

Terms and Conditions of Employment for Exempt Temporary Employees

April 2020

The following terms and conditions of employment apply to Virginia Commonwealth University employees identified as Exempt Temporary employees.

DEFINITION: Exempt Temporary employees are FLSA-exempt wage employees who support the mission of the university in non-instructional roles.

- This group includes: Research & Lab Assistants - Trainees Whose Work is Part of Academic Progress
 - Non-VCU Graduate Assistants
 - VCU Student Lab Assistants
 - VCU Graduate or Undergraduate Research Assistants
- Those with duties similar to exempt university and academic professional employees
 - Certain coaches
 - Certain coaches contract supplements
 - Certain Curriculum Development/Instructional Design Specialists
 - Certain Senior Level Executive Support Staff
 - Additional positions identified and approved

A. TERMS OF APPOINTMENT

Your appointment with the University is temporary and only for the period indicated in your contract. Health care, life insurance, retirement and/or leave benefits are not provided with this appointment.

B. UNIVERSITY POLICIES. As a condition of employment, Exempt Temporary employees 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. 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/>.

If in the course of employment, the Exempt Temporary employee 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, Exempt Temporary employees 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.

C. 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.

D. 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.

E. GENERAL LIMITATIONS. As employees of VCU, Exempt Temporary employees are also employees of the Commonwealth of Virginia and subject to the laws of the Commonwealth.

F. 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.

G. FAIR LABOR STANDARDS ACT (FLSA). Exempt Temporary employees meet the Fair Labor Standards Act exemption status. Unless the employee meets the FLSA definition for trainee jobs similar to graduate assistants, or the employee's primary work is teaching, practicing law or practicing medicine, salaries for these employees must meet the minimum salary requirements under the FLSA and must be paid at least \$844 per week.

H. COMMONWEALTH OF VIRGINIA'S MANPOWER CONTROL PROGRAM In order to comply with IRS guidelines and the Commonwealth of Virginia's Manpower Control Program, as a part-time, non-benefited employee, Exempt Temporary employees are not permitted to work more than twenty-nine (29) hours per week, on average, and no more than 1480 hours during the 12-month Standard Measurement Period of May 1st to April 30th.

In addition, in order to comply with the provisions of the Fair Labor Standards Act (FLSA), Exempt Temporary employees are not permitted to accept additional employment in another part-time, non-benefited position at VCU unless authorized to do so by the respective hiring authorities. If you are permitted to hold more than one part time position, the total combined hours for all part-time, non-benefited positions held during the Standard Measurement Period cannot exceed more than twenty nine (29) hours per week on average and no more than 1480 hours per year. If at any time during the Standard Measurement Period it is determined that your projected hours might exceed this hourly limit, your hours must be reduced and/or your adjunct position may be subject to earlier termination.

I. 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.

J. 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.