



EAST TENNESSEE STATE
UNIVERSITY

Employee Classification Policy

Policy Name: Employee Classification

Policy Purpose

This policy specifies how ETSU employees are designated for reporting hours under the Fair Labor Standards Act (FLSA) and for determining eligibility for receiving benefits.

Applicability

This policy is applicable to all ETSU employees.

Responsible Official, Office, and Interpretation

The Assistant Vice President for Human Resources is responsible for the review and revision of this policy. For questions about this policy, please contact Human Resources. The Chief Operating Officer in consultation with the Office of University Counsel, has the final authority to interpret this policy.

Defined Terms

A defined term has a specific meaning within the context of this policy.

Adjunct Faculty

Adjunct faculty are employees who teach on a per-course contract based on instructional demand each semester.

Exempt Employee

Exempt employees are ineligible for overtime pay and compensatory time according to the Fair Labor Standards Act. ETSU permits exempt employees compensatory time for holiday hours if they are required to work.

Graduate Assistants

Graduate Assistants are temporary personnel who are enrolled in a graduate academic program and whose primary purpose is to be a student, but also works limited hours for the applicable department (not to exceed 20 hours per week).

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Limited Term Employees

Limited Term employees are personnel whose salary and benefits are budgeted on a recurring basis for a specified period, not to exceed five (5) years. These positions carry benefits in accordance with the percentage of employment.

Modified Fiscal Year Employees (MODFY)

MODFY (modified fiscal year) employees are regular full- and part-time personnel whose contractual service period is at least nine months, but less than twelve months. MODFY employees are paid on a twelve-month schedule (See [Modified Fiscal Year Appointments Policies](#)).

Non-Exempt

Non-exempt employees are eligible for overtime pay or compensatory time according to the Fair Labor Standards Act.

Regular Employee

Regular employees are personnel (1) whose salary and benefits are budgeted on a recurring basis whether through grant or state funds, (2) who are employed on a continuing basis, and (3) who are eligible for full benefits (pro-rated based on percentage of effort).

Student Workers

Students enrolled at the university who are employed through the Office of Financial Aid as Federal Work Study or Regular Work Study. The Office of Financial Aid and Scholarships provides information about the eligibility of student workers.

Temporary Employee

Temporary employees are personnel whose initial period of appointment or expected service is less than one year. Some temporary employees are eligible for benefits according to the Affordable Care Act.

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1. Policy Statement.

The University has developed guidelines for employing people within the institution. Consistent with the descriptions included within this policy, appropriate employee designations and percentage of employment shall be determined through review of the length of the assignment and the continued need for services.

2. Employee Designations and Descriptions.

An employee is designated as either exempt or non-exempt and must be categorized as one of the following:

- 2.1. Regular Full-Time;
- 2.2. Regular Part-Time;
- 2.3. Modified Fiscal Year (MODFY);
- 2.4. Limited Term;
- 2.5. Temporary;
- 2.6. Adjunct;
- 2.7. Student Worker; or
- 2.8. Graduate Assistant.

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Procedures

N/A

Applicable Forms and Websites

N/A

Authority and Revisions

Authority: TCA § 49-8-203, et seq.; Fair Labor Standards Act

Previous Policy: PPP-02 Employee Classification

The ETSU Board of Trustees is charged with policy making pursuant to TCA § 49-8-203, et seq. On March 24, 2017, the Board delegated its authority to ETSU's President to establish certain policies and procedures for educational program and other operations of the University, including this policy. The delegation of authority and required process for revision to this policy can be found on the [Policy Development and Rule Making Policy webpage](#).

To suggest a revision to this policy, please contact the responsible official indicated in this policy. Before a substantive change to the policy section may take effect, the requested changes must be: (1) approved by the responsible office; (2) reviewed by the Office of University Counsel for legal sufficiency; (3) posted for public comment; (4) approved by either Academic Council or University Council; and (5) approved by ETSU's President.