

III. EMPLOYMENT CLASSIFICATION AND INFORMATION

A. Employment Classification

In accordance with the Fair Labor Standards Act (“FLSA”), University staff employees are classified either as “exempt” or “non-exempt.” Generally, an employee is exempt if he or she qualifies as an executive, administrative, professional or computer employee as defined by the FLSA. Exempt employees are exempt from the overtime pay provisions of the FLSA. However, exempt employees must perform their work during the regular business hours of the University, unless otherwise required by their department. All other employees are classified as non-exempt and must be paid overtime pay when applicable. The Office of Human Resources classifies staff employees using criteria developed by the U.S. Department of Labor. If you have questions about the classification of your position, please contact the Office of Human Resources.

To be classified as an exempt employee, you must satisfy the Department of Labor’s salary test and duties tests. The salary test limits the deductions that can be made from an exempt employee’s pay. Improper deductions will not be made. Deductions will be made in accordance with the FLSA and are permissible in the following circumstances:

1. Absence from work for one or more full days for personal reasons other than sickness or disability.
2. Absence from work for one or more full days due to sickness or disability if the deduction is made pursuant to a bona fide plan, policy or practice of providing compensation for salary lost due to illness.
3. To offset jury duty pay, witness fees or military pay.
4. Unpaid disciplinary suspension of one or more full days imposed in good faith for workplace conduct rule violations of the policies and procedures set forth in this Handbook, including but not limited to, the (a) Harassment Policy; (b) Workplace Violence Policy; and (c) Alcohol and Other Drug Policy. Serious violations of other workplace conduct rules may result in pay deductions.
5. The initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, including but not limited to the Office of Environmental Health and Safety’s Policies and Procedures Manual; or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

In addition, exempt employees are not paid for any work week in which they perform no work at all for the University (other than due to valid use of paid leave).

If you believe that your pay has been improperly reduced, you should immediately file a complaint in writing with the Office of Human Resources. You may be asked to specify the circumstances surrounding the pay deduction. If it is determined that an improper deduction was made, you will be promptly reimbursed and the University will take all necessary steps to ensure that such improper deductions do not continue.

B. Employment Category

Your employment with the University falls within one of the following categories: (1) regular or (2) temporary. Within each category, your employment is also subcategorized as full-time or part-time, depending on the percent of time you were hired to work. If you have questions about which category or subcategory you are in, please contact the Office of Human Resources. These categories have been established to assist you in understanding your employment status and benefit eligibility. These categories do not guarantee employment for any specified period of time or in any specified category.

1. *Regular Employees*

You are a regular employee if you work for a period of more than seven (7) months during a twelve (12) month period. If you are a regular employee, you also will fall within one of the categories below.

a. Regular Full-Time

You are a regular full-time employee if you work one hundred percent (100%) of a full-time schedule. For most positions, a full-time schedule means at least thirty-seven and one-half (37½) hours per work week, or in specifically approved positions (for example, positions in the Department of Facilities Services, Department of Public Safety and Tulane University Medical Group), at least forty (40) hours per week. Employees in the category of regular full-time are eligible to participate in the University's benefits program described in Section VIII of this Handbook, subject to the terms, limitations and conditions of each benefit program.

b. Regular Part-Time with Benefits

You are a regular part-time employee with benefits if you work less than one hundred percent (100%) but at least fifty percent (50%) of a full-time schedule. Employees in the category of regular part-time with benefits are eligible to participate in the University's benefits program described in Section VIII of this Handbook, subject to the terms, limitations and conditions of each benefit program, except for the University's tuition waiver programs.

c. Regular Part-Time without Benefits

You are a regular part-time employee without benefits if you work less than fifty percent (50%) of a full-time schedule. Employees in the category of regular part-time without benefits are not eligible to participate in the University's benefits program described in Section VIII of this Handbook, except to the extent required by state or federal law.

2. *Temporary Employees*

You are a temporary employee if you work for a period of not more than seven (7) months in a twelve (12) month period. The duties, work schedule and duration of a temporary employee are determined on an individual basis. Summer employees are considered temporary employees. Temporary employees are not eligible to participate in the University's benefits program described in Section VIII of this Handbook, except to the extent required by state or federal law. If you are a temporary employee, you will also fall within one of the categories below.

a. Temporary Full-Time

You are a temporary full-time employee if you work one hundred percent (100%) of a full-time schedule. For most positions, a full-time schedule means at least thirty-seven and one-half (37½) hours per work week, or in specifically approved positions (for example, positions in the Department of Facilities Services, Department of Public Safety and Tulane University Medical Group), at least forty (40) hours per week.

b. Temporary Part-Time

You are a temporary part-time employee if you work less than one hundred percent (100%) of a full-time schedule.

C. Salary Grade

Classified staff employee positions are assigned a salary grade. The University maintains a salary grade structure establishing the minimum, midpoint and maximum salary payable to each salary grade. Separate salary grade structures are maintained for positions requiring thirty-seven and one-half (37.5) hours per week and positions requiring forty (40) hours per week. You can obtain a copy of the salary grade structure from the Office of Human Resources or on its web site.

D. Your Personnel File

The Office of Human Resources maintains an official personnel file for every employee containing information that Tulane needs to conduct business and administer its employment and benefit programs. This information includes:

- Employment application and copy of resume
- Written references, if any
- Job description
- Federal and state income tax withholding forms
- Staff Handbook Acknowledgement
- Performance Appraisals
- Notices of commendation or discipline, if any
- Wage and salary information

The following records are maintained in files separate from employees' personnel files:

- Medical records
- Equal employment opportunity documents identifying an individual's race, sex or other protected status
- Immigration forms and related documentation

All files and records maintained by the University are the property of the University. Such files are confidential and access is limited to those individuals who have a job-related need to obtain specific information from your file.

Requests from outside the University for verification of employment should be referred to the Office of Human Resources. The release of information other than your dates of employment and your job title will require your prior written consent, unless otherwise required by law.

It is important that you keep the personal information in your file up to date. Coverages or benefits that you and your family may receive under the University's benefit plans could be negatively affected if the information in your personnel file is incorrect. Notify the Office of Human Resources of any change in name, address, telephone number, emergency contact, marital status, number of dependents or change in exemptions on your tax forms. In addition, it is important to notify the benefits section of the Office of Human Resources of any change in circumstances that may affect benefit coverage such as change of beneficiary, divorce, or birth of a child.

A current employee may review his or her personnel file once every twelve (12) months. To review your file, contact the Office of Human Resources to schedule an appointment. You must review your file in the Office of Human Resources in the presence of a human resources employee.