



STAFF EMPLOYMENT MANUAL

Title: 3.0 Employment Practices

Chapter: 3.05 Employment Classification

Issuance Status and Effective Date: July 2011

1. General Categories of Employment

- a. All University staff positions are divided into two categories:

Regular employment - a continuing position that is an integral part of the established organizational structure of the department.

Temporary employment - a position not essentially a part of the department's established organizational structure, but one which meets ad hoc, seasonal or special short-term needs. Also, any position scheduled for less than 20 hours per week and less than 40 weeks per fiscal year is considered temporary. Temporary staff are not eligible for benefits or service credit. (See also **6.07, Service Recognition**)

For purposes of compliance with the FLSA, all University staff positions are also classified in non-exempt and exempt categories. (See also **4.01, Salary Administration**)

- b. All staff employment (regular or temporary) is considered at will and no promise, contract or guarantee of continued employment should be assumed. (See also **3.04, Hiring Process**)
- c. Employment classifications are identified on the Personnel Action Form (PAF).

The following are **regular** staff employment classifications:

- regular full-time staff (12-month and academic year),
- regular part-time staff (scheduled between 20 hours and 30 hours per week for 40 or more weeks per year on a continuing basis).

The following are **temporary** employment classifications:

- temporary staff,
- University work-study students,
- student employees (non-work-study).

- d. Employment classifications are assigned to the position, not to the incumbent. Full-time University students may **not** hold regular full-time or regular part-time staff positions. (See also **3.06, Part-time, Temporary and Student Employment**)

2. Independent Contractors and Consultants

Professionals or business persons who perform services for the University under terms and conditions substantially under their own control and direction are, under certain circumstances, not considered employees, but independent contractors. In these situations, the University establishes what is to be done, but allows the professional or business person freedom in doing it. All determinations on

whether or not an individual should be considered an independent contractor are made by the Purchasing Department. These decisions are based upon standards established by the Internal Revenue Service and have significant tax implications for the University and affected individuals. Such services may be retained by Purchase Order on a fee-for-service basis, by contract or by documented agreement. The following clause is a sample of what will appear on the written document used to establish an independent contractor or consultant relationship:

“For all purposes under this agreement, the relationship of (name) to the University of Hartford is that of an independent contractor, not of an officer or employee of the University and nothing contained in this agreement must be construed to be inconsistent with that relationship or status. The University retains discretion to retain any other person to perform the same or similar tasks. (Name) retains discretion to provide services to other parties consistent with (name)’s obligation to complete the services that (name) undertakes the agreement.

Nothing in this agreement is considered to create an employment relationship, and by merit of providing services under this agreement, (name) does not obtain any right or privilege that the University regularly affords to staff, faculty, administrative or professional employees, whether contractual or statutory, including, without limitation: workers compensation, overtime, unemployment compensation or any other employee benefit or procedural right.

The conduct and control of work performed under this agreement lies solely with (name), and the University is interested only in final results to be achieved. In performing services under the agreement, (name) must determine (name)’s necessary hours of work. (Name) must provide any tool, equipment, vehicle or supply that (name) determines to be necessary in performing those services.

(Name) is entitled to establish offices in any location within or outside Hartford County, Connecticut, as (name) determined to be necessary for performing these services. (Name) is responsible for each expense of operating each office, including any expense that (name) incurs in hiring any employee or assistant to (name).

This agreement also does not constitute or create, and in no way must be interpreted to be a joint venture, partnership or formal business of any kind.”

Purchasing and/or Financial Accounting Services maintains a model professional services agreement for use in contracting with consultants. Financial Accounting Services will advise on payment methods. For further information, please contact Financial Accounting Services at 860.768.5480.

3. Additional Employee Assignments

In situations where employees may be assigned to more than one employment classification, such as a regular staff member also serving as a member of the adjunct faculty, special provisions regarding pay may arise. (See also **4.02, Hours, Overtime and Pay Practices.**) HRD will provide guidance, as needed, to ensure compliance with federal wage and hour laws.

4. Academic Year Positions (9, 10, and 11 Month Positions)

An Academic Year Position is defined as a 35-hour or 40-hour per week staff position established to coincide with academic or departmental schedules for a minimum of 40 weeks (but less than 52 weeks) per calendar year. It is considered a regular full-time position. Some benefits, however, are prorated for academic year staff. (See also **5.15, Academic Year Positions.**)