

PAY DETERMINATION POLICY FOR UNIVERSITY STAFF

EFFECTIVE
DATE

July 2015

University Staff Council: Issued Initial Policy July 1, 2015
University Staff Council: Amended Policy July 29, 2015
Provost's Administrative Staff: Approved Amended Policy August 12, 2015
Senate of Academic Staff: Approved Amended Policy September 24, 2015
Faculty Senate: Approved Amended Policy September 29, 2015
Chancellor: Approved Amended Policy December 9, 2015

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1. POLICY PURPOSE:

The purpose of this document is to present policies for determining starting pay, the hourly rate upon movement to a new position or job, and promotional pay. Policies for temporary base adjustments, salary adjustments during interim appointments, salary adjustments within a title, overtime, compensatory time, and other pay components specifically created for non-exempt University Staff are also provided.

2. POLICY DEFINITIONS:

- "Base funds": Institutional funds that are part of its budget; not part of Board of Regents pay plan funds.
- "Compensatory time": Time off the job which is earned and accrued by a non-exempt employee in lieu of immediate cash payment for overtime.
- "Premium rate": The regular hourly rate plus .5 times the regular rate paid the non-exempt employee.
- "Regular rate": The hourly rate actually paid the non-exempt employee for all hours worked in the workweek or work period, including all remuneration for employment paid to, or on behalf of, the employee, except any payments specifically excluded from the calculation of the regular rate under the FLSA and related federal regulations.
- "Work hours": Work time as directed by the appointing authority during which an employee must be on duty and/or at a prescribed place of work.

3. IMPORTANT CONSIDERATIONS:

- All pay determinations shall demonstrate a commitment to UW-Oshkosh's Compensation Philosophy.
- All salary adjustment and hire requests must include a compensation analysis/pay equity study with salary for all UW-Oshkosh employees in the requested title.
- All pay rate assignments must be approved by the unit department head, dean or director, the division Vice Chancellor, and the Assistant Vice Chancellor for Human Resources or assigned designee.
- See UW System Operational Policy TC3 for additional information on compensation for University Staff employees.

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4. POLICY:

A. Starting Pay

- (1) The base pay may be set at any rate that is not less than the minimum of the applicable pay range and not greater than the maximum, subject to the compensation analysis.
- (2) The hiring unit shall submit a justification of the salary.

B. Salary Rate upon Movement to a New Position/Job (Occurs via Recruitment)

- (1) The base pay may be set at any rate that is not less than the minimum of the applicable pay range and not greater than the maximum.

C. Staff Promotional Pay (Occurs via Title Change)

- (1) The base pay shall be set at an employee's present rate of pay increased 10% of the minimum of the applicable pay range.

D. Staff Demotional Pay – Demotion

- (1) A demotion results when an employee, either voluntarily or involuntarily moves to a position with a salary pay grade maximum lower than the current pay grade maximum salary.
- (2) The Assistant Vice Chancellor for Human Resources, upon recommendation of the employing unit department head, dean, or director, and the division Vice Chancellor, has the authority to assign a salary up to 10% lower than the pre-demotion salary based on justification provided by the employing unit.

E. Overload Compensation

- (1) Overload compensation shall be utilized for FLSA Exempt University staff.
- (2) Overload payments may be made when substantial additional work requirements are added to the existing duties of a full-time employee creating a workload in excess of 100% of the employee's time and the performance of these duties is unusual, short-time or nonrecurring in nature.
- (3) Overload payments shall be sought by the employing unit submitting a request form to the Department of Human Resources. The request shall include a thorough explanation for the request, including details of the additional duties being performed.

F. Temporary Base Adjustments

- (1) Temporary base salary adjustments may be utilized in cases where an employee assumes temporary responsibilities. The level of the base salary adjustment should be appropriate for the new assignment. Temporary base salary adjustments are not overload payments, however payments can be either base-building or lump sum.
- (2) A temporary base salary adjustment may also be used as a mechanism to acknowledge achievement of a special qualification or job attribute that is not permanent or is seasonal. For example, a police officer may receive a temporary base salary adjustment for horseback duties since these would be performed on a seasonal basis. It is expected that in most cases, compensation for a special qualification or job attribute would be on a permanent basis and would, therefore, be addressed as an adjustment meeting the requirement of merit/exceptional performance pay.

