

Memo to: All UH-Downtown/PS Holders

UH-Downtown/PS 02.A.05

Issue No. 2

From: William Flores, President

Effective Date: 4/20/2015

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Subject: Additional Compensation for Faculty and Exempt Staff

1. PURPOSE

- 1.1 This PS explains policies pertaining to payments in excess of 100% FTE for faculty and exempt staff at the University of Houston-Downtown in compliance with provisions of the University of Houston System Board of Regents Policy [57.02](#), the University of Houston System Administrative Memorandum [02.A.08](#), and applicable state and federal laws and regulations.
- 1.2 This document applies to all full-time, benefits-eligible faculty and exempt staff.

2. DEFINITIONS

- 2.1 Additional Compensation: Pay from UHD for work performed outside the employee's normal duties and outside normal work hours in addition to the employee's regular base salary. Work performed for the university outside the employee's normal duties and outside normal work hours is considered an overload assignment. Policy provisions regarding additional compensation regarding overload assignments are set forth in this policy. (Additional compensation is not a category of Consulting and Paid Professional Service.)
- 2.2 Consulting and Paid Professional Service: Activities undertaken for remuneration from a third party where the activity is related to the functions, or expertise for which the individual is compensated by the university. See [PS 02.A.04](#).
- 2.3 Dual Office Holding: Any officer of any University of Houston System component holding other non-elective state or federal office or position of honor, trust, or profit, requiring prior approval by the Chancellor (or designee). See Board Policy [57.04](#). Approval must include formal findings that the dual office holding is of benefit to the state or required by state or federal law, and creates no conflict of interest. (Dual Office Holding is a category of Consulting and Paid Professional Service.)
- 2.4 Exempt Staff: Staff employees in positions that are not subject to the overtime provisions of the Fair Labor Standards Act ([FLSA](#)). Exempt staff includes professionals, administrators, and executives who are paid on a monthly basis.
- 2.5 Multiple Employment: Work performed for another component university of the UH System within the scope of activities, functions, or expertise for which the component university compensates the individual is considered consulting or outside employment. See [SAM 02.A.08](#). Consulting activities must be non-regular, part-time appointments or temporary appointments as defined in [SAM 02.A.34](#), Types of Staff Employment.

Prior written approval to engage in these activities is required. Compensation for these services must be made through the component university's payroll system and are subject to withholding and other payroll deductions. (Multiple Employment is a category of Consulting and Paid Professional Service.)

- 2.6 Normal Duties: Work performed within the scope of activities and functions of the employee's regular job assignment.
- 2.7 Normal Work Hours: The hours the employee normally works during a given workweek. Full-time exempt staff employees are required to work a minimum of 40 hours per week unless on approved leave status. Employees are required to work whatever hours are necessary to satisfactorily accomplish their job. Normally, work hours for full-time staff are 8 a.m. to 5 p.m., Monday through Friday, with one (1) hour off for lunch.
- 2.8 Sponsored Funds: Fund 1 and Fund 5 sponsored projects (including ATP/ARP) over which the Office of Research and Sponsored Programs has stewardship responsibility.

3. POLICY

3.1 General Statements of Policy

The primary responsibilities of academic personnel are the complete execution of all assigned duties, the fulfillment of those professional obligations not ordinarily reduced to specific and/or written assignment, and the maintenance of current professional competence. In extraordinary circumstances, academic personnel may be asked to perform additional duties which clearly exceed their primary responsibilities. With appropriate prior approval, academic personnel may be compensated beyond their base salary for performing, under special and extenuating circumstances, significant duties which are not part of their contractual obligation and which do not interfere with the performance of their primary responsibilities.

3.2 Overloads for Faculty

3.2.1 Approval must be received in advance from the appropriate dean and the Senior Vice President for Academic and Student Affairs and Provost (SVPASA) to assign teaching responsibilities in credit courses beyond those described in [PS 10.A.04](#), Faculty Teaching Workload.

3.2.2 A faculty member approved to teach one complete course in addition to a regular faculty workload will have the option of receiving compensatory time (to be scheduled within one academic year following the service) or compensation which will be at a negotiated rate not less than that of an adjunct faculty. If the approved overload is for less than a semester, compensation will be at a negotiated rate not less than that of an adjunct faculty. Incidental substitute teaching involving fewer than four class contact hours will not be compensated.

3.2.3 Requests for additional compensation for overloads that do not include teaching must be reviewed for both need and compliance with institutional regulations and be approved only after explicit justification.

3.3 Overloads for Other Personnel

3.3.1 The appropriate dean or director and the SVPASA must approve in advance additional compensation for exempt staff assigned to teach credit courses not included in their job descriptions.

3.3.2 Exempt staff approved to teach credit courses outside of their normal working hours will be compensated at the rate for adjunct faculty.

3.3.3 Exempt staff may not receive additional compensation for any teaching done during their normal working hours.

3.3.4 Exempt staff may teach a maximum of two classes outside normal working hours.

3.3.5 Other university activities performed outside the normal work day may be compensated if the activities are clearly outside the employee's job description. No exempt staff is eligible for additional compensation for work that is part of their normal job responsibility.

3.4 Continuing Education

Compensation to faculty and exempt staff members for teaching in such areas as organized continuing education, institutes, short courses, seminars, and workshops may be authorized only within maximum limits specified in state appropriations acts. This compensation in addition to the base salary may be received by faculty or staff members unless their job descriptions include teaching responsibility in those programs.

