

10.02 Employment

Original Approval:

DATE

Last Updated:

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Last Reviewed:

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Policy / Purpose:

It is the policy of Wallace Community College – Selma (WCCS) to ensure compliance with federal and state law and the employment policies of the Alabama Community College System (ACCS) related to the legal employment of individuals.

Further, the College ensures compliance with accreditation standards and Board of Trustee Policy as related to Instructor credentials, including the credentialing requirements set forth by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Standard 6.2.a.

The following ACCS policies are referenced in this policy:

[Board Policy 602.02](#)

[Chancellor's Procedures 602.02](#)

[Board Policy 602.03](#)

[Board Policy 603.01](#)

[Board Policy 605.02](#)

[Chancellor's Procedures 605.02](#)

[Board Policy 608.01](#)

[Chancellor's Procedures 608.01](#)

[Board Policy 611.01](#)

[Chancellor's Procedures 611.01](#)

[Board Policy 614.01](#)

[Board Policy 605.02](#)

[Chancellor's Procedures 605.02](#)

Scope:

This policy applies to all WCCS applicants and employees during any activity involving the College, including the workday. In addition, visitors, vendors, contractors, and all other non-employees are expected to recognize and comply with College policies.

Definitions:

Applicants (for Employment): An applicant for employment is an individual who has applied for a vacant position that has been posted through the Human Resources Office.

Credentialing: The process of verifying the qualifications, experience, and professional credentials of instructors.

Employee: An employee is an individual who meets the employment eligibility requirements referenced in the policy, has been hired and onboarded through the Human Resources Office, and is receiving payment for work performed through the Payroll Office.

Employment Status: The current or former employee's employment relationship with the institution (employer).

Instructor: For the purpose of this policy, an instructor is a full or part-time/adjunct instructor considered to be the Instructor of Record.

Instructor of Record: The instructor assigned to a section of a course and responsible for documentation associated with the course while assigned to that course (e.g. grades, attendance verification).

Seniority: Seniority is defined as the length of an employee's continuous service at WCCS.

Qualified Staff: For the purpose of this standard, full-time qualified staff work more than 20 hours per week and are exempt under the Fair Labor Standards Act (FLSA).

Terminations of Employment (Offboarding): Employment termination (also known as offboarding, dismissal, or separation of employment) is the cessation of the employment relationship between WCCS and the employee, regardless of reason. Terminations may be either voluntary or involuntary. Voluntary terminations include resignations, retirement, and abandonment. Involuntary terminations include reductions due to lack of funds or lack of work (layoff), completion of contract or grant, and discharge for unsatisfactory job performance or misconduct.

Details:

1. **Employment Eligibility:** An individual may be eligible for employment at WCCS if they meet the required qualifications and physical demands for a specific position as described in the job description. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions.

In addition, applicants meeting the required qualifications of a position as reflected in the job posting must meet the conditions below to be considered eligible for employment:

- a. **Compliance with the Immigration Reform and Control Act of 1986 (IRCA):** All newly hired employees, including student employees, are required to provide documents that establish identity and documents that establish employment eligibility. It is the policy of WCCS that this information be received on or before the first day of employment to avoid the need to dismiss any individual who cannot meet the IRCA requirement. The Human Resources Office can provide additional information concerning the requirements of the IRCA and acceptable documents. ****An individual will not be considered an employee of WCCS until this requirement has been met.**
- b. **E-Verify:** The Human Resources Office performs employment eligibility verification via the US Department of Homeland Security on all new hires.
- c. **Background Check:** Any candidate selected for hire must complete a pre-employment background check. As a condition of employment, satisfactory results of a criminal background check are required. Refer to the Background Checks Section for additional information.
- d. **Pre-Employment Testing:** Pre-employment testing may be required if applicable to the position.

2. **Employment Relationship:** Except as expressly prohibited by law, the College may terminate an individual's employment. Continuing employment is subject to economic conditions and the needs of the College and, accordingly, is neither permanent nor guaranteed.
3. **Employment of Foreign Nationals:** WCCS is responsible for ensuring that all employees are lawfully employed, regardless of citizenship or national origin. Therefore, if applicable, it is important that all foreign national workers maintain their applicable visas and that the Human Resources Office has the most updated employment status in the employee's personnel file. Human Resources will review visa status on an annual basis to ensure that both WCCS and the employee are compliant with college policy and state and federal regulations. Where applicable, it is the responsibility of the foreign national employee to inform the Human Resources Office of any changes in their visa status that could impact their employment.

NOTE: WCCS generally does not sponsor work visas.

Refer to the Recruiting, Hiring, and Onboarding Vacant Positions Policy.

