



Terms and Conditions of Employment for University and Academic Professionals

July 1, 2018

The following terms and conditions of employment apply to Virginia Commonwealth University employees identified as University and Academic Professionals. Please note there are separate Terms and Conditions of Employment for University and Academic Professionals in Executive and Senior Administrator positions.

DEFINITION: University and Academic Professionals are employees who support the mission of the university in non-faculty roles. This group includes:

- Salaried employees hired in Classified positions posted on or after July 1, 2016;
- Classified Staff who elect the University and Academic Professional employee group; and
- Former Administrative and Professional Faculty.

A. **ACADEMIC PROFESSIONAL.** Academic Professional is a specific designation within the University and Academic Professional employee group. Academic professionals apply specialized professional qualifications in direct support of academic programs to enhance the practice and quality of teaching and learning. They perform high-level duties in academic, research and service missions of the institution. They have advanced degrees, often terminal degrees, and academic backgrounds that are similar to faculty in their professorial role but 75 percent or more of their total assignment involves academic program management related to advising, curriculum development and instructional design. Academic Professionals have significant expectations for research activity, including participation in peer-reviewed publications, juried exhibitions or performances, or professional presentations; the preparation and oversight of externally funded grants and contracts; and training and oversight of students in laboratories or studios. They do not hold tenure-track positions, are not eligible for tenure and do not accumulate probationary credit toward tenure. However, academic professionals typically hold concurrent faculty appointments that can either be Affiliate Faculty or Adjunct Faculty. For additional information see "Guidelines for Academic Professionals and Professional Faculty."

B. **AFFILIATE AND ADJUNCT FACULTY.** University and Academic Professionals may also hold an Affiliate Faculty appointment(s) in accordance with the required university review and approval process. Affiliate Faculty and Adjunct Faculty appointments may be

considered for those who, by virtue of their expertise, are able to make a significant contribution to a university academic program. More information about the process for obtaining such an appointment can be found in the university policy for Affiliate Faculty Appointments and in the Faculty Promotion and Tenure Policies and Procedures regarding Adjunct Faculty Appointments.

- C. **UNIVERSITY POLICIES.** As a condition of employment, University and Academic Professionals are subject to all applicable policies and procedures of the university and the policies and regulations adopted by the Board of Visitors of Virginia Commonwealth University, which are hereby incorporated into and by reference and constitute part of these terms and conditions of employment. As University and Academic Professionals, employees are subject to the Working@VCU: "Great Place" HR Policies.

Other significant policies and procedures include, but are not limited to: code of conduct, conflict of interests, outside professional activity, diversity, sexual misconduct, computer usage, intellectual property and code of ethics. It is the employee's responsibility to be aware of these policies and procedures as well as all others which may be applicable. university policies and procedures are subject to change, and further information may be obtained by visiting the VCU policy library at <https://policy.vcu.edu/>.

Also, if in the course of employment, the University and Academic Professional has access to confidential information regarding other employees, students, patients, the public, or to proprietary or other confidential information belonging to or in the possession of VCU. This information is to remain confidential, and may be disclosed only in strict accordance with federal or state law and/or university regulations and policy.

Furthermore, University and Academic Professionals are subject to the requirements and restrictions as described in the university policy on Outside Professional Activity, External Consulting, and Continuing Education Instruction. Employees are required to request in advance and report on an annual basis any outside activity and disclose any income earned as described in that policy and in the university's guidelines on Conflict of Interest and Commitment.

RESTRICTED POSITIONS. Certain University and Academic Professional positions may be designated as "restricted positions." Employment for those serving in a restricted position includes a contingency that continued employment is limited by the job duties to be performed, a specified time period or the availability of funds. This includes positions funded by grants and contracts. Employees in restricted positions are notified of the contingency through the official offer letter. Employees in restricted positions are not eligible for layoff rights, including severance benefits and placement rights.

- D. **BACKGROUND CHECKS.** Employment at VCU is conditioned upon the university conducting a job related background check. Criminal conviction investigations also will be conducted in connection with certain transfers and promotions. As required by state law, the employment offer is conditioned upon U.S. citizens verifying that they have registered

for the Selective Service or providing documentation from the Selective Service System that their requirement to register has been "terminated or become inapplicable." VCU is required by state law to ask each new employee if he/she has an income withholding order for child support payments. An affirmative response will not adversely affect employment with VCU. A U.S. Department of Justice I-9 Employment Eligibility Verification also must be completed no later than three business days from the date employment begins.