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- (3) Temporary base salary adjustments shall be sought by the employing unit submitting a request form to the Department of Human Resources. The request shall include a thorough explanation for the request, including the expected duration of the adjustment.
- G. Salary Adjustments for Interim Appointments
- (1) When a university staff employee is asked to serve in an acting/interim appointment, a compensation analysis/pay equity study shall be done to ensure that, to the extent possible, the salary offered for an acting assignment does not create inequities with comparable positions at UW-Oshkosh (or other institutions in the UW System if applicable).
 - (2) When a permanent appointment is made, the acting or interim appointee can expect to be returned to the person's former position at a salary consistent with the salary the person was paid in the role before assuming the acting appointment, plus any increases the employee would have received if the person had not accepted the acting or interim responsibility.
- H. Non-Merit Base Adjustments within a Title
- (1) Adjustments for Change in Duties: If there is a substantive change in the scope of duties and responsibilities of a filled position that does not result in a title change, a salary adjustment may be requested by the employing unit
 - (2) Adjustments for Retention: This adjustment may be used when the employing department is aware that the employee is actively seeking other employment and the resultant loss of the employee's knowledge and experience would be a detriment to the department, division, or campus.
 - (3) Counter Offer Adjustments: This adjustment reflects a salary increase necessary to retain a person who has received an outside offer of employment (with comparable duties and responsibilities) at a rate higher than the person's existing rate. The position offered must be from an employer outside of the UW System.
 - (4) Equity Adjustment: This adjustment may be used when the employee's salary has been determined to be lower than that of other UW System employees performing the same or similar duties at the same level of proficiency and who have comparable years of experience. This adjustment may also be used if there is significant pay compression between the employee and his/her immediate subordinates; or established labor market data identifies a need to award market adjustments in order to achieve equity with external public/private employers.
- I. Requirements for Non-Merit Adjustments
- (1) A non-merit based adjustment shall be sought by the employing unit submitting a request to the Department of Human Resources.
 - (2) All non-merit base adjustments are subject to the minimum and maximum of the applicable pay range.
 - (3) Specific documentation requirements for each type of non-merit adjustment are provided on a request form.
- J. Merit Adjustments (Only permissible if language remains in the 2015-17 biennial budget.)
- (1) Merit adjustments allow for recognition of an employee's superior or meritorious service. Relevant factors that should be considered include:

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- a. Length or frequency of superior performance
 - b. Regularity with which outstanding contributions are demonstrated
 - c. Overall significance or importance of the employee's work to the department, division, or campus
- (2) Required Documentation for Merit Adjustments
- a. Merit adjustments shall be sought by the employing unit submitting a request form to the Department of Human Resources.
 - b. The request shall include a thorough justification for the base adjustment that specifically addresses at least one of the relevant merit factors listed above.
 - c. Additional documentation requirements for merit adjustments are provided on the request form.
- K. Overtime
- (1) All overtime worked must be approved by the designated appointing authority or administrator in advance of the hours being worked.
 - (2) Fair Labor Standards Act (FLSA) nonexempt employees must be paid at a premium rate or receive compensatory time credits at a rate of 1.5 hours per hour worked, for each hour worked in excess of 40 hours in a workweek. Hours worked do not include hours of paid leave.
 - (3) Payment of overtime at a premium rate shall be paid in addition to the premium rate paid for work performed on a legal holiday during the same workweek (or pay period in the case of law enforcement officers).
- L. Compensatory Time
- (1) All overtime worked must be approved by the designated appointing authority or administrator in advance of the hours being worked
 - (2) The FLSA provides public employers the option of providing employees with compensatory time (comp time) off in lieu of cash for overtime so long as the employee has received notice of the comp time option.
 - (3) FLSA nonexempt employees are permitted to accumulate up to 80 hours of compensatory time. Comp time for FLSA non-exempt employees accrues at one and one half times for each hour worked over 40 in a week. Any hours worked by FLSA non-exempt employees that exceed the 80-hour limit shall be paid in cash at the premium rate.
 - (4) UW System employees must use accrued compensatory time no later than four months after the end of the calendar year in which the comp time was earned. Any comp time unused by April 30th of the following calendar year will be converted to cash payment and included in the earnings for the pay period that includes May 1.
 - (5) The appointing authority has discretion to approve scheduled use of compensatory time earned in lieu of cash payment for overtime hours.
 - (6) For more information on compensatory time, please see the UW System Compensatory Time Policy.

M. Additional Pay Components for FLSA Non-Exempt University Staff

- (1) All additional pay components for FLSA Non-Exempt University Staff must be approved and or assigned by the appointing authority or administrator in advance of the hours being worked
- (2) Night Differential: Forty-five cents (\$0.45) per hour for all hours worked between the hours of 6:00 p.m. and 6:00 a.m.
- (3) Weekend Differential: Sixty cents (\$.60) per hour for all weekend hours worked (i.e., work hours between the hours of 12:01 a.m. on Saturday and 12:00 midnight on Sunday.
- (4) Legal Holiday Premium: A department head may assign work on days identified as legal holidays in UPS Operational Policy BN 2, Personal Holiday & Legal Holiday. Compensatory time off or payment at the premium rate will be granted for the hours worked on days identified as legal holidays in UPS Operational Policy BN 2, Personal Holiday & Legal Holiday.
- (5) Standby Pay: When an employee is required by the institution's administrators to be available for work and able to report to work in less than one hour, the employee will receive \$2.25 for each hour in standby status.
- (6) Call-Back/Call-in Pay: A minimum of two hours pay is guaranteed when an employee is called back for duty or called in on an employee's day off by the department administrator.
- (7) Calls at Home: If the Employer contacts the employee at home for the purpose of discussing job-related business, the employee shall be credited with work time for all such calls. In no case shall the employee receive less than a single one-half (1/2) hour credit per day for such calls under this section. Examples of job-related business calls include calls regarding specific patient treatment procedures, questions regarding operation of equipment, clarification of instructions, and repair procedures. Examples of non-job-related business calls include calls made to call an employee back to work, availability for overtime, and scheduling changes.