

Subject: Part-Time Employee Workloads

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1. Purpose

This policy establishes the maximum allowable workloads for TCC's part-time employees (i.e., adjunct faculty, non-credit instructors, and wage employees) and work-study students. It implements the relevant provisions of the 2014 Appropriation Act, Virginia Department of Human Resource Management (DHRM) policy, and the Virginia Community College System (VCCS) Chancellor's Directive of July 14, 2014.

2. Policy

Consistent with the relevant state law and policies, TCC's part-time employees and work-study students shall work no more than 29 hours per week on average over the course of one year or the equivalent. An employee's workload shall include all time for which he/she has been compensated, including work performed under a special pay arrangement. Specific limits are as follows.

2.1. Wage Employees

In accordance with DHRM Policy 2.20 (Types of Employment) as modified by DHRM memorandum dated April 11, 2013, wage employees shall work no more than 1500 hours during any 12-month period beginning May 1st and ending April 30th.

2.2. Adjunct Faculty

In accordance with VCCS Chancellor's Directive dated July 14, 2014, adjunct faculty shall teach and be compensated for no more than twelve (12) credits in each of the fall and spring semesters and no more than eight (8) credits in the summer term. Full-time classified employees of VCCS agencies are subject to these limits; full-time administrative and professional faculty are subject to the limitation specified in VCCS Policy Manual section 3.8.5.

2.3. Non-Credit Instructors

In accordance with VCCS Chancellor's Directive dated July 14, 2014, non-credit instructors shall work and be compensated for no more than 29 hours per week on average over the course of one year. For the purposes of determining part-time employee workloads, one (1) contact hour shall be considered the equivalent of 1.2 workload hours.

2.4. Work-Study Students

In accordance with VCCS Chancellor's Directive dated July 14, 2014, work-study students shall work and be compensated for no more than 29 hours per week on average over the course of one year.

2.5. Employees Holding Multiple Part-Time Positions

All time for which an individual is compensated in any and all TCC part-time positions and/or work-study capacity shall be considered when determining that person's workload. The time of an individual working in more than one type of capacity shall be expressed in equivalent wage employee workload hours.

2.6. Sanctions

Any supervisor who intentionally permits a part-time employee or work-study student to exceed the workload limits specified in this policy shall be subject to disciplinary action in accordance with Virginia Department of Human Resource Management [Policy 1.60 \(Standards of Conduct\)](#) or [VCCS Policy 3.12 \(Faculty Sanctions\)](#), as appropriate. Any part-time employee who fails to report employment at another VCCS institution or intentionally exceeds the workload limits specified in this policy shall likewise be subject to disciplinary action up to and including termination.

3. Responsibilities

3.1. Procedures

The Executive Vice President, in coordination with the vice presidents for Academic Affairs and for Workforce Solutions, shall develop, promulgate, and maintain procedures that insure that part-time employees and work-study students do not exceed the maximum workload limits established herein.

3.2. Implementation

Part-time employees and work-study students shall advise their supervisors if they hold or acquire other employment with TCC, any other Virginia community college, or the System Office of the VCCS. The employee or student shall advise the supervisor of the workload assigned in each employment capacity held. The employee or student shall be responsible for not exceeding the workload limits established herein. The supervisor shall be responsible for not knowingly allowing an employee or student to exceed the workload limits established herein.

4. Procedures

The following procedures will be followed to ensure compliance with this policy.

4.1. Documentation of Part-Time Employment

All part-time employees will complete and submit to the Office of Human Resources the Employment Certification and Notice of Part-Time Hours form (Appendix A) upon initial employment. In the event that the employee acquires other employment within the VCCS, i.e., at TCC, another Virginia community college, or the System Office, he/she will complete an updated version of the Employment Certification and Notice of Part-Time Hours form indicating the additional employment and submit it to his/her supervisor(s) with a copy to the Office of Human Resources within seven (7) business days.

4.2. Wage Employees

Supervisors will assign wage employees to work schedules reflecting the need of the department or other organizational unit. However, in no case will a supervisor permit a wage employee to exceed 1500 hours during the period

between May 1st and April 30th of each year. In the event that an individual holds wage positions under more than one supervisor, the supervisors shall coordinate workload assignments such that the employee works no more than 1500 hours in the one-year period.

To assist supervisors in managing their wage employees' workloads, each supervisor will be notified when a wage employee under his/her supervision exceeds 1125 hours and 1350 hours of paid work since May 1st (75% and 90% of 1500 hours, respectively). The Office of Information Systems will develop and maintain an automated report to perform this function and will provide a summary report to the Director of Human Resources, the campus business managers, and the Budget & Payroll Manager.

4.3. Adjunct Faculty

Deans and academic center directors will assign adjunct faculty teaching loads such that they do not exceed 12 credits of compensated workload in the fall and spring semesters and 8 credits of compensated workload in the summer term. Additional credits for which the adjunct faculty member is paid, such as for laboratory assignments, will be included in determining the employee's compensated workload. In the event that an individual holds adjunct faculty positions under more than one dean or director, the deans/directors shall coordinate teaching loads such that the employee is compensated for no more than the 12- or 8-credit limit for the specific semester or term.

An adjunct faculty member may voluntarily elect not to receive compensation for the additional credits typically provided for teaching a laboratory. In such a case, the additional credit will not be recorded on the adjunct faculty member's contract and will not be considered in determining his/her workload for the semester or term.

4.4. Non-Credit Instructors

Supervisors of non-credit instructors will assign them to teach no more than 1250 contact hours in the period between May 1st and April 30th of each year.¹ In the event that an individual teaches non-credit courses for more than one supervisor, the supervisors shall coordinate teaching loads such that the employee is compensated for no more than 1250 contact hours in the one-year period.

4.5. Work-Study Students

Supervisors will assign work-study students to work schedules reflecting the need of the department or other organizational unit. However, in no case will a supervisor permit a work-study student to exceed an average of 29 hours per week over the one-year period between May 1st and April 30th of each year. In the event that an individual holds work-study student assignments under more than one supervisor, the supervisors shall coordinate workload assignments

¹ Each contact hour is considered equivalent to 1.2 workload hours. Thus, 1250 contact hours is considered the equivalent of a wage employee's 1500-hour annual workload limit.

such that the employee works no more than 29 hours per week on average over the one-year period.

4.6. Employees Holding Multiple Types of Part-Time Positions

In the event that an individual holds more than one type of part-time employee position and/or work-study student assignment, all compensated time will be included in determining the individual's workload. In determining that workload, all compensated time will be expressed in workload hours equivalent to a wage employee's working hour.

4.6.1. Workload Measurement Periods

DHRM has determined that the annual measurement period for all wage employees shall be May 1st to April 30th of each year. The VCCS has determined maximum teaching workloads for adjunct faculty based on the academic year (fall & spring semesters and summer term); those semesters and term account for 42 weeks of the 52-week calendar year. In order to provide a set of standardized time periods for determining workload equivalencies, at TCC, the following measurement periods are defined:

- Summer Term - May 1 through August 15;
- Fall Semester – August 16 through December 31; and
- Spring Semester – January 1 through April 30.

These measurement periods are only for the purpose of determining workloads of individuals who work in more than one part-time employee or work-study student category.

4.6.2. Determining Total Workload

When a person holds more than one type of part-time employment, the supervisor(s) shall use the workload equivalency table or formula for the appropriate measurement period at Appendix B to ensure that the person does not exceed the equivalent of 29 hours per week on average over the course of the year between May 1st and April 30th. Instructions for the use of the tables and formulas are at Appendix B.

4.7. Resolving Conflicts

In those situations in which a part-time employee holds more than one position within the same operating unit (e.g., academic division, department, campus, etc.), the supervisor of that operating unit shall be responsible for resolving conflicts arising out of attempts to coordinate workloads. For example, if the employee holds two positions (e.g., wage employee and adjunct faculty) in the same academic division, if necessary, the academic dean will determine which position has priority for workload assignment based on the division's needs. If the employee holds part-time positions in two departments on the same campus, the campus provost will determine the priority of positions for workload assignment.

In the event that a part-time employee holds positions in different operating units (e.g., academic divisions on two campuses) and the supervisors are unable to coordinate his/her workloads, the employee may determine which operating unit has priority for his/her time. However, in such a situation, if the remaining workload does not meet the other operating unit's needs, the supervisor of that unit is not obligated to continue to employ the part-time employee.

4.8. Special Pay Situations

No Special Pay arrangement will be implemented that will result in a person exceeding the workload limits established herein. Prior to initiating a Special Pay arrangement with a person who is not a full-time employee of TCC, the administrator proposing the arrangement shall determine whether the person holds any other part-time employment with TCC or any other Virginia community college, or the VCCS System Office. In the event that the person holds part-time employment within the VCCS, the administrator shall confirm that the workload being assigned under the special pay arrangement will not cause the person to exceed the total workload limits established herein. The administrator shall annotate such confirmation on the Special Pay Form (Pay-13) before submitting it to the campus provost, or vice president for Academic Affairs or for Finance for approval.

In the event that the Special Pay arrangement is for substitute instruction, and the person whose services are being engaged holds other part-time employment within the VCCS, the respective campus provost's approval will be obtained prior to the beginning of the substitute instruction assignment if at all possible. If it is not possible to obtain that approval before the assignment begins, it must be obtained as soon as feasible thereafter.

It is incumbent on any person who accepts a Special Pay arrangement to insure that he/she does not exceed the workload limits contained herein. The person accepting the arrangement shall update his/her Employment Certification and Notice of Part-Time Hours form indicating the additional employment and the workload hours it will require. The updated form shall be provided to any VCCS supervisor under which he/she holds part-time employment and to the TCC Office of Human Resources within 7 days of acceptance of the Special Pay arrangement.

5. Definitions

Part-time Employee. Any person employed in a non-salaried capacity by Tidewater Community College; specifically, adjunct faculty, non-credit instructors, and wage employees.

Special Pay Arrangement. An authorization used for requesting compensation for special services performed to be paid on a payroll on a temporary basis for situations such as substitute instructors, honoraria, consultants (only if state

employee), stipends, and other temporary services for which another arrangement, such as wage employment or contracted services is not appropriate.

Work-Study Student. A student who is receiving financial aid through TCC in the form of compensation for part-time work. Work-study students are not employees of the college. (Note that this category does not include students who are receiving work-study funding through the U.S. Department of Veterans Affairs.)

6. References

[DHRM Policy 1.60 \(Standards of Conduct\)](#)

[Memo on Virginia Department of Human Resource Management Policy 2.20 \(Types of Employment\)](#)

[Virginia Acts of Assembly \(2014\) – Chapter 807, § 4-7.01 Manpower Control Program](#)

[VCCS Chancellor's Directive of July 14, 2014](#)

[VCCS Policy 3.12 \(Faculty Sanctions\)](#)

7. Review Periodicity and Responsibility

The Executive Vice President shall review this policy at the anniversary of its approval and, if necessary, recommend revisions.

8. Effective Date and Approval

This policy is effective upon its approval by the College President on July 23, 2014.

Policy Approved:

Procedure Developed:

Edna V. Baehre-Kolovani, Ph.D.

Franklin T. Dunn

President

Executive Vice President

9. Review and Revision History

The initial version of this policy was approved September 19, 2013.

- Revision 1
 - Modified to accommodate increased credit workloads authorized for adjunct faculty as a result of a change in state law.
 - Added section 4.8 to cover Special Pay arrangements and the accompanying definition.

Approved July 23, 2014 by President Edna V. Baehre-Kolovani, Ph.D.

APPENDIX A
TIDEWATER COMMUNITY COLLEGE
VCCS CHANCELLOR'S DIRECTIVE OF JULY 14, 2014



**CHANCELLOR'S DIRECTIVE: AFFORDABLE CARE ACT LIMITS FOR
PART-TIME EMPLOYEES**

ISSUED: July 14, 2014
EFFECTIVE: May 1, 2014
Revision to April 17, 2013 directive

This directive is issued to establish limits on the amount that part-time employees and adjunct faculty can work in any position or a combination of positions within the VCCS as a whole (at any two or more colleges). This directive applies to all part-time employees and adjunct faculty, regardless of the funding source for the employee's pay. There are no exceptions to the limits specified below.