3.5 Payment to Employees Working for Other Institutions or Agencies of the State

Any work of UHD employees on projects conducted by another institution or agency of the state must be covered, insofar as possible, by formal interagency contracts, and is covered under the Consulting and Paid Professional Service Policy. If the Vice President for Administration and Finance (VPAF) determines that interagency agreement for payment of professional services is impracticable he/she may, with the advance approval of the SVPASA, authorize the payment.

All outside consulting and outside employment must be approved as specified in [PS 02.A.04](#), Consulting and Paid Professional Service Policy.

3.6 Cumulative payments during a fiscal year for additional compensation may not exceed \$15,000 or 20 percent of the employee's annual salary, whichever is greater. The

employee and the department chair/supervisor of the employee's primary department are responsible for monitoring the total amount of additional compensation received during the fiscal year, and for ensuring that it does not exceed the maximum limit.

- 3.7 Requests for additional compensation must identify the employee who will be performing the work, include a description of services to be performed, and specify when the work is to be performed. Requests must also indicate a time frame for the work by listing an approximate beginning and ending date.
- 3.8 Requests for additional compensation must be approved in advance of services being performed. Requests require approval of the department chair/supervisor for the employee's primary department, the appropriate dean and division head, and the Vice President for Employment Services and Operations.
- 3.9 The employee must certify that payment, cumulative with all other additional compensation payments, will not exceed the maximum amount allowed per fiscal year, and the employee must certify that services for additional compensation will be performed on the employee's own time.
- 3.10 Additional compensation may **not** be paid from sponsored research funds. Moreover, if the employee is working 100% FTE, and paid on a federal project of any kind for any portion of a month, additional compensation is not allowed for that month.
- 3.11 H1-B employees should not be considered for additional compensation without prior consultation with ESO to determine if an amendment to their H1-B petition is required.
- 3.12 Prior approval is not required for participation as a human subject in an approved protocol.
- 3.13 Executive management employees, as defined by Board of Regents Policy [57.10](#), are not eligible for exemption from this policy through employment agreements
- 3.14 Policy provisions regarding additional compensation for faculty are promulgated by the Office of the Senior Vice President for Academic and Student Affairs and Provost. Applications for additional compensation by faculty members must be submitted through the Office of the Senior Vice President for Academic Affairs and Provost.
- 3.15 Exceptions to this document will be handled on a case-by-case basis by the Vice President for Employment Services and Operations.
- 3.16 All additional compensation payments must be made through the university's payroll system and are subject to withholding and other payroll deductions.

4. PROCEDURES

- 4.1 The department requesting the additional compensation must submit a [Request for Additional Compensation](#) form prior to the employee performing the additional assignment. The form must identify the employee who will be performing the work, include a description of services to be performed, and specify when the work is to be performed. The approval of the department chair/supervisor of the requesting department is required.
- 4.2 The employee must sign the Request for Additional Compensation form certifying the additional compensation within the fiscal year, cumulative with all other additional compensation payments, will not exceed \$15,000 or 20 percent of the employee's annual salary, whichever is greater, and that the additional work will be performed on the employee's own time.
- 4.3 The department chair/supervisor for the employee's primary department must approve the request. The dean/division head for the employee's primary department must also approve the request and the addendum. Approval of the request by the dean/division head certifies that the additional compensation within the fiscal year, cumulative with all other additional compensation payments to the employee, will not exceed \$15,000 or 20 percent of his/her annual salary, whichever is greater.
- 4.4 The appropriate vice president for the employee's primary department or his /her designee must approve the request.
- 4.5 The request form and addendum should be submitted to ESO for approval prior to the employee commencing work. ESO will review the request for compliance with the provisions of this document and approve accordingly. Exception requests to this PS will be reviewed by the Vice President for Employment Services and Operations. The original request and addendum (or scanned copy) will be returned to the originating department, pending submittal of an electronic personnel action request (ePAR) for the additional compensation.
- 4.6 An electronic personnel action request (ePAR) is to be submitted to ESO with the request and addendum attached. Additional compensation assignments do not have a full-time equivalency or FTE, and are to be coded with 1 standard hour on the electronic personnel action request.
- 4.7 Additional compensation assignments for non-teaching services must be reported as a Temporary Exempt Staff, using job code 3800. Additional compensation for research grants must be reported as Research Grant Overload, using job code 1074. Additional compensation for teaching services must be reported using one of the following job codes:
 - 4.7.1 Faculty Overload, job code 1073
 - 4.7.2 Faculty Overload Winter, job code 1075

4.7.3 Faculty Overload MBA, job code 1078

4.7.4 Banked Overload, job code 1083

4.8 ESO will process the ePAR and file the ePAR and request in the employee's personnel file.

5. EXHIBITS

There are no exhibits associated with this policy statement.

6. REVIEW PROCESS

Responsible Party (Reviewer): Vice President for Employment Services and Operations

Review: Every five years on or before May 1st.

Signed original on file in Employment Services and Operations.

7. POLICY HISTORY

Issue 1: 04/01/88

8. REFERENCES

[UH System Board of Regents Policy, Section 57](#)
[UH System Administrative Memorandum 02.A.08](#)
[UH System Administrative Memorandum 02.A.09](#)
[UH System Administrative Memorandum 02.A.29](#)
[UH System Administrative Memorandum 02.A.34](#)
[UH System Administrative Memorandum 02.B.07](#)
[PS 02.A.04](#)
[PS 10.A.04](#)