

# HR Policy Questions and Answers

The following document is designed to assist UWS Human Resources Professionals in determining when to create a new appointment, how to select an appropriate appointment type and continuity status, when to use specific titles, how to determine pay basis, how handle overloads and information related to hiring annuitants and Student Help. Also attached is an addendum with definitions of appointment types.

## 1. CREATING APPOINTMENTS

- a. When should a new appointment be created?
  - o Rule of thumb is to create a new appointment whenever there is a new or vacant position and that position was posted for transfer, promotion, or open recruitment (or there was a waiver of open recruitment).
  - o A new appointment should be created when changing from an emergency hire to a permanent hire. Just changing the continuity status loses the history of the appointment.
- b. Is a new appointment created when a person moves from LI to AS (i.e. moved to a concurrent/backup appointment)?
  - o If a concurrent/backup appointment existed or was created when the employee was appointed to a Limited position and they are now stepping down from the Limited position, the backup position should be activated effective the date the person is placed in the backup position - you would not create a new appointment but use the backup position created earlier and do a salary review to determine the appropriate level. If there was no concurrent or backup appointment, an AS appointment shouldn't be created; they should be given up to six months notice and continue in their LI appointment until that period of time has expired.
- c. Is a new appointment created when a position is converted from CP to AS/LI or AS to CP?
  - o Yes, primarily to avoid problems with benefits (see [UPG#7](#) for classified vs. academic staff position).
- d. Is a new appointment created if an employee works every Fall semester (but not Spring or Summer)?
  - o If the appointment is considered a seasonal appointment and renewal is expected, it should be a fixed renewable appointment. The appointment percentage should have begin and end dates listed for the period the employee is in pay status. There also are benefits eligibility considerations.
  - o If it is a fixed terminal appointment because it is unsure whether it will be continuing, it could either be a new appointment each Fall or the end date removed and then extended. Benefits eligibility is more difficult to determine.
- e. Is it a split appointment or two different appointments when there are two different departments involved?
  - o If the duties are the same but funded by two different departments, the same appointment should be used. For example, if a person works in a lab and is funded by two grants from two different departments (employee has one set of duties and doesn't even know how position is funded), it should be one appointment.

- If there are two different sets of duties and/or supervisors, there should be different appointments. For example, if an individual works for two different departments with two different supervisors and records hours/sick leave/vacation separately, there should be two appointments.
- f. Is it a split appointment or two different appointments when 50% of funding is fixed terminal and 50% is probationary?
  - If one appointment is fixed-term terminal and the other is fixed-term renewable or probationary leading to indefinite, the employee should have two different appointments.
- g. Is it a split appointment or two different appointments when 50% of funding is 101 dollars and 50% is grant monies that may not be renewed?
  - It would be the same appointment with split funding.
  - If 50% grant funding is eliminated, the individual would be either a 50% nonrenewal or a layoff, depending on the notice period given. Department needs to determine actual funding split based on effort if it varies. (Perhaps Oracle/PS will have the ability to do an automatic split when appropriate.)
- h. Should a new appointment be created for Acting/Provisional continuity status?
  - Yes, even if recruitment was not conducted for the acting position, a new position should be created.
- i. If the person with the Acting/Provisional continuity status is hired for the permanent position, should a new appointment be created?
  - Yes, once recruitment has been completed, a new appointment should be created. If appointing the same person, just changing the continuity status loses the history of the appointment.
- j. When should it be a rate and/or title change rather than a new appointment?
  - If there has been a gradual change in duties, progression to next title level, and/or equity/market adjustment, it would be a rate and/or title change.
  - If it is to replace someone who has terminated or a new position is being created, a new appointment should be created.
- k. Should a new appointment be created for a rehired annuitant?
  - Yes, if the individual has terminated and not been rehired for at least 30 days, a new appointment with service status "4" is required if the individual returns as a rehired annuitant.
- l. What is the correct use of zero dollar “appointments” (\$00.00, FTE=0%, “will not be funded”)?
  - Zero dollar appointments typically are used for non-paid volunteer positions, e.g., Honorary Associate, Department Chair, and coterminous backup appointment where the Unclassified Title Guideline indicates pay is not allowed. Institutions should enter department chairs with zero dollar appointment so they can be identified.
  - Lump sum payments should be ‘L’ pay basis with 0% and indicate “will be funded”
- m. How should appointments and payments be made to new faculty who are given summer monies prior to their teaching appointment (start-up funds, curriculum planning, research, etc.)?
  - If the individual actually begins performing faculty duties (e.g., curriculum planning, research, etc.) prior to the semester, their begin date can be adjusted.
  - Funding for start-up (e.g., lab supplies, start-up funds) would not be salary.

- Once the faculty begins their faculty duties, they should be appointed as faculty (not adjunct). Additional work performed after the begin date would not typically result in a lump sum payment.

## 2. APPOINTMENT TYPE (see addendum for Appointment Type definitions)

- a. Coaches
  - Division I schools use Limited appointments when individual also under contract and use Ad Hoc Program Specialists for summer camps (payments based on attendance). Other institutions have option of LI or AS, depending on their circumstances.
- b. When creating a zero dollar Department Chair appointment
  - Department Chair should be appointment type OT, continuity status of limited, and zero dollar (see UPG#1). If additional pay, it should be as a temporary base adjustment attached to their faculty position.

## 3. SECURITY

- a. What is the correct use of continuity status (Rolling Horizon, Fixed Renewable, Fixed Terminal, On-going, Limited, Acting/Provisional)?
  - Rolling Horizon – A fixed term appointment that extends daily for the term specified. The term may be for one or more years.
  - Fixed Renewable – Typically one year appointment with expected renewal, although can be fixed (not rolling) for more than one year.
  - Fixed Terminal – A specific end date indicated in letter of appointment. Can be extended for additional time rather than switching to fixed renewable.
  - On-going – Used for tenured, tenure-track, indefinite, probationary leading to indefinite, or permanent classified.
  - Limited – Typically used for appointment type Limited unless in an acting position.
  - Acting/Provisional – Used for acting or interim appointments; appointment type would be Limited or Academic Staff.
- b. Should Guaranteed Length be required?
  - Only when the continuity status is rolling horizon (so you know the number of years it rolls) or multiple years appointment (when the fixed renewable is more than one year).

## 4. TITLES

- a. When should the Ad Hoc Program Specialist title be used?
  - Should be used on a very limited basis, e.g., non-credit instruction, Division I schools use Ad Hoc Program Specialists for summer camp trainers (payments based on attendance).
- b. When should the Consultant title be used?
  - Other titles should be considered first, based on job duties. In exceptional cases, Consultant may be appropriate if special expertise is required on a short-term, non-recurring basis to provide professional advice, assistance or other services for a specific program or project.
- c. What is the appropriate use of the Professor L/I (location/institution) title?

- When a tenured or tenure-track faculty member from one of the UW institutions is on leave and working at another UW institution. The receiving institution would use the L/I title.
- d. When is it appropriate to use the title Adjunct Professor (Assoc, Asst, or Instructor) as opposed to Lecturer?
  - Adjunct is used when the individual is from a non-instructional institution and for those whose professional career is primarily outside of University instruction. Must be performing primarily instructional activities. In some circumstances the title may be appropriate for those whose full-time continuing teaching assignments are practicum-oriented.
  - A lecturer provides formal classroom or laboratory instruction in an academic discipline, either independently or under the general supervision of a faculty member. Effective delivery of instructional material, testing and grading are the primary duties of a Lecturer.
- e. Should we take unclassified titles out of our structure that are too similar to classified titles or were identified in the MOA as being more appropriately placed in the classified service?
  - We need to carefully review each title being proposed for removal to be sure there are no legitimate uses.

## 5. PAYMENT TYPES AND ISSUES

- a. When should an AS appointment be paid on an hourly basis?
  - When there is no way to determine the percent time (i.e. for sporadic hours that are dependent on patient need or research trials) and hours cannot be scheduled on a consistent basis.
  - Hourly appointments should be reviewed periodically to determine whether there is consistency, whether it should be switched to a percentage or whether the position should be switched to a classified appointment.
- b. When is it appropriate to pay on a lump sum basis?
  - When it is for a specific short-term project, when you are unable to determine an appointment percentage, vacation payout, short-term overload, retro special pay plan amounts, error corrections, and WSEU add-ons. Typically, non-credit coursework is paid as lump sum if not part of regular load (unable to change percentage and/or basis, if ongoing).
- c. Is it ever appropriate to pay a classified employee on a lump sum basis?
  - In certain situations (e.g., a one-time DCA that does not increase base pay, vacation payout, or standby pay), a lump sum payment may be appropriate. Payment should not exceed full time, if exempt. If non-exempt, the rate needs to be blended for over 40 hours.
- d. Can an employee be paid a lower percentage over twelve months if the person works full time over nine months (similarly, do you average partial months over the whole month)?
  - No, the employee should be paid for the period of time and percentage worked.
- e. If so, can employee start on the lower percentage prior to the work beginning, e.g., scheduled to begin September 1 100% but put on payroll effective the previous July?
  - No, see above.
- f. Is it appropriate to pay a 9-month Academic Staff employee on an Annual basis in order to save FTE?

- No, see above.
- g. Can we pay a 10 month Academic Staff employee over 12 months?
  - No, see above.
- h. How is seasonal status determined and administered?
  - Seasonal is when an employee's work schedule is recurring (e.g. works every first semester during registration, agricultural/farm workers...). Payments reflect the period of time and percentage worked.
- i. If working a partial month, how should it be reflected, e.g., 20% for the whole month or 100% for days worked?
  - Payments should reflect the period of time and percentage worked, e.g., 100% for days worked.
- j. What is the formula for converting from C to A (or A to C) basis?
  - Formula for C to A is divide by 9 times 11; for A to C is divide by 11 times 9 or divide or multiply by 1.2222. See [FPP #29](#):
- k. How do we convert 10-month to 12-month or 12-month to 10-month?
  - There is no conversion formula. If someone works 10 months, they are paid for those months only—monthly rate would be 1/12 of the annual rate. Employee should be paid for the period worked at the percentage worked.

## 6. REHIRED ANNUITANTS

- a. When it is appropriate to employ a rehired annuitant? How is the salary determined?
  - After the required minimum 30 days break in service which begins on the termination date and ends on the latest of the following:
    - The day after the annuity effective date or,
    - The 31<sup>st</sup> day after the termination date or,
    - The 31<sup>st</sup> day after ETF receives the benefit application.
  - Prearranged agreements between the employer and the annuitant to return to work are not permitted.
  - The salary should be based on the level of responsibility (e.g. if performing duties similar to prior position, salary could be the same as at time of retirement).
- b. Should "appointment status" be required when rehired annuitants are employed?
  - Service status "4" is required to indicate rehired annuitants.

## 7. STUDENT HELP

- a. When should a new student help appointment be created?
  - When taking a position in a different department or a different job within the same department.
- b. When should a student help appointment be paid a lump sum?
  - Per UW System's Employment of Student Help policy document ([G18](#)), "When a job that can be performed by a student is established to include an employment relationship as defined in [FAP 31](#), every attempt should be made to establish an hourly wage rate as a compensation basis. Under special conditions, student employees may be paid on a non-hourly basis." For example, when assigned a specific project and agreement as to the amount to be paid, a lump sum is a possibility.

