**Policy Change Cover Sheet**

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| **This form must be attached to each policy presented. All areas in red, including the header, must be completed; if not, it will be sent back to you for completion.** |
|  | *I****f the changes you are requesting include housekeeping, please submit those changes to*** ***ndsu.policy.manual@ndsu.edu*** ***first so that a clean policy can be presented to the committees.*** |
| **SECTION**:  | 101: Personnel Definitions |
| 1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 |
| * Is this a federal or state mandate? [x]  Yes [ ]  No
* Describe change: Based on the implementation of the Affordable Care Act (ACA), under Federal law, language needs to be added to our policy to define full-time employment status for ACA purposes.
 |
| 1. **This policy change was originated by (individual, office or committee/organization):**
 |
| * Office of Human Resources/Payroll
* colette.erickson@ndsu.edu
 |
| ***This portion will be completed by Kelly Hoyt.***Note: Items routed as information by SCC will have date that policy was routed listed below. |
| 1. **This policy has been reviewed/passed by the following (include dates of official action):**
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| **Senate Coordinating Committee:** | 12/19/14 |
| **Faculty Senate:** | 12/19/14 |
| **Staff Senate:** | 12/19/14 |
| **Student Government:** | 12/19/14 |
| **President’s Cabinet:** | 12/19/14 |

The formatting of this policy will be updated on the website once the **content** has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

**North Dakota State University
Policy Manual
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**SECTION 101
PERSONNEL DEFINITIONS**

SOURCE: SBHE Policy Manual, Sections 605.1 and 606.1
NDUS Human Resource Policy Manual
NDSU President

1. CLASSIFICATION STATUS

1.1 **Staff Employee**

A person in a position covered by the North Dakota University System Broadbanding System.

1.2 **Non-Banded Employee**

1.2.1 **Academic Staff**

Faculty (instructors, assistant, associate or full professors), lecturers, and graduate assistants.

1.2.2 **Other Non-Banded**

Staff excluded from broadbanding by Board rule: president, executive deans, vice presidents and officers of the institution or staff holding positions the institution president has excluded by designation, including coaches, extension and experiment station professionals, and others in 2000 job categories not included in 1.2.1 above.

1. EMPLOYMENT STATUS

2.1 **Regular Employee**

A *staff employee*, who satisfactorily completes a probationary period, *or a non-banded employee*, who is employed at least seventeen and one-half hours per week if hired before August 1, 2003 or twenty hours per week if hired on or after August 1, 2003, and at least twenty weeks each year.

2.1.1 **Full-Time Employee**

A person employed on a regular basis for a minimum of 40 hours per week.

2.1.2 **Part-time Employee**

A person employed on a regular basis for less than 40 hours per week.

*A part-time lecturer is generally considered to be a regular employee if she/he teaches ~~6~~ 7.5 or more credits for two or more consecutive semesters.*

2.2 **Temporary Employee**

A person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week, or less than five months per year, if hired before August 1, 2003, or less than twenty hours per week or less than 20 weeks per year if hired on or after August 1, 2003*.*

2.2.1 A seasonal position is one in which a person works 6 months or less per year during an institutionally designated "season," such as the agricultural growing season. A seasonal employee must be terminated at the end of the institutionally recognized season, but may be rehired for a future season although there is no guarantee of re-employment.

2.2.2 Full-time ACA Temporary Employee: Working 30 hours or more per week or 130 hours per month or 1, 560 hours per year: Includes any employee that is reasonably expected to work 30 hours per week for a month, variable hour employees, and does not meet the season definition.

2.2.3 A full-time ACA, part-time academic employee is defined as someone who teaches 11 semester hours or more in a single semester during the academic year, and fewer than 7.5 semester hours in any other semester.

1. OVERTIME ELIGIBILITY STATUS

3.1 **Nonexempt Employee**

Those employees serving in positions covered by the Fair Labor Standards Act who are eligible for overtime pay or compensatory time off. Generally those employees in bands 4000 through 7999 are included in this group.

3.2 ***Exempt Employee***

*Those employees serving in positions exempt from the overtime pay and compensatory time off provisions of the Fair Labor Standards Act because their administrative, professional or managerial responsibilities meet the exemption requirements of the Act. Generally this includes employees in bands 1000 through 3999.*

HISTORY:
New July 1990
Amended April 1996
Amended August 1997
Amended August 1998
Amended July 1999
Amended December 1999
Amended December 2000
Amended February 2001
Amended October 2001
Amended April 2005
Amended January 2007
Amended September 18, 2013
Amended January 28, 2014
Amended October 8, 2014
Amended November 7, 2014