

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: Human Resources

NUMBER: 02.A.34

AREA: General

SUBJECT: Types of Staff Employment

1. PURPOSE

A staff member's employment type defines the relationship between the System and the employee performing the work. This ensures that employment types and the related institutional, federal, and/or state benefits and restrictions are understood and followed within the System. This policy applies to all component university employees regardless of funding source.

2. DEFINITIONS

- 2.1. Employee: An employee of the System is an individual who performs services that are subject to the will and control of the component university in terms of what must be done and how it must be done within legal parameters. An employee is paid through the payroll system, with accompanying tax withholding as provided by law.
- 2.2. Regular full-time employment: Regular, full-time employment occurs when an individual is employed to work 100 percent full-time equivalency (FTE) (40 hours per week) for a period of four and one-half months or longer.
- 2.3. Part-time employment: Part-time employment occurs when an individual is employed to work for less than 100 percent FTE (40 hours per week), and that individual is not a student employed in a position which requires student status as a condition of employment. Part-time employment may result in an individual having eligibility for all state and university benefit programs, depending on the FTE.
 - a. Regular part-time employment (benefits-eligible): Regular employment on a work schedule basis of at least 20 but less than 40 hours per week for four and one-half continuous months or longer. This does not include an individual employed in a position that requires student status as a condition of employment.

- b. Non-regular part-time employment (not eligible for benefits): Non-regular employment on a work schedule basis of less than 20 hours per week regardless of the duration of the appointment. This does not include an individual employed in a position that requires student status as a condition of employment.
- 2.4. Temporary Employment: Temporary employment occurs when a person is appointed to a position of short duration (less than four and one-half continuous months), intermittent in nature, or in a position where it is clearly impractical to employ an individual on a continuing basis for more than four and one-half continuous months.
- a. Individuals employed in temporary employment are not eligible for state or component university benefits.
 - b. Temporary employment becomes “regular” part-time employment and is benefits-eligible whenever an individual is employed for at least 20 but less than 40 hours per week for a period of longer than four and one-half continuous months, and is not employed in a position which requires student status as a condition of employment.
- 2.5. Term Employment. Term employment occurs when an individual is employed for a specified period of time. Such employment is frequently dependent on both the source of the funding and continuation of the funding. An individual on term employment may be employed in any of the staff employment categories listed above.

Unless dismissed for cause, an employee dismissed from term employment is considered to be laid off on a no-fault basis. As with any no-fault dismissal, an employee released from term employment must be notified by the hiring department of the term at the time of employment or receive a minimum 30 day notice of the impending termination of the employment.

- 2.6. Student Employee. A student employee is an individual whose association with the System is for the primary purpose of furthering his formal education at either the undergraduate or graduate level. Student employees may work 50 percent FTE or less during the regular academic session, and up to 100 percent FTE during break periods (i.e., between academic semesters, summers and holidays).
3. PROCEDURES
- 3.1. System policy permits a wide range of employment types as necessary to accomplish the varied tasks associated with conducting the business and academic affairs of each component university. Federal and state laws require that employees be afforded certain privileges and benefits dependent upon the type and duration of their employment and the hours worked.

- 3.2. State law defines a regular, benefits-eligible employee as one who is employed to work at least 20 hours per week for a period of at least four and one-half months, excluding students employed in positions that require student status as a condition of employment. Following state law, the System and its component universities are restricted from employing temporary or non-regular employees, other than students, at .50 FTE or more in excess of four and one-half months without paying benefits. If the workload exceeds this restriction, the employee's employment must be converted to regular, benefits-eligible employment.
- 3.3. Part-time and temporary employees should be paid at salary rates commensurate with their abilities and the time they devote to part-time or temporary work. However, the rates of pay for persons employed on a part-time or temporary basis in the same type of work shall not exceed the proportional salary rates for full-time, regular employment.
- 3.4. A part-time employee may accept additional part-time employment with another department or component university provided the employee provides advance notification to the head of his existing department and the new department head of the multiple employment. If the multiple employments are for the same component university, benefits, including the overtime provisions of the [Fair Labor Standards Act of 1938 \(FLSA\)](#), will be determined by the combination of all assignments. The component university departments are responsible for ensuring the employee is properly compensated. If the multiple employments are for different component universities, benefits will be applied to each employment independently of the other including the overtime provisions of the FLSA; except the employee may accrue state service credit as if the employee had only one employment, and the state contribution toward the employee's group insurance is limited to the amount specified for a full-time, active employee. Upon termination of one position, the leave balances may not be transferred to the remaining employment. The component university's human resources department shall establish procedures to determine which component university is responsible for ensuring that the employee is properly compensated.
- 3.5. Regular part-time employees who are eligible for benefits shall accrue annual leave (vacation), sick leave, and other paid leaves and holidays at a rate proportionate with their FTE percentage. Such part-time employees are required to participate in the Teacher Retirement System and are eligible to participate in the group insurance programs.
- 3.6. A full-time non-exempt employee may, with the approval of his supervisor, accept an occasional or sporadic part-time appointment within the System. However, such additional employment must be in a classification that is in a substantially different capacity from that in which the employee regularly works and the hours worked in the additional part-time appointment will be compensated in accordance with SAM [02.B.02 - Overtime and Compensatory Time](#).

3.7. All employment types will be considered, approved or disapproved, and budgeted in a fair and equitable manner. Nothing in this policy shall be used as the basis for discrimination or retaliation against any individual or group on the basis of race, sex, age, color, religion, national origin, disability, sexual orientation or veteran status; nor may it be construed to be a basis for circumventing equal employment opportunity laws, policies and standard employment procedures.

4. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice Chancellor for Finance

Review: Every five years, on or before March 1

5. APPROVAL

Approved: Carl P. Carlucci
Executive Vice Chancellor for Administration and Finance

Renu Khator
Chancellor

Date: June 9, 2009