

AR 7130 Employee Compensation

References:

34 Code of Federal Regulations Part 600 et seq. (U.S. Department of Education Program Integrity Rules)

ORS 348.586

ORS 652.210 to 652.235

ORS 244.040

ORS 341.556 (Sources of Compensation- Faculty Members)

BP 7130

Salary Schedules

Salary schedules and placement for all positions exclusive of the College President are contained in Appendix A-1, A-2, C-1, and C-3 of the TBCC Budget book and shall be reviewed and adopted each fiscal year by the Board of Education. Both the staff and faculty salary schedules have 13 longevity steps for each Grade and Level.

Staff Salary Placement

Initial salary placement of each new staff position shall generally not exceed the midpoint of the grade at which the position is classified. The College President has the prerogative to authorize initial salary placement on a higher step.

Faculty Salary Placement

Initial salary placement on the Faculty Salary Schedule (Appendix C-1) for faculty is based upon education and experience. Full-time faculty are placed on levels based upon graduate credits earned and highest degree attainment and placed on steps based upon years of relevant experience.

Initial Fulltime Faculty Placement – Level

New career-technical education (CTE) faculty without a bachelor's degree will be placed on the salary schedule at the BA Level upon presentation of an associate degree or at least ninety (90) quarter credits (sixty (60) semester credits) and, in addition, five years of approved and verified relevant CTE experience. New CTE faculty with a bachelor's degree must also document 4 years of recent, fulltime, non-teaching work experience in the field for initial placement on BA Level 1.

New faculty with a master's degree in the assigned teaching field are initially placed on MA Level 5. New Faculty with a terminal degree are initially placed in the terminal degree Level 17. New faculty with a doctorate degree are initially placed on the Doctorate Level 18. Additional post-BA and post-MA levels are awarded for additional graduate credits earned in the assigned or related teaching field.

Initial Fulltime Faculty Placement – Step

New faculty may receive additional credit for steps on the salary schedule beyond Step 1 upon presentation of approved and verified post-secondary teaching and/or CTE experience in the assigned field of instruction. After initial placement on the salary schedule, applicable teaching or CTE experience may be credited for additional steps as follows:

Prior Teaching/CTE Experience	Step Placement
0.0 to 0.9 years	1
1.0 to 1.9 years	2
2.0 to 2.9 years	3
3.0 to 3.9 years	4
4.0 to 4.9 years	5
5.0 to 5.9 years	6

New faculty will normally be placed on the schedule through Step 6. The College President may, at the request of the Vice President of Instruction and Student Services, place new faculty at any point on the payment schedule.

Credit Adjunct Faculty Placement

Adjunct faculty initial salary placement is Tier 1 of the Adjunct Faculty Salary Schedule (Appendix C-3). With approval of the TBCC President, based upon sufficient funding and satisfactory performance as determined by Administrative Rule, adjuncts will advance in tier after 500 teaching hours at their current level.

Noncredit Adjunct Faculty Placement

Noncredit adjunct faculty initial salary placement is Tier 1 of the Noncredit Salary Schedule (Appendix C-3). With approval of the TBCC President, based upon sufficient funding and satisfactory performance, noncredit adjunct instructors will advance in tier after 1500 hours of instruction.

Step Advancement

Step advancement may occur July 1, each fiscal year if approved in the annual budget. To be eligible for an annual step advancement the employee must have completed at least three months of service in the prior fiscal year and receive a satisfactory evaluation.

Staff Work Schedule and Workload (for Faculty Workload, see AR 7131)

A workweek in excess of forty hours is exempt from overtime compensation for exempt employees (Grade 17 and above). Overtime rules for non-exempt employees are covered below. Part-time employees shall work a schedule designated by their immediate supervisor.

The working day for all employees will include either one fifteen-minute rest period during each four-hour work period and an unpaid meal period of not less than one-half hour for each eight hours of work; or three ten-minute rest periods and an unpaid meal period of not less than one-half hour for each ten hours of work.

Overtime/Compensatory Time

Overtime is all hours a non-exempt employee actually works over 40 hours in the employee's designated workweek. Only actual hