.11 University Policy 372: Corrective and Disciplinary Action
- 5.12 University Policy 373: Termination and Reduction in Workforce
- 5.13 University Policy 631: Faculty Categories
- 5.14 University Policy 638: Part-Time Instructor Track Faculty
- 5.15 Utah State Administrative Code R610-2-3: Employment of Minors

VI. Procedures

- 6.1 Once an individual has been selected for part-time hire, whether as a new University hire or a re-hire that has not been employed at the University in the last twelve (12) months, the employee and the employee's department are required to complete employment forms prior to employment commencing. Forms for brand-new Part-Time Student and Hourly Employees (e.g., individuals who have never worked at the University before) are found on the Human Resources website or are available in Human Resources. Work-Study employment forms are available in the Financial Aid & Scholarships Office.
 - 6.1.1 Part-time employment forms and the EPAF system are maintained by Human Resources, whereas Work-Study employment forms are maintained by the Financial Aid & Scholarships Office.
 - 6.1.2 Employees who have worked at the University within the last twelve (12) months and are rehired can be rehired electronically by the hiring department, through the EPAF system. Links, information, and training for the EPAF system are available on the Human Resources website.
- 6.2 Once paperwork has been processed, Variable Hour Employees must report time worked (established as a clock in/out punch) at the beginning and end of each shift using the approved Payroll timekeeping system. Immediate supervisors will work with employees to ensure compliance with FLSA regulations (see University Policy 352), confirm proper hours are recorded, and approve timecards by deadlines established by the Payroll Office. Part-Time Employees are paid through the standard payroll cycle as defined by University Policy 342.
- 6.3 A supervisor seeking to hire a Variable Hour Employee into a secondary position must verify the total number of work hours scheduled between both jobs with the Variable Hour Employee and the other supervisor. Once this is done, and the total number of hours worked is confirmed to fall under the guidelines in Section 4.5 of this Policy, the supervisor must confirm the total number of work hours for both positions with Human Resources prior to completing new hire paperwork for the secondary position and having the employee begin work in a secondary position.
- 6.4 Failure of departments to comply with the above hiring procedures for part-time employment may result in possible corrective and disciplinary action for hiring authorities, as outlined in University Policy 372.

VII. Addenda – N/A

Policy Owner: Executive Director of Human Resources

Policy Steward: Executive Director of Human Resources and Director of Payroll

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