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Policy 5-001: Employee Definitions

I. Purpose and Scope

To define and clarify terminology used within all Human Resources Policies and related documents (Part 5 of Regulations Library). The definitions and terms in this policy replace and override all other University policy language related to the term "Employee" and all related definitions, terms, and variations.

II. Definitions

Pursuant to the Purpose & Scope in Section I., this policy is meant to define and clarify terminology used in the University's Human Resources function. Therefore, Section III. grants policy status to these terms.

III. Policy

- A. Administrative Officers - Comprising the President, Vice Presidents, Deans, Other General Administrative Officers, Department Chairpersons, and Library Directors as defined by Policy 2-005.
- B. At-Will Employment - As defined by Utah Labor Commission.
- C. Benefits Eligible - Positions in which the Employee is eligible to enroll in University benefits. See Policy [5-308](#), Benefits Eligibility Chart, for eligibility based on benefit plan, position and FTE.
- D. Employee - An individual who meets both of the following qualifications:
 1. An individual who receives compensation for work or services in which the University has the right (whether or not it exercises the right) to supervise and control the manner of performance as well as the result of the work or service.
 2. An individual who receives compensation which has been appropriated from funds controlled by the University regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked.
- E. Faculty - Comprising Regular Faculty, Library Faculty, and Auxiliary Faculty as defined in Policy [6-300](#).
- F. FTE or Full Time Equivalent -The percentage of workload of a position relative to the normal and expected working time and effort for a full-time equivalent position. For Staff Members (as defined in this Policy), this is based on a normal full-time work week of 40 hours per week.
- G. Full-time or Full-Time Position - A position in which the Employee is expected to consistently work 75 percent or a greater percentage (.75 FTE or greater) of the normal and expected working time and effort. For Staff Members (as defined in this Policy), this equates to 30 or more hours per week of a 40 hour work week.
- H. Hourly or Non-Exempt - A position paid based on number of hours worked. Employees in these positions are eligible for overtime pay in accordance with the Fair Labor Standards Act (FLSA); classified non-exempt from the overtime provisions of the FLSA.
- I. Non-Faculty Academic Employees - Comprising Academic Staff, Educational Trainees, Postdoctoral Fellows, and Medical Housestaff as defined by Policy [6-309](#).
- J. Part-time - or Part-time Position-- A position in which the Employee is



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- [Policy 5-001 Rev. 8](#)

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expected to consistently work 74 percent or less of full-time equivalent (.74 FTE or less). For Staff Members (as defined in this Policy), this equates to less than thirty (30) hours per week

K. Per Diem/PRN - Positions:

1. Paid based on number of hours worked and classified as Non-Exempt;
2. In which the Employee may work Full-Time or Part-Time (1.0 to .01 FTE);
3. Not Benefits Eligible;
4. At-Will Employment; and
5. Have no maximum duration.

L. Probationary Period - The six-month time period (unless extended) for new Staff Members holding Benefits Eligible positions, which is considered At-Will Employment. Extensions must be processed through Human Resources (UUHC excepted).

M. Salaried or Exempt - A position paid based on an annual rate of compensation; classified as exempt from the overtime provisions of the FLSA.

N. Staff or Staff Member -- Non-faculty employees employed and paid through the University of Utah excluding Faculty, Non-Faculty Academic Employees, and Administrative Officers as defined in this policy.

O. Temporary - Positions: Staff employee positions which are:

1. Classified as Non-Exempt or Exempt;
2. In which the Employee may work Full-Time or Part-Time (1.0 to .01 FTE);
3. Not Benefits Eligible;
4. At-Will Employment; and
5. In general, have a maximum duration of six (6) months.

P. Time and/or Fund Limited - Positions: Staff employee positions which are:

1. Classified as Non-Exempt or Exempt;
2. In which the Employee may work Full-Time or Part-Time (1.0 to .01 FTE);
3. May be eligible for University benefits if the position meets the requirements to be Benefits Eligible;
4. Filled through Competitive Recruitment or Waiver as defined in Policy 5-102; and
5. Have a projected duration specified in the job posting and/or offer letter.

[Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.]

IV. Rules, Procedures, Guidelines, Forms and other related resources

A. Rules

[Rule 5-001A](#): Personnel Categories from Previous Versions of Policy 5-001

B. Procedures

C. Guidelines

D. Forms

E. Other related resource materials

Fair Labor Standards Act (FLSA)

Utah Labor Commission

V. References

A. Policy [2-005](#): Officers of the University

B. Policy [5-102](#): Staff Employment Policy

C. Policy [5-308](#): Benefits Eligibility Chart

D. Policy [6-300](#): University Faculty

E. Policy [6-309](#): Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff

VI. Contacts

The designated contact officials for this Policy are:

- A. Policy Owner (primary contact person for questions and advice: [Director of Employment Services](#))
- B. [Policy Officers: Chief Human Resources Officer](#) (or designee) and the [Senior Vice-President for Health Sciences](#) (or designee) are responsible for representing the University's interests in enforcing this policy and authorizing any allowable exceptions.

These officials are designated by the University President or designee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in University Rule 1-001:

"A 'Policy Officer' will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases.... "

"The Policy Officer will identify an 'Owner' for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... .[and] bears the responsibility for determining -requirements of particular Policies... ." University Rule 1-001-III-B & E

VII. History

Current Version: Revision 10

Renumbering: Renumbered as Policy 5-111 effective 9/15/2008, formerly known as PPM 2-0.

Approved by the Academic Senate: October 3, 2011

Approved by the Board of Trustees: October 11, 2011

Earlier Versions:

A. [Revision 9](#): Effective dates: February 10, 2003 to October 10, 2011

B. [Revision 8](#): Effective dates: May 17, 1999 to February 9, 2003

OUTDATED