4. **Background Checks:** Per ACCS, [Board Policy 623.01](#) and [Chancellor's Procedure 623.01](#), a background check will be conducted prior to employment through a service selected by the Chancellor on all new hires and volunteers at each institution. A background check may also be conducted for selected internal candidates or if the institution has reasonable suspicion that a current employee or volunteer has been convicted of a felony or a crime involving moral turpitude. Individuals convicted of a felony or crime involving moral turpitude will not be eligible for employment or volunteering except with the Chancellor's approval.
5. **College Transcripts:** Official college transcripts are required for all positions that require a degree in the "required qualifications" section of the job description. Conferred degrees are required from a regionally accredited institution. Regional accreditation agencies oversee institutions that place a focus on academics that are public, non-profit, or private colleges or universities. There are six regional accrediting agencies for higher education institutions in the U.S. The following agencies oversee institutions within their particular clusters of states:
 - Northwest Commission on Colleges and Universities (NWCCU)
 - Western Association of Schools and Colleges (WASC)
 - Higher Learning Commission (HLC)
 - Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)
 - New England Association of Schools and Colleges (NEASC)
 - Middle States Commission on Higher Education (MSCHE)

WCCS is regionally accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). Degrees granted from schools, colleges, and universities that are not regionally accredited are not acceptable credentials when evaluating qualifications for consideration of employment.

6. **Instructor Credentials:** Instructors must possess appropriate qualifications, including but not limited to educational and experiential qualifications as detailed in SACSCOC Standard 6.2.a, and as outlined in ACCS BOT Policy 605.02 and the Chancellor's

Procedures for BOT Policy 605.02. Instructor credentialing aims to uphold the academic integrity and quality of education at the institution.

NOTE(S):

1. Instructors may be required to provide additional evidence of qualifications, including professional certifications and other relevant achievements.
 2. Programmatic accreditation agencies and licensing boards may impose additional requirements for faculty credentialing, and these requirements should be referenced and considered alongside institutional policies.
7. **Employment Status:** It is the policy of WCCS to ensure compliance with federal and state law as it relates to the employment status of its employees. In addition, the College will maintain compliance with Alabama Community College System (ACCS) [Board Policy 611.01](#) and [Chancellor's Procedures 611.01](#) as it relates to inactive employment status.
- a. **Active Employees:** An active employee is one who works on a regularly scheduled and continuous basis. If there is a break in service due to an extended leave, the employee may be placed on inactive status.
 - b. **Inactive Employees:** An inactive employee is one who is not currently working for the College in any capacity (not receiving a paycheck), but employment is not terminated.
 - c. **Full-Time Inactive Employees:** Full-time employees may have a leave without pay or "inactive" status (Refer to [Board Policy 611.01](#)). During inactive leave status, employee does not accrue annual leave, sick leave, or any other paid leave benefits nor are they eligible for unemployment. In addition, employees eligible for benefits under the Retirement System of Alabama (RSA) have contributions and benefits suspended under this break in service. Upon returning to work, the employee will return to active status, resuming leave and leave accruals (if applicable). Returning to the same compensation and/or comparable position as held before the leave may be considered but is not guaranteed.

Full-time employees with a break of service greater than what is allowed in the ACCS [Board Policy 611.01](#) will be released from employment and are subject to the same new hire application process as other candidates should they apply for a vacant position at the College.

NOTE: Some leaves without pay in [Board Policy 611.01](#) include employees on salary schedule H.

- d. **Part-Time Inactive Employees:** The employment status of a part-time employee who has not worked and received no compensation in the previous calendar year may be automatically terminated at the end of January of the following year. Refer to the Terminations of Employment (Offboarding) Policy.
- e. **Terminated Employees:** A terminated employee is one who has a break in employment with the College. This means that the employee has either voluntarily left employment (resigned or retired) or involuntarily left employment (terminated for cause, layoff, or terminated due to inactive status).

- 1) In **all cases**, a terminated employee must reapply for a vacancy to become reemployed by the College, including completing the pre-boarding and onboarding procedures of a new employee.
 - 2) Refer to the Terminations of Employment (Offboarding) Policy.
8. **Pay Status (Employee Pay Classification):** The College employs two pay classifications of employees: exempt or non-exempt, as defined under the Fair Labor Standards Act (FLSA). The College follows the FLSA to determine the correct category for each employee.

The following terms are used to describe employees and their employment status. All employees are classified as non-exempt unless the duties performed meet criteria established under federal and state regulations that would allow the employee to be classified as exempt. The Human Resources Office determines if a position qualifies to be classified as exempt and if the employee in that position is performing the duties that are required to maintain exempt status.