The directive includes the following limits effective May 1, 2014:

- The year measurement period for all part-time employees is May 1st – April 30th for each year.
- Wage employees shall not work more than 29 hours per week, averaged over a year.
- Adjunct faculty may not teach more than a total of 8 credit hours in all summer terms that start on or after May 1st each year.
- Adjunct faculty may not teach more than 12 credit hours in the fall semester.
- Adjunct faculty may not teach more than 12 credit hours in the spring semester.
- Adjunct faculty may not teach more than 24 credit hours per academic year (fall and spring semesters of the measurement year).
- Adjunct faculty may not teach more than 32 credit hours per measurement year (summer term, fall and spring semesters of the measurement year).
 - (Note#: To establish the average number of work hours/courses taught, if adjunct faculty work during the summer term, the summer is included in the average. If they do not work in the summer, only two semesters are included in the average—summer cannot be included to lower the average.)
- Workforce Development employees (credit and non-credit) may not work more than 29 hours per week, averaged over a year.
- Student employees are subject to the 29 hour restriction.
- Seasonal or temporary wage employees may work up to, or exceed, 40 hours per week during the defined season or specified work period of time, provided that the employees do not work more than 29 hours per week on average over the course of twelve months and limited to 1500 hours total.
- The limits established in this directive are combined and apply to all positions held within the VCCS for part-time employees or adjunct faculty working in any two or more positions at one or more colleges within the VCCS or the System Office. [Note: this requires coordination across VCCS colleges.]

Glenn DuBois, Chancellor

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APPENDIX B
TIDEWATER COMMUNITY COLLEGE
EMPLOYMENT CERTIFICATION AND NOTICE OF PART-TIME HOURS

The Virginia Community College System ("VCCS") is required to comply with the Commonwealth of Virginia's ("Commonwealth") mandate under the 2014 Amendment to Virginia Code § 4-7.01 of the Manpower Control Program that limits how many hours part-time employees and instructors may work or teach. Accordingly, you are hereby notified and asked to acknowledge the following as a condition of your employment:

- I. I acknowledge that my position is part-time (i.e., wage, adjunct faculty, and/or non-credit instructor) _____ (*initial*).
- II. I acknowledge that the Commonwealth and Chancellor's Directive limit the employment of part-time employees to an average of **29 work hours per week** (averaged over a year); and adjunct faculty instructors may not teach more than **27 hours** per measurement year and are limited to teaching **8** credit hours in the summer; **12** credit hours in the fall; and **12** credit hours in the spring _____ (*initial*).
- III. I acknowledge that the year measurement period for all part-time employees shall start on May 1, 2013, and will be May 1st thru April 30th for each year going forward _____ (*initial*).
- IV. I acknowledge that the Commonwealth and Chancellor's Directive consider the VCCS "one" employer (this includes the System Office and all community colleges within the System) for the purpose of this disclosure _____ (*initial*).
- V. I am currently employed at the following VCCS institution(s) and in the following positions (**please list all**): _____

- VI. I acknowledge that if I obtain any future employment within the VCCS in a part-time or full-time position that I will notify my current supervisor, copying Human Resources, in writing within one (1) week or seven (7) business days _____ (*initial*).
- VII. I acknowledge that I may be subject to the full range of disciplinary actions, including discharge or termination, for the intentional failure to notify or for any willful misrepresentations related to my employment status (as set forth herein) _____ (*initial*).

Your initials above and signature below certify your acceptance and knowledge of the foregoing terms.

Name: _____

Signature: _____

Date: _____

Primary Position Department: _____

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APPENDIX C
TIDEWATER COMMUNITY COLLEGE
TABLES OF WORKLOAD EQUIVALENCIES

The attached tables and formulas are intended to assist the supervisor(s) in determining the total workload of an employee who holds more than one type of part-time position (e.g., wage employee and adjunct faculty). The basis for the tables and formulas is that all time worked and compensated will be made equivalent to a wage employee's workload hours and will not be allowed to exceed 29 hours per week on average over the one-year period from May 1st to April 30th.

