



EAST TENNESSEE STATE
UNIVERSITY

Non-Exempt Employees Who Teach as Adjunct Faculty

Policy Name: Non-Exempt Employees Who Also Teach as Adjunct Faculty

Policy Purpose

This policy specifies provisions for Non-Exempt Regular Employees who teach as adjunct faculty.

Applicability

This policy is applicable to Non-Exempt Regular 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 the Office 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.

Hiring Department

The department in which the adjunct appointment will reside.

Home Department

The department in which the employee's primary job resides.

Non-Exempt

Employees entitled to overtime pay or compensatory time and minimum wage as set forth by the Fair Labor Standards Act.

Regular Employee

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

**Policy Effective Date: Insert • Policy Revised: Insert
Procedures Effective Date: Insert • Procedures Revised: Insert**

Policy Name: Non-Exempt Employees Who Also Teach as Adjunct Faculty

Policy

A Non-Exempt Regular Employee may serve as an adjunct faculty but must receive approval from their supervisor in the Home Department before accepting the adjunct appointment.

1. Rate of Pay Calculations.

Under the FLSA where an employee in a single workweek works at two or more different types of work for which different non-overtime rates of pay have been established, the employee's regular rate for the week is the weighted average of such rates. FLSA further allows the use of a task basis whereby employees are paid according to a job or task rate without regard to the number of hours required to complete the task. The IRS has provided guidance that adjunct employees should complete their work in 2.25 work hours for each credit hour taught times the number of weeks in each semester. Upon the completion of the task the employee is credited with completion of the task though the employee may have worked more or less than the determined hours required. This weighted average is used to determine the adjunct faculty pay rate for employees.

The Hiring Department has financial responsibility for the adjunct pay and the weighted average. The weighted average may be higher than the established rates of adjunct pay. The Hiring department must pay the greater of the adjunct pay rate, or the weighted average pay rate. The Non-Exempt Adjunct Pay Calculator will automatically indicate which rate of pay must be used.

The Hiring Department must contact the Office of Human Resources to confirm the weighted average hourly rate of pay for the non-exempt employee after using the [Non-Exempt Adjunct Pay Calculator](#) to generate the proposed rate.

2. Financial Impact on Home Department.

The Home Department is not responsible for any overtime that occurs as a result of the adjunct contract; however, the Home Department is financially responsible for any overtime hours worked specifically for the Home Department.

Policy Effective Date: **Insert** • Policy Revised: **Insert**
Procedures Effective Date: **Insert** • Procedures Revised: **Insert**

Policy Name: Non-Exempt Employees Who Also Teach as Adjunct Faculty

Procedures

The Hiring Department will follow the usual procedures for hiring an adjunct faculty member.

Policy Effective Date: Insert • Policy Revised: Insert
Procedures Effective Date: Insert • Procedures Revised: Insert

Policy Name: Non-Exempt Employees Who Also Teach as Adjunct Faculty

Applicable Forms and Websites

[Non-Exempt Adjunct Pay Calculator](#)

Authority and Revisions

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

Previous Policy: PPP-83 Non-Exempt Employees Who Also Teach as Adjunct Faculty

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.

Policy Effective Date: Insert • **Policy Revised:** Insert
Procedures Effective Date: Insert • **Procedures Revised:** Insert