## 8. OVERLOADS

- a. When is an overload appropriate? [Also see [UPG#4](#), Sections 4.02(1) and 4.08(1)]
  - When an employee is performing duties “above and beyond” the duties expected. Temporary base adjustments should be used for longer term additional responsibilities. Overloads are more short term.
  - When it is not prudent or possible to hire someone else to perform these duties.
- b. Who should receive overloads?
  - Classified employees typically are appointed into an LTE appointment when expected to perform a set of different responsibilities.
  - Classified employees may receive a lump sum DCA or overtime pay (nonexempt) if they meet the overload criteria above. Also could be paid lump as academic staff (degree required), depending on type of duties associated with overload.
  - Faculty and Academic Staff should only receive an overload if they meet the overload criteria above.
- c. When should an overload be applied to the same appointment?
  - When the additional duties are short term and similar to the employees current job description, e.g., same department, supervisor, but a special related project (see criteria above).
  - If the additional duties will be performed at a different institution, a separate appointment would be appropriate. If the new appointment creates an overload, it should be coordinated with the other institution.
  - If an ongoing responsibility, a temporary base adjustment should be done instead of an overload.
  - **Caution:** the increased salary (either overload or temporary base adjustment) cannot result in a salary that exceeds the max of the range. The \$12,000 statutory limit needs to be observed with an overload but not a temporary base adjustment.
- d. When should a new appointment be created for an overload payment?
  - When the additional duties are very different than the employee’s current job description
  - If an LTE, in addition to a permanent position
- e. If an instructional academic staff is working at 2 institutions, who is responsible for the overload if the combined appointments > 100%?
  - Whichever institution creates the overload situation—requires coordination between the institutions.
- f. When paying summer session 100% and also a payment for chair responsibilities (paid on the faculty appointment) and these payments overlap, should this be paid as a lump sum (or an overload)?
  - Anytime an employee is paid more than 100% for the same time period, it is an overload.
  - It could be paid as a lump sum. If it extends for more than a pay period or two it could be as a temporary base adjustment. [See [UPG #4](#), Section 4.08(7)]
- g. Is it appropriate to pay an overload when a faculty member receives a grant?
  - Since a faculty member’s duties include teaching, research, and public service, they should not receive extra compensation when receiving a grant. They could, however, be reviewed for a possible market or equity adjustment if the receipt of

- the grant makes them more marketable and/or creates an inequity with other faculty.
- h. When a classified employee also teaches, should this be two appointments? An overload?
    - o Since the duties are very different, they should be two appointments.
    - o If the employee is more than 100%, it is considered an overload, or possibly overtime if the classified employee is not exempt from the Fair Labor Standards Act.
  - i. If there is an overlap between Winter Session and the academic year, are these payments considered overloads?
    - o Anytime an employee is paid more than 100% for the same time period, it is an overload.

## 9. OTHER ISSUES

- a. What types of appointments don't require the normal recruitment protocol?
  - o A few examples would be short-term (e.g. less than 6 weeks), a low percentage (e.g. 25% or less), a rehired annuitant, a visiting professor, etc...
- b. How do we justify using reclass/change duties (001) or promote/progress (003) where there is no title change in the unclassified service?
  - o For unclassified, a title change is not required when there is a change-in-duties base adjustment. This type of salary adjustment does not recur on a regular basis.
  - o A promotion/progression would be used when a title change, typically to a higher pay range and it is a natural progression. In cases where the duties are significantly different, open recruitment should be done (especially when politically wise to do such as for a visible position such as Asst/Assoc Dean/Director).
- c. What is the correct way to handle classified backup appointments?
  - o When a current classified employee assumes an unclassified position (e.g. as an academic staff or limited appointee), change the classified position to zero percent (an end date needs to be entered in the appointment percent interval, i.e. ADEPT). The classification and salary should not be changed. As a result IADS will reflect the salary increases applied each year in the event the individual returns to classified service.
- d. When is it appropriate to use Contract Begin and End Dates?
  - o To identify current contract periods for tenure track faculty during their probationary period, for academic staff who are probationary leading to indefinite so you know when the review for indefinite status is required, for individuals with a legal contract (e.g. coach), for project appointments, or when the letter of appointment (or reappointment) includes contract terms (e.g. clinical and CHS faculty, multiple-year appointment).

## **Addendum:**

### **Appointment Types**

**Faculty** consists of all persons with instructional, research and service responsibilities who hold the rank of professor, associate professor, assistant professor, or instructor with at least a one-half time appointment at one institution or a full- time appointment held jointly between multiple institutions.

