

August 15, 2024

All,

As many of you know, the recent changes by the Department of Labor to the FLSA changed the rules on how an employee qualifies for exempt or non-exempt status; this affected a number of our employees who teach as adjunct instructors. In consultation with legal counsel, other USHE institutions, and a lot of research, the college leadership and HR have determined a way forward for non-exempt employees to continue teaching as adjuncts. This decision changes our standard operating procedures as follows:

1. Non-exempt employees teaching as adjuncts will receive time and a half of their full-time position's base pay for every hour dedicated to their adjunct duties. For those non-exempt employees, wages paid for adjunct teaching will be based on the hours worked and the base pay of the employee, rather than the standard \$1,000 per credit hour.
2. The non-exempt employee **shall not** be required to teach as part of the regular duties. Teaching must be completely voluntary.
3. The employee's full-time supervisor must approve the adjunct duties before being allowed to teach. (Policy 331)
4. The overtime will be limited to a set number of hours based on the credit hours of the class; this is to ensure we stay within budget and meet the FLSA rules.
5. The non-exempt employee is still required to meet their full-time position duty hours of 40 hours per week, meaning the hours teaching, prepping, grading, and student contact hours will be above and beyond their regular 40-hour week. Under federal law, we cannot mix the hours. The employee will need to take vacation leave if they fail to meet the 40 hours for their regular duties. Supervisors will need to monitor their overtime hours and regular duties hours to ensure they are not mixed.
6. A non-exempt employee teaching as an adjunct is subject to the availability of funds.

How to manage hours and pay for adjunct duties:

1. Delvonie in HR has a spreadsheet that calculates the capped hours per credit hour. These hours are calculated using practices at other institutions and federal rules. She has another spreadsheet that calculates the overtime pay against their base pay and the allotted hours. These two spreadsheets will give the total hours anticipated to cover the class plus calculated salary.
2. The chair, dean, or provost's office will submit an ePAF based on Del's hours and pay calculation for the entire semester. The ePAF will also require the employee's supervisor's signature as part of the approval process. Del will provide her spreadsheet as an attachment to the ePAF for record keeping.
3. Becky Welch is creating new payroll codes. Non-exempt employees teaching as adjuncts will see the codes in their BadgerWeb dashboard hourly entry. Becky will preload the total of hours based on Del's spreadsheets. The employee will see the preloaded total allotted hours like their other leave categories.
4. Each time the non-exempt employee dedicates hours to their adjunct class, they will enter the hours using the new adjunct hourly pay code. Those hours will subtract from the preloaded hours throughout the semester as hours are entered.
5. At the end of the semester if the individual has gone into the negative with hours, an additional ePAF will be produced to pay for the hours over and beyond the preloaded

hours. It is imperative the employee be honest since the entered hours may indicate a need to reevaluate calculated hours for challenging classes.

6. Since it will be paid by an ePAF and is figured against the individual's base pay, their pay cycle will not change and they will be paid at the end of the month with their normal pay.

Snow College is committed to finding a solution that allows our students to take advantage of the experience and dedication of our staff members who teach as adjuncts. At the end of the semester, we will evaluate this new model and make the necessary adjustments to ensure that the college remains in full compliance with federal law.

Please let us know if you have any questions.