- a. **Exempt Employees:** In general, exempt employees are those engaged in bona fide executive, managerial, high-level administrative jobs, certain professional jobs, and full-time instructor positions who are paid a fixed salary and perform certain duties as governed by Fair Labor Standards Act (FLSA) as exempt. Generally, the FLSA test for exempt duties includes:
 - 1) Fifty percent or more of time, including the performance of office or nonmanual work relating to the administration of an educational establishment and to management policies or functions, or includes work directly related to academic instruction; and must:
 - regularly and directly assist an executive or administrative employee or perform under general supervision work along specialized or technical lines requiring special training, experience, or knowledge or execute under general supervision special assignments and tasks;
 - customarily and regularly exercise discretion and independent judgment;
 - devote no more than 20 percent of their hours worked in the workweek to non-exempt work; and
 - be compensated on a salary basis at a rate not less than the minimum weekly salary rate established for white-collar exemptions.
 - 2) In the case of academic administrative personnel, an employee who is compensated on a salary basis at a higher rate, but at not less than the minimum weekly salary rate established for white-collar exemptions, and whose primary duty consists of the performance of office or nonmanual work described above which includes work requiring the regular exercise of discretion and independent judgment will be deemed to meet all of the requirements necessary to carry exempt status.
 - 3) Under the FLSA, exempt Non-Instructor Personnel are categorized as:
 - Executive: Employees who exercise primary responsibility for the overall direction and management of the College.

- **Administrative:** Employees who exercise responsibility for performing assignments directly related to management policies or general business operations of the College.
- **Professional, Manager, and Support:** Employees, whose assignments normally require professional training at the bachelor's degree level or higher, who are employed for the primary purpose of performing academic support, community services, student services and institutional support activities; or
- Employees, whose assignments require experience and specialized skills or training which together may be equivalent to a degree, who oversee the day-to-day activities and operations of an operational area or unit and who exercise functional supervision and/or delegated administrative responsibility over other employees; or
- Employees, whose assignments require knowledge or skills, which may be acquired through academic work below the level of a bachelor's degree or through equivalent experience or on-the-job training, who perform specialized or technical support assignments within a functional area and who may exercise some delegated functional supervision.

4) Time demands are associated with exempt positions which may require such employees to work more than the standard 40-hour workweek, including some evenings and weekends. These demands are accepted at the time of initial employment as part of the employee's duties and responsibilities.

5) Job titles do not determine exempt status. Exempt employees are not eligible for overtime pay.

b. **Non-Exempt Employees:** Non-exempt employees are paid for all hours worked, in accordance with the FLSA and minimum wage law. A non-exempt employee may be full-time or part-time. All non-exempt employees, whether full-time or part-time, are required to account for hours and fractional hours worked.

To understand an employee's rights as an exempt or non-exempt employee, visit the Fair Labor Standards Act website at: <http://www.dol.gov/dol/topic/wages/>.

9. **Reinstatement of Former or Laid Off Employees:** If an employee leaves the College's employment in good standing for any reason, there is no guarantee of future employment. Employees who are discharged for gross misconduct will not be eligible for rehire.

10. **Seniority:** In some departments supervisors will consider seniority in determining annual leave (vacation) schedules, shift assignments, and/or teaching assignments. An employee's seniority will end upon separation or retirement.

When two or more employees are hired in the same position and department on the same day (causing a "tie" in seniority), the employee with the earliest date of birth (month and day) in the calendar year will have the higher seniority the first year. Highest seniority will then rotate annually thereafter, as needed.

11. **Employment Types:** It is the policy of WCCS to ensure that individuals performing work for the College be properly classified in the appropriate employment and pay type in accordance with the federal and state laws, including IRS guidelines for worker

classification as described in IRS Publication 15-A located at http://www.irs.gov/publications/p15a/ar02.html#en_US_2013_publink1000169489.

- a. **Adjunct Instructor:** Adjunct instructors are contingent part-time instructors hired to teach a class for either one or several semesters. Academic Departments assign adjuncts work on a course-by-course basis, and future work is not guaranteed beyond their current assignment. Adjuncts are paid a flat rate per credit hour or hourly.

- 1) **Adjunct Instructor Workload:** Per ACCS Memorandum #2020-EXE-75, “without a special exception for waiver by the Chancellor, academic adjuncts are not permitted to exceed 9 credit hours each semester at any one college, and academic adjuncts teaching at multiple colleges may not exceed a combined total of 12 credit hours per semester.” In addition, adjuncts are limited to below nineteen (19) hours of service for non-instructional workload per week.

Without a special exception or waiver by the Chancellor, technical adjuncts are not permitted to work more than 19 contact hours per week at any one ACCS college and not to exceed a total of 29 contact hours per week at multiple colleges.

NOTE: In no case will any combination of load hours, lab hours, office hours or regularly scheduled meetings exceed 9 credit hours (or 19 hours per week) per semester.

NOTE: *Exceptions to the maximum weekly work hours may be approved by the Chancellor in advance.*

- 2) **Adjunct Instructor Full-Time Equivalency (FTE):** The College uses the IRS Safe Harbor method for determining the FTE of Adjunct Instructors. FTE for this employment group is calculated by using the safe harbor rate of 2.25 work hours for every part-time (adjunct) credit hour. For example, an adjunct taught 3 credit hours in a semester and had no other required responsibilities. The FTE calculation would be $3 \times 2.25 = 6.75$ hours.
- 3) **Summer Work Hours for Less than Full-Time Instructors:** In accordance with the pro-rata system for fractional academic instructor teaching appointments, the following are the required work hours and workdays for summer employment. The minimum hours for instruction/office hours for the semester is based on the number of contact hours required for each class.
- 25% to 34% of full time instructor – Instructor must work on campus, a minimum of two (2) days per week, Monday through Thursday.
 - 25% - Work Hours 94.5 Hours (Includes instruction and hours spent in the role of advising, planning or other institutional duties)
 - 34% - Work Hours 128.5 Hours (Includes instruction and hours spent in the role of advising, planning or other institutional duties)
 - 50% to 67% of full time instructor – Instructor must work on campus, a minimum of three (3) days per week, Monday through Thursday.
 - 50% - Work Hours 189 Hours (Includes instruction and hours spent in the role of advising, planning or other institutional duties)
 - 67% - Work Hours 253 Hours (Includes instruction and hours spent in the role of advising, planning or other institutional duties)

- 75% of full time instructor – Instructor must work on campus, a minimum of four (4) days per week, Monday through Thursday.
- 75% - Work Hours 283.5 Hours (Includes instruction and hours spent in the role of advising, planning or other institutional duties)

4) **Adjunct Instructor Benefits and Paid Leaves:** Adjunct faculty are not eligible for benefits and do not accrue paid leaves.

b. **Full-Time Instructors:** Full-time instructors fulfill basic functions of curriculum design, development, and evaluation; instruction; identification and assessment of appropriate student learning outcomes; student advising; research and creative activity; and institutional, community, and professional service.

1) **Fair Labor Status Act (FLSA) Status:** Full-time instructors are considered salaried exempt positions under the Fair Labor Standards Act (FLSA).

2) **Full-Time Instructor Teaching Loads:** WCCS complies with ACCS [Board Policy 608.01](#) and [Chancellor's Procedures 608.01](#) by basing full-time faculty status on teaching load, which is determined by credit hour production or contact hours dependent on the program of study. Each full-time instructor will teach 15 to 16 credit hours per term or the equivalent for the academic year, fall and spring semesters, with the option to work summer semesters when course loads are available. In using the contact hour method of calculation, no single faculty member will have a direct student contact hour assignment that is less than 24 hours or exceeds 30 hours per week. A full-time teaching load during the summer term is 12-13 credit hours or the equivalent. Using the contact hour calculation for summer term, a full-time faculty member should not exceed 30 direct student contact hours per week. Full-time faculty members must work a minimum of 35 hours per week, exclusive of lunch and other regularly scheduled breaks.

3) **Summer Teaching Load:**

- All WCCS faculty (both academic and technical) are employed on a base 9-month contract. No faculty member has a 12-month contract or is automatically given a summer contract.
- The single most important criterion for all summer teaching contracts will be student need or enrollment (class size).
- Each academic course must have a minimum enrollment of eighteen (18) bona fide students (i.e., students actually enrolled on the first day of class). Courses with less than 18 bona fide students will be canceled.
- A full teaching load for an academic instructor for a summer term is twelve (12) to thirteen (13) credit hours or the equivalent, as determined by the President.
- The pro-rata payment system for fractional academic instructor teaching contracts is based on credit hours taught. For example, an academic instructor may request one of the following:

25% of full time pay for	Three (3) semester hours taught
34% of full time pay for	Four (4) semester hours taught
50% of full time pay for	Six (6) semester hours taught
67% of full time pay for	Eight (8) semester hours taught
75% of full time pay for	Nine (9) semester hours taught
100% of full time pay for	Twelve (12) semester hours taught