**Limited** appointments ([§36.17, Stats.](#) and s. [UWS 15, Wis. Adm. Code](#)) are special appointments to designated administrative positions using unclassified titles and are made for persons involved directly in formulating, interpreting, and monitoring policies and/or major programs on behalf of the administrative officer with whom such policies and/or program directions originate. Limited appointees serve at the pleasure of the authorized official who made the appointment, and usually do not have a set period of time.

Regent Resolution #9091 (adopted November 11, 2005) directed that from and after November 11, 2005, limited appointments shall be permitted only for those positions enumerated in [§36.17, Stats.](#) (refer to [Unclassified Personnel Guideline 2.](#)), unless an institution provides written justification for the creation of additional limited appointments to the UW System President.

**Academic Staff** includes professional and administrative personnel (other than faculty, classified staff, limited staff, student appointees, or employees-in-training) with duties and appointments primarily associated with higher education institutions or their administration [[§36.05\(1\), Stats.](#)]. Academic Staff positions are exempt from the classified service and subject to personnel rules defined in s. [UWS 8-14, Wis. Adm. Code.](#)

**Employee-in-training** titles are used for individuals usually not enrolled as students and are acquiring additional training or experience in their fields of specialization, typically after receiving an advanced degree.

**Student Assistant** titles are used for graduate students who: hold a fellowship, scholarship or traineeship; hold an appointment which is intended primarily to further the education and training of the student; are employed to assist with research training or other academic programs or projects; and/or have been assigned teaching responsibilities in an instructional department under the supervision of a faculty member.

In addition, Student Assistant titles are available to undergraduate students when: no qualified graduate student is available to perform a function that would normally be assigned to graduate students; or when the terms of a supporting grant or contract preclude the use of other normally appropriate titles (Undergraduate Intern).

**Student Hourly** employees are comprised of students who provide part-time and/or temporary administrative, clerical, laborer, technical or other general support to UW faculty and staff, and meet the eligibility requirements below.

**Other** titles include Teaching Supervisors, Advanced Opportunity Participants, Pre-college Intern, etc. These titles are used when the more specific categories above do not describe the activities.

**Classified** position titles are used for professional, paraprofessional, blue collar, clerical, technical, security, etc. positions. Employees perform duties similar to classified positions at other state agencies and are not appropriate as academic staff.

**Permanent** employment is of a career nature requiring the services of an employee for 600 hours or more on an annual basis (s. [ER-MRS 1.02\(21\)](#) and s. [ER 1.02\(27\)](#), Wis. Adm. Code). A permanent appointment can be an original appointment, promotion, transfer, restoration, reinstatement or demotion. Classification titles for permanent positions are determined according to the state classification plan.

**Seasonal** employment requires the services of a permanent employee on an intermittent and recurring basis for 600 or more hours each year, which usually leads to a career through successive reinstatements. Such employment cannot exceed 24 biweekly payroll periods of any 26 consecutive full biweekly payroll periods (s. [ER-MRS 1.02\(31\)](#), Wis. Adm. Code).

**Limited Term** employment (LTE) is a non-career appointment of short duration which does not result in permanent status and for which the normal recruitment and examination procedures are not necessary (s. [ER-MRS 1.02\(14\)](#) and s. [ER 1.02\(17\)](#) Wis. Adm. Code). The total time worked in any one position by an individual limited term employee (LTE) cannot exceed 1,043 hours of employment during a block of time consisting of 26 consecutive biweekly payroll periods and starting with the anniversary date of the appointment (s. [ER 10.01](#), Wis. Adm. Code). Classification titles for limited term appointments are the same as those used and pay schedule in the [State Compensation Plan](#) (s. [ER 10.02\(2\)](#), Wis. Adm. Code).

**Project** appointment is the employment of a person in a planned undertaking which is not a regular and continuing function of the University and which has an established probable date of termination. Conditions of employment for a project appointment do not lead to permanent status. No appointment to a project position can exceed four years. The duration of the project position itself cannot exceed four years from the date of the first appointment of a person to the project (s. [ER-MRS 34.01](#), Wis. Adm. Code and Wis. Stats [§230.27\(1\)](#)). The classification titles for project appointments are the same as those for permanent employees. .