- E. **DEGREE VERIFICATION.** If a Bachelors, Masters, Doctorate, or other advanced degree is a required qualification for the position, the applicant/employee is required as a condition of employment, within thirty (30) days of hire, to submit documentation to the hiring authority that they are in possession of the academic credentials for the position in which they are hired. Failure to comply with this documentation requirement and/or misrepresentation of professional credentials in any manner may result in revocation of the employment offer and/or termination of employment with VCU. In most instances, the required documentation is an original, official seal-bearing transcript from the institution which awarded the highest degree. VCU may take steps to verify the documentation provided by the applicant/employee.
- F. **BENEFITS.** University and Academic Professionals are entitled to the standard active-employee benefits offered by VCU. This includes group health, dental, life and disability insurance, retirement plans, flexible reimbursement accounts, a 403(b) tax-deferred annuity and 457 deferred compensation plans. Most University and Academic Professional employees participate in the Virginia Retirement System (VRS), which is a full or partial defined benefit plan. Some University and Academic Professionals have the option of choosing between VRS and the VCU Optional Retirement Plan (ORP), which is a defined contribution plan. Employees are responsible for making all decisions and for taking appropriate actions within benefit deadlines. More information on benefits can be found at <https://hr.vcu.edu/current-employees/benefits/>.
- G. **PAID TIME OFF.** Details about paid leave for University and Academic Professionals can be found in the Working@VCU: "Great Place" HR policies. Employees transferring from another Commonwealth of Virginia state agency are credited for years of service for purposes of leave accrual. However, leave balances from other state agencies or institutions are not transferable.
- H. **GENERAL LIMITATIONS.** As employees of VCU, University and Academic Professionals are also employees of the Commonwealth of Virginia and subject to the laws of the Commonwealth.
- I. **PAYMENT OF EARNINGS.** Salary is paid in semi-monthly installments over 12 months. There is a one-week lag between the end of the payroll period and receipt of the related pay. Payroll periods are the 10th through the 24th (paid on the first of the subsequent month) and the 25th through the 9th (paid on the 16th of the month). VCU employees are required to receive their pay by direct deposit.
- J. **FAIR LABOR STANDARDS ACT (FLSA).** University and Academic Professional positions are designated as either exempt or nonexempt under the federal Fair Labor Standards Act.

Nonexempt positions are compensated at time and one-half overtime pay (or overtime leave, if agreed to by the employee and management in advance of working the additional hours) for all hours worked beyond 40 in a workweek. Overtime is calculated pursuant to the basic rate method, and overtime rates are computed at the rate applicable at the end of each pay period. Nonexempt employees must receive prior approval from their supervisor to work beyond 40 hours in a workweek. Nonexempt employees are not permitted to volunteer to work without pay beyond their regular work hours and cannot track extra hours worked off the books.

Exempt positions are not eligible to receive paid overtime or to accrue compensatory leave for hours worked over 40 in a workweek. For more information, contact your supervisor, department HR contact, or VCU HR Employee Relations at emprel@vcu.edu or 828-1510.

- K. **PROBATIONARY PERIOD.** All new hires are subject to a one-year probationary period of employment at VCU. Requirements for the probationary period can be found at the Working@VCU: “Great Place” HR policies.
- L. **PERFORMANCE.** Performance is evaluated on a regular (typically annual) basis based on performance goals and metrics jointly determined between the employee and the hiring authority. These goals/metrics will also be in alignment with the university’s strategic plan. Employees are responsible for working collaboratively in the development of goals, participating fully in the performance review process, fulfilling established goals, and demonstrating appropriate behaviors consistent with the university’s values and code of conduct.
- M. **RESIGNATION.** Employees should provide notice of resignation at the earliest possible opportunity in order to provide for a smooth transition and to not disrupt academic or administrative operations. Resignations should be given as far in advance as possible, and recommended to be at least 14 calendar days in advance of the effective date of separation. Notification is provided in writing to the immediate supervisor with a copy to that person’s supervisor.
- N. **EMPLOYEE RELATIONS.** For additional information on employee conduct, dispute resolution, workforce reduction, severance, and other employee relations policies, see Working@VCU: “Great Place” HR policies.