One table is provided for each workload measurement period, Summer Term (May 1 – August 15), Fall Semester (August 16 – December 31), and Spring Semester (January 1 – April 30). The procedure to use the tables is as follows:

1. Determine the employee's credit teaching workload, including any additional credit for travel or for teaching a laboratory, and find that number on the chart in the column under "Adjunct Credit Hours Taught/Paid".
2. Go across the table to the corresponding value under "% of Total Teaching Limit" – that number indicates the amount of the employee's allowed workload for that measurement period that will be consumed by the credit teaching load.
3. If the employee also teaches non-credit courses, follow the same procedure using the "Non-Credit Contact Hours Taught/Paid" column.
4. Add the percentages derived in steps 2 and 3 to determine the total portion of the employee's allowed workload that will be consumed by his/her credit/non-credit teaching and subtract that number from 100%.
 - a. If the remainder is less than 0%, the total credit and non-credit teaching workload exceeds the allowable limit for that measurement period and must be reduced to not exceed a total of 100%.
 - b. If the remainder is greater than 0%, proceed to step 5.
5. Find the remaining percentage of allowed workload in the "Eligible Wage Staff Workload Percentage Remaining" column – the corresponding entry in the "Eligible Wage Staff/Work-Study Workload Hours Remaining" column will indicate the average number of hours per week that the employee may work as a wage employee and/or work-study student over the course of the measurement period.

Example:

In the Fall Semester, adjunct faculty member Smith is assigned to teach a 3-credit science course with a 1-credit lab, thus his/her contract will indicate a total of 4.5 credits for payment. That is equivalent to 37.5% of the allowed 12-credit limit for adjunct teaching in the Fall Semester. If Smith has no other credit or non-credit teaching assignments, he/she can work 62.5 of the allowed wage (or work-study) workload limit, or an average of 18 hours per week over the period from August 16 to December 31.

If, in addition to the credit course, Smith is assigned to teach a non-credit course that meets for a total of 60 contact hours, he/she will use another 12.5% of the total allowed workload for the Fall Semester, increasing the amount used for teaching to 50%. Thus, Smith can

Part-Time Employee Multiple Position Workload Calculation for <u>Summer Term</u> *						
Summer Term Teaching Workload Limit	Adjunct Credit Hours Taught/Paid	Non-Credit Contact Hours Taught/Paid**	% of Total Teaching Limit	Staff Workload Hour Limit	Eligible Wage Staff Workload Percentage Remaining	Eligible Wage Staff/Work-Study Workload Hours Remaining***
8	0.5	23	6.25%	29	93.75%	27
8	1	46	12.50%	29	87.50%	25
8	1.5	69	18.75%	29	81.25%	23
8	2	92	25.00%	29	75.00%	21
8	2.5	115	31.25%	29	68.75%	19
8	3	138	37.50%	29	62.50%	18
8	3.5	160	43.75%	29	56.25%	16
8	4	183	50.00%	29	50.00%	14
8	4.5	206	56.25%	29	43.75%	12
8	5	229	62.50%	29	37.50%	10
8	5.5	252	68.75%	29	31.25%	9
8	6	275	75.00%	29	25.00%	7
8	6.5	298	81.25%	29	18.75%	5
8	7	321	87.50%	29	12.50%	3
8	7.5	344	93.75%	29	6.25%	1
8	8	367	100.00%	29	0.00%	0

* Summer Term is the period from May 1 to August 15.

** Based on 1 contact hour being equivalent to 1.2 workload hours

*** Weekly average over the period of the Summer Term.

Based on an annual limit of 1,500 hours for a wage employee, the period from May 1 to August 15 represents 29.3% or 440 workload hours.

Based on a limit of 8 credits for the summer term, 1 credit is the equivalent of 55 workload hours.

$$\text{Formula: } (N * 1.2) + (C * 55) + W + WS = X \leq 440$$

N = Non-Credit Contact Hours C = Credit Hours W = Wage Hours WS = Work-Study Hours X = Total (Equivalent Wage Hours)

Part-Time Employee Multiple Position Workload Calculation for <u>Fall Semester*</u>						
Semester Teaching Workload Limit	Adjunct Credit Hours Taught/Paid	Non-Credit Contact Hours Taught/Paid**	% of Total Teaching Limit	Staff Workload Hour Limit	Eligible Wage Staff Workload Percentage Remaining	Eligible Wage Staff/Work-Study Workload Hours Remaining***
12	0.5	20	4.17%	29	95.83%	27.00
12	1	39	8.33%	29	91.67%	26
12	1.5	59	12.50%	29	87.50%	25
12	2	79	16.67%	29	83.33%	24
12	2.5	98	20.83%	29	79.17%	22
12	3	118	25.00%	29	75.00%	21
12	3.5	138	29.17%	29	70.83%	20
12	4	158	33.33%	29	66.67%	19
12	4.5	177	37.50%	29	62.50%	18
12	5	197	41.67%	29	58.33%	16
12	5.5	217	45.83%	29	54.17%	15
12	6	236	50.00%	29	50.00%	14
12	6.5	256	54.17%	29	45.83%	13
12	7	276	58.33%	29	41.67%	12
12	7.5	295	62.50%	29	37.50%	10
12	8	315	66.67%	29	33.33%	9
12	8.5	335	70.83%	29	29.17%	8
12	9	354	75.00%	29	25.00%	7
12	9.5	374	79.17%	29	20.83%	6
12	10	394	83.33%	29	16.67%	4
12	10.5	413	87.50%	29	12.50%	3
12	11	433	91.67%	29	8.33%	2
12	11.5	453	95.83%	29	4.17%	1
12	12	473	100.00%	29	0.00%	0

* Fall Semester is the period from August 16 through December 31.

** Based on 1 contact hour being equivalent to 1.2 workload hours.

*** Weekly average over the period of the Fall Semester.

Based on an annual limit of 1,500 hours for a wage employee, the period from August 16 to December 31 represents 37.8% or 567 workload hours.

Based on a limit of 12 credits for the fall semester, 1 credit is the equivalent of 47.25 workload hours.

Formula: $(N * 1.2) + (C * 47.25) + W + WS = X \leq 567$

N = Non-Credit Contact Hours C = Credit Hours W = Wage Hours WS = Work-Study Hours X = Total (Equivalent Wage Hours)

Part-Time Employee Multiple Position Workload Calculation for <u>Spring Semester*</u>						
Semester Teaching Workload Limit	Adjunct Credit Hours Taught/Paid	Non-Credit Contact Hours Taught/Paid**	% of Total Teaching Limit	Staff Workload Hour Limit	Eligible Wage Staff Workload Percentage Remaining	Eligible Wage Staff/Work-Study Workload Hours Remaining***
12	0.5	17	4%	29	96%	27
12	1	34	8%	29	92%	26
12	1.5	51	13%	29	88%	25
12	2	68	17%	29	83%	24
12	2.5	86	21%	29	79%	22
12	3	103	25%	29	75%	21
12	3.5	120	29%	29	71%	20
12	4	137	33%	29	67%	19
12	4.5	154	38%	29	63%	18
12	5	171	42%	29	58%	16
12	5.5	188	46%	29	54%	15
12	6	205	50%	29	50%	14
12	6.5	223	54%	29	46%	13
12	7	240	58%	29	42%	12
12	7.5	257	63%	29	38%	10
12	8	274	67%	29	33%	9
12	8.5	291	71%	29	29%	8
12	9	308	75%	29	25%	7
12	9.5	325	79%	29	21%	6
12	10	342	83%	29	17%	4
12	10.5	359	88%	29	13%	3
12	11	377	92%	29	8%	2
12	11.5	394	96%	29	4%	1
12	12	411	100%	29	0%	0

* Spring Semester is the period from January 1 through April 30.

** Based on 1 contact hour being equivalent to 1.2 workload hours.

*** Weekly average over the period of the Spring Semester.

Based on an annual limit of 1,500 hours for a wage employee, the period from January 1 to April 30 represents 32.9% or 493 workload hours.

Based on a limit of 10 credits for the spring semester, 1 credit is the equivalent of 41.1 workload hours.

Formula: $(N * 1.2) + (C * 41.1) + W + WS = X \leq 493$

N = Non-Credit Contact Hours C = Credit Hours W = Wage Hours WS = Work-Study Hours X = Total (Equivalent Wage Hours)