- Each technical course must have a minimum enrollment of sixteen (16) bona fide students (i.e., students actually enrolled on the first day of class) per full-time faculty member for the summer term. Courses with less than 16 bona fide students will be canceled.
 - A full teaching load for a technical instructor for a summer term is thirty (30) contact hours per week or the equivalent, as determined by the President. The pro-rata payment system for fractional technical instructor teaching is based on contact hours per week. For example, a technical instructor may request 50% of full-time pay for teaching 15 contact hours per week.
 - Although minimum class size for the summer term are determined by the overall summer enrollment, exceptions to the minimum class size must be approved on a case-by-case basis by the President. The President may opt not to offer courses in the programs in which the average class size are not consistent with minimum enrollment standards.
 - In instructional departments in which there are two or more faculty members qualified to teach the same subject area, the departmental summer employment policy must be based upon a seniority principle or a rotation principle. In such departments, the department chair will conduct an election to decide which of the above two methods will be used to determine summer employment priority in that department. The department chair will construct a written summer employment plan, have it signed by each department faculty member, and submit it to the Dean of Instruction for review. The Dean of Instruction will then submit each proposed summer employment plan to the President for final approval. Instructor course assignments are made based on these guidelines, with regard first to the curricular needs of the course, and second to the departmental policy elected by faculty and approved by the President.
 - All final requests for summer course assignments and overloads must be approved by the President.
 - Pursuit to Alabama Community College Board of Trustees Procedures for Policy 608.02 all faculty, librarians, and counselors employed fulltime for the summer semester must work a minimum of 378 hours. Fulltime faculty are required to work 5 days a week and schedule a minimum of 2 office hours on each of the 5 days.
- 4) **Benefits and Leaves:** Regular full-time instructors are eligible for health insurance benefits as well as other fringe benefits as described in the Employee Benefits Policy, Paid Leaves and Time Off Policy, and Unpaid Leaves and Time Off Policy.
- 5) **Conditions of Employment:**
- Except as may otherwise be provided by law, by contract, or by the specific terms of any appointment, all Employees are deemed to be “at will,” and may be terminated, demoted, reassigned, suspended or disciplined with or without pay, or with reduced pay, and with or without cause.
 - All Employees shall be appointed and/or re-appointed in accordance with applicable federal and state law, and in conformance with the policies and procedures of the Board of Trustees of the Alabama Community College System.
 - Employees whose employment is subject to the Students First Act as codified at Sections 16-24C-1, et seq., Code of Alabama (1975) (“Students First Act”),

must serve the maximum period of any probationary service provided or permitted by law before attaining non-probationary status with the College. Except as provided by law, neither tenure nor non-probationary status creates or confers any enforceable right or protected interest in or to a specific rank, work site or location, assignment, title, or rate of compensation within those categories of employment.

- While on duty, all full-time faculty members shall devote their full-time energies to the performance of their duties which include, but are not limited to, the academic advisement of students and providing assistance in the student registration process. The teaching load and schedule of each full-time faculty member shall be determined in accordance with the administrative procedures of the institution. All full-time faculty will be subject to teaching off-campus classes and evening classes as part of their regular teaching load. Assignment and/or changes in assignment will be made in writing by the President or his/her authorized designee.
- The Employee hereby confirms that he/she possesses the necessary credentials, as required by the Board of Trustees, to fill the position for which he or she is employed. If it is determined by the College or Chancellor of the Alabama Community College System that the Employee does not possess such credentials, then this employment will be voided by the College upon no less than fifteen (15) calendar days' notice to the Employee, unless the Employee has attained non-probationary status. Employees who have attained non-probationary status prior to the discovery of the necessary credentials, shall face termination proceedings in accordance with the requirements of the Board of Trustees' policy and the Students First Act.
- The Employee shall meet all classes and office hours according to schedule and will create, maintain and submit all required class records, reports, and materials by due dates. Those reports and materials include the following:
 - List of no shows.
 - Return of accurate class rosters.
 - Compliance with College Syllabus Policy.
 - Student learning outcome reports
 - Weekly updates for graded assignments (Grades and assessment feedback must be posted to student's grade sheet in the online LMS no later than 7 calendar days of the assignment due date)
 - Submission of final grades.
 - Create and update comprehensive course shells for online classes and web-enhanced course shells for traditional courses. Faculty must complete development and update to web-based content by the due dates established in accordance with the course review schedule established by the ELearning Director for ELearning courses and date established by the Department Chair for Web-Enhanced traditional courses. All posted course content must meet the requirements established by the Department Chair/Director and ELearning Director.
 - Submit textbook adoption request by the due date established by Department Chair/Director in conjunction with Book Store Manager
 - Other reports or documentation as requested by Department Chair/Director, Associate/Assistant Dean, & Dean of Instruction
- Employees have no expectation of summer employment. Any employment for summer terms will be handled via a separate letter of appointment. Summer

employment does not count towards, and may not be used for, the attainment of non-probationary status.

- In the event Employee is terminated in the middle of the academic year, the Employee's salary shall be calculated on a daily rate from the beginning of the academic year, such calculation to be in accordance with applicable rules of the Board of Trustees and directives of the Chancellor. In the event that an appropriate calculation of the compensation due to the Employee indicates that the Employee has received an overpayment of salary and/or other compensation, the Employee agrees to reimburse the College for such overpayment within thirty (30) calendar days after the actual termination date of the employment, or no later than September 30.
- All instructional personnel intending to resign are required to give written notice of resignation no later than 30 days prior to the beginning of the fall academic semester, unless the resignation is mutually agreed upon in writing by the instructional staff member and the College. Each instructional staff member shall complete all instructional duties and be cleared by the chief administrative officer for any semester started, except by mutual written agreement by both parties.
- The Employee shall take all reasonable action necessary to keep himself/herself fully aware at all times of, and fully abide by, all applicable rules, regulations, and procedures of the College, the Board of Trustees, and the College's accrediting agencies (SACSCOC, ACEN, and ACBSP) regardless of whether such rules, regulations, and procedures are recorded in a faculty handbook or other College publications, stated in other written form, or stated orally to faculty members in general.
- Employee agrees that prior to becoming employed by any person or entity other than the College, including but not limited to consultative employment, he or she will inform the College of such outside employment and, if known, the working days and hours of such outside employment. Employee shall not engage in any outside employment which would (1) disrupt or interfere with operations of the College, (2) directly compete with the College, (3) impose additional financial burdens upon the College, (4) violate the Alabama Code of Ethics for public employees (as set forth in the Code of Alabama), or (5) be of a nature, character, or subject matter such that the outside employment, when considered in the light of Employee's position and duties with the College, would tend to decrease the effectiveness of the Employee in performing his/her College employment duties.
- Employee shall not conduct any outside employment or business activities during College working hours, nor shall Employee use any College property, equipment, or facilities for personal gain.
- All full-time faculty members shall attend the annual Honors Ceremony and the annual Graduation Ceremony.

c. **Regular Full-Time Salaried and Hourly Staff:** Regular full-time staff may be designated as either salaried exempt or hourly non-exempt based upon eligibility under the Fair Labor Standards Act (FLSA). Employees within this classification hold budgeted positions (either through operating funds or grants).

- 1) **Full-Time Status:** Full-time means working a regularly scheduled fixed 20 hours or more per workweek.

- 2) **Benefits and Leaves:** Regular full-time salaried and hourly staff are eligible for health insurance benefits as well as other fringe benefits as described in the Benefits and Leaves and Time Off Policies.
- d. **Regular Part-Time Hourly Staff:** A part-time employee is in a non-exempt position under the Fair Labor Standards Act (FLSA) that is 19-hours or less per workweek.
 - 1) **Benefits and Leaves:** Part-time staff are not eligible for benefits and do not accrue paid leaves.

NOTE: Exceptions to the maximum weekly work hours may be approved by the President in advance.

- e. **Supervisor/Manager:** A Supervisor or Manager is a position that has the authority to, in the interest of the [employer](#), requests or recommends the hire, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, or discipline of other employees, or the responsibility to direct these actions.
 - 1) A supervisor is prohibited from delegating these responsibilities to an employee in a non-supervisory position.

NOTE: *The terms Supervisor and Manager are used interchangeably.*

12. **Temporary Employment:** Temporary employment is described as an employee who holds either an exempt or non-exempt position for a limited term of service. The College usually makes a temporary appointment or hire when:
 - It is a limited assignment or project that is expected to last at least ninety (90) days but not more than six (6) months or an academic semester, or
 - To fill a position that involves intermittent (irregular) or seasonal (recurring annually) work schedules, or
 - To augment the College's regular workforce when conditions create short-term staff shortages, or
 - To fill in for an employee to ensure service to students during periods of high volume.
 - a. **Temporary Full-Time:** Employees may be assigned to a temporary full-time appointment for up to one year. During the temporary appointment, the employee is eligible for health insurance and accrue paid leaves if the temporary full-time appointment is one year.
 - b. **Temporary Part-Time Employees:** Temporary part-time employees may experience irregular, or on-call work hours given the nature of their assignment. The College does not guarantee continuous employment or a specified number of hours for part-time employees whose schedules are determined by need or at the discretion of their immediate supervisors. Regardless of the employment status, all part-time employees are paid hourly in compliance with the Fair Labor Standards Act (FLSA).

13. Other Employment Types:

- a. **Consultants and Independent Contractors:** The College engages the services of consultants and independent contractors (non-employees) on a short-term or temporary basis. A consultant or independent contractor is not an employee and, therefore, not eligible for benefits nor accrue paid leaves. The IRS has strict criteria for determining whether an individual is an independent contractor or an employee. An independent contractor:
- Must offer services to the general public on a consistent basis;
 - Cannot be a current WCCS employee;
 - Must not have been paid as an employee within the preceding twelve months. (Payments from WCCS will be documented by the issuance of an IRS Form 1099.);
 - Provides services to the College through a written scope of services;
 - Renders a service to the College for a specified time period and a specific amount of compensation;
 - Performs services for which the College does not have the authority to control the methods used to accomplish the results.

NOTE: *Contact the Human Resources Office before engaging services to determine the correct status.*

- b. **Federal Work Study, Institutional Work Study Student Employees and Student Tutors:** Federal work study (FWS) student employees, institutional work study student employees, and student tutors are defined as individuals who are enrolled at the College a minimum of a half-time basis and whose primary association with the College is related to the pursuit of an academic program. Student work hours may be limited based upon work study eligibility in Financial Aid. Student employees are paid hourly based on actual hours worked as recorded through timesheets. Student employees are not eligible to receive benefits nor accrue paid leave. Student employee **MUST** be enrolled a minimum of a half-time basis in the semester in which they are working (including summer).
- c. **Externally Funded (Grant) Employees:** These employees (either full-time or part-time) are hired into positions that are funded by grants for a defined period of time. Full-time employees working under a grant are eligible to receive benefits and accrue paid leaves. Part-time non-exempt hourly employees must follow FLSA guidelines and will be paid for actual hours worked. To avoid misunderstanding, employees hired under a grant agreement will be informed of their status and conditions of employment under that agreement.
- Grant-funded employment for either full- or part-time employees is conditioned upon the length of the grant and the funding available under the grant.
- d. **Occasional or On-Call Employees:** Occasional or on-call employees are generally non-exempt under the FLSA and work intermittently and on a sporadic non-continuous basis. Pay is on a per hour basis.
- e. **Staff Teaching as an Adjunct:** Full-time qualified salaried exempt staff who meet the qualification standards in the job description for an adjunct instructor vacancy may teach no more than three (3) courses or nine (9) credit hours per semester with primary

supervisor approval. Staff on the B salary schedule are not eligible to teach as an adjunct for pay. Staff on the B salary schedule may teach as a volunteer.

All WCCS employees are expected to devote their working hours to their primary job responsibilities at the College. Teaching, if not part of their primary job responsibilities, should be rare, but encouraged, if the need arises. Time away from an individual's regular work assignment to teach should not disrupt or adversely affect their departmental and specific job responsibilities.

- Conference hours, class preparation, other ancillary activities, and online instructional activities will not be performed during regularly scheduled work hours. Any regularly scheduled work hours missed due to time spent in the classroom teaching or providing support for students (office hours) must be made up or submitted as annual leave.
 - Qualified staff are entitled to receive the appropriate compensation as an adjunct faculty.
- f. **Volunteers:** Volunteer workers are non-compensated individuals who provide valuable service, usually in the form of a project or event. Departments utilizing volunteers will set the expectation of non-compensation and maintain a record of volunteer hours to be reported to payroll for liability insurance purposes (if applicable). Volunteer workers will not represent themselves as employees of the College.
- Existing WCCS employees may volunteer or otherwise perform services for the College on an unpaid basis if all the conditions listed below are met:
 - There is no expectation of pay;
 - The volunteer activity is at the employee's own initiative;
 - The volunteer activity is during the employee's own time (not during regular work hours or, if during work hours, the employee's direct Supervisor has approved the volunteer activity in advance as to not impede with the employee's work or creates an undue hardship on the department); and
 - The duties performed as a volunteer are not similar or identical to the employee's regular job duties and responsibilities.

14. **Hire (Start) Dates:** Newly hired employees have specific start dates as referenced below:

- Full-Time Staff: First day of the month.
- Full-Time Instructors: First faculty duty day of the academic term.
- Part-Time Staff or Hourly Part-Time Instructors: First or Twenty-First day of the month.
- Part-Time (Adjunct) Salaried Instructors: First day of the academic term.

Procedure(s):

Background Check Procedures [Chancellor's Procedure 623.01](#)

1. Employment or volunteer service will be contingent upon an acceptable background check.
2. Each new hire or current employee convicted of a felony or crime involving moral turpitude must obtain a recommendation from the President for the Chancellor's approval that the

new hire or current employee is suitable for employment. Factors to be considered in determining whether the individual is suitable include, but are not limited to the following:

- The proximity or remoteness in time of the conduct;
 - The risk of harm to persons or property of the institution;
 - The nature of the crime and likelihood of recurrence;
 - The nature of the job;
 - Any extenuating circumstances.
3. Within five (5) calendar days, an employee convicted of a felony or a crime involving moral turpitude must report the conviction to the President. An unreported conviction will be subject to disciplinary measures for failure to report.
 4. Each institution will require vendors with regular contact with students to perform background checks of their employees.
 5. Each institution will develop procedures to ensure compliance with this policy.

Instructor Credentialing Procedures

1. **Verification of Credentials:** Department chairs or designated instructors will verify the credentials of all faculty candidates.
2. **Documentation:** All credentials must be documented and reviewed by the Instructional Dean on the **Instructor Credentials Form**. In cases where a potential or current part-time/adjunct or full-time instructor possesses credentials that may not directly match requirements necessary for instructing a particular course, a Crosswalk Form must be completed. This procedure guarantees a meticulous and comprehensive evaluation process to determine whether the instructor's qualifications can reasonably align with the course's description and educational objectives.
3. **Regular Review:** Instructor credentials will be reviewed periodically to ensure compliance with SACSCOC Standard 6.2.a and BOT Policy 605.02.
4. **Reporting:** The institution will maintain records of faculty qualifications and will provide necessary documentation for SACSCOC reviews.

Terminating Inactive Employees Procedures

1. Refer to the Terminations of Employment (Offboarding) Policy.

Determining FLSA Status Procedures

1. When a new position is created, Human Resources will evaluate the job description and complete a FLSA Status Form to determine FLSA status.

Worker Classification – Employee or Independent Contractor Procedures

1. Hiring Supervisor/Manager completes a Worker Status Evaluation Form **prior to** retaining an individual(s) for services and submits it to the Human Resources Office.
 - a. A **Worker Status Evaluation Form** is generally required each time an individual is to be retained. (See item 2 below for exceptions).
 - b. A Worker Status Evaluation Form may be completed for an employment type when a Department expects to be retaining multiple individuals to provide services of the same type throughout, or for a specified period within, a fiscal year.
2. Human Resources evaluates the Worker Status Evaluation Form, determines the appropriate employment type (Employee or Independent Contractor), and returns the form to the Department for appropriate action.
3. Hiring Supervisor/Manager uses one of the methods below to establish a payment method:
 - a. Payment as an Employee: Establish a position (regular or temporary) with Human Resources. Refer the Recruiting, Hiring, and Onboarding Vacant Positions Policy.
 - b. Payment as an Independent Contractor:
 - 1) Hiring Manager completes an Independent Contractor Agreement Form and sends completed form and blank IRS W-9 Form to the Independent Contractor for signature.
 - 2) Independent Contractor signs agreement and IRS W-9 Form and returns to the Hiring Supervisor/Manager.

NOTE: Payment to Nonresident Aliens - all compensation to Nonresident Aliens must be made by a check through the Fiscal Services Office with proper documentation.
 - 3) Hiring Supervisor/Manager attaches the Worker Status Evaluation Form, Independent Contractor Form, and IRS W-9 Form to the Fiscal Services Office. New Vendor paperwork links are available at **ADD LOCATION HERE**.
 - 4) The Fiscal Services Office creates a vendor number and notify the hiring Supervisor/Manager to enter a requisition.
 - 5) Hiring Supervisor/Manager follows the Fiscal Services Office requisition procedures in Banner to request payment. Once the requisition is approved and a purchase order (PO) number is created, the Supervisor/Manager can submit the copy of the contract, invoice, and any other necessary backup to the Fiscal Services Office.
 - 6) If applicable, the Fiscal Services Office reviews all documentation for compliance and forwards to Accounts Payable for processing and final payment of invoice.

Staff with Teaching Assignments Procedures

1. **Primary Supervisor Approval:** Employee must seek authorization from their primary supervisor indicating interest to teach outside work responsibilities each semester. Request must include course, location, and time(s). Approval of arrangements for one semester does not guarantee ongoing approval of the same or similar arrangements.
2. **Teaching Limits Per Semester:** Qualified Staff may teach no more than three (3) courses or nine (9) credit hours per semester with pre-approval of the employee's primary supervisor.
3. **Missed Work Hours:** Any work hours missed must be made up or submitted as annual leave.
4. **Responsibility of Primary Supervisor:** It is the responsibility of the primary supervisor to review and approve the direct report's request to teach courses outside of their regular work responsibilities, in consideration of the department's priorities. In addition, the primary supervisor must monitor work hours missed by a direct report due to the teaching assignment(s) and ensure work hours missed are made up outside their regularly scheduled hours or submitted as annual leave. The primary supervisor must monitor the performance of the direct report and take appropriate action if work performance (such as quantity or quality of work) is negatively impacted by the teaching assignment(s).

Additional Provisions / Information:

Refer to the Recruiting, Hiring, and Onboarding Vacant Positions Policy.
Refer to the Terminations (Offboarding) Policy.
Refer to the Pay and Salary Administration Policy.
Refer to the Employee Discipline Policy.