I. **Policy Statement:** This policy is established to allow Towson University (the “University”) to determine job classifications and compensation for regular and contingent employees.

II. **Reason for Policy:** The University has established implementing procedures pursuant to the USM Policies [www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VII910.html](http://www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VII910.html), [www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VIIP100.html](http://www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VIIP100.html), and [www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VII980.html](http://www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VII980.html).

III. **Definitions:**

A. **Classification** - An action when a new position is being established or a vacant position is being reviewed.

B. **Fair Labor Standards Act (FLSA)** - A federal law that requires that employees be paid at least the minimum wage and overtime for hours worked over 40 hours per week. Some employees are “exempted” from (not covered by) the law, and do not have to be paid minimum wage or overtime if certain requirements are met.

IV. **Responsible Executive and Office:**

Responsible Executive: Associate Vice President of Human Resources

Responsible Office: Office of Human Resources

V. **Entities Affected by this Policy:** All divisions, colleges, departments and operating units.

VI. **Procedures:**

A. **General**

1. The University President, his designee, or the appropriate administrator(s) to whom the function reports may request a job description be classified.
2. The Office of Human Resources (OHR) shall be responsible for reviewing the duties and responsibilities of the function and determining the appropriate USM job classification.

3. The OHR shall determine the salary for Non-exempt positions and provide salary data for Exempt positions.

B. Employment Status

1. Non-exempt Employment Status - A type of job status protected by the FLSA ensuring employees receive at least the minimum hourly wage and overtime pay for hours worked over 40 hours per week. Typical Non-exempt positions are Maintenance, Clerical, Service, Technical, and Para-professional employees.

2. Exempt Employment Status - A type of job status exempted from the requirements of the FLSA. Typical Exempt positions are CEOs, Presidents, Officers, Vice Presidents, Provosts, Deans, Managers, Administrators, and Professional Employees. These positions are paid a salary and do not earn overtime pay.

3. Regular Status - Any position that is established as a line item and appears in the personnel detail of the University’s budget. Employees on Regular Status are eligible for all benefits offered by the University, based on percentage of time worked.

4. Contingent Status - Any position established through a written agreement between the University and an individual, who shall provide personal services to the University for pay and for a specific period of time. Employees on Contingent Status shall not be eligible for retirement plans offered through the University. Specifics for each of the following can be found in the USM-BOR-VII-1.40-Policy on Contingent Status Employment for Non-Exempt and Exempt Employees, and TU policies Renewing Contingent Employment Agreements; Contingent Employee Conversions to Regular Employee Status; Separations for Contingent Employees; and Contingent Status Employment for Non-Exempt and Exempt Employees.

a. Contingent Category I - An employee who is either appointed to a position for six (6) months or less, the position is intermittent or seasonal in nature, or has a written agreement as a flat-rate Exempt employee. Not eligible for University benefits, service and/or salary credit.
b. Category II Employee - any Contingent Status Employee whose written employment agreement is for more than six (6) months, but no more than twelve (12) consecutive months; is on a full-time basis or on a part-time basis of 50% or more of full-time employment, and is hired through competitive recruitment and selection. Eligible for University benefits as defined in USM-BOR VII-1.40, Policy on Contingent Employment and University policy Contingent Status Employment for Non-Exempt and Exempt Employees.

5. Full-time - A position that is designated as 100% full-time equivalent (FTE) and scheduled to a 40-hour workweek.

6. Part-time - A position that is designated as less than 100% FTE and is scheduled to work less than a 40-hour workweek. Employees in this group must work at least 50% FTE in order to be eligible for benefits. Benefits are prorated based on percentage of time worked.

C. Types of Classification Requests

1. Establish a new position - A position is considered to be new when it has just been created or vacancy exceeds more than one year. Prior to recruitment/appointment an appropriate classification must be assigned to each position.

2. Review a vacant position - A position is vacant if there is no incumbent and if it has not been filled within one year. If changes have been made to a vacant position, it must be reviewed by the OHR to determine if the classification is still appropriate.

D. Salary Structures

1. Non-Exempt - The USM Non-exempt Pay Structure sets the minimum and maximum salaries for each of the seventeen (17) pay ranges utilized for Non-exempt contingent and regular employees. The USM Non-exempt Pay Structure can be found on: The Office of Human Resources website.

2. Exempt - The USM Exempt Pay Structure sets the minimum and maximum salaries for each of the five (5) pay ranges utilized for Exempt contingent and regular employees. The USM Exempt Pay Structure - Wide Salary Ranges can be found on: The Office of Human Resources website.
E. Procedures

1. Departments shall contact OHR prior to initiating any classification or compensation change.

   a. Required Documentation - To request a classification for a new or vacant position, the following documentation shall be forwarded to the OHR:
      (i) a completed Position Description Form - the Position Description Form can be found on the Towson University “Forms Repository”; and,
      (ii) an updated departmental organization chart.

2. Compensation determination will include market data respective to the University’s employment market, internal job value and equity (Departmental and University).

3. The OHR shall notify the Department Head of the status of the classification and/or compensation request.

Related Policies: None.

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Approved by: President’s Council 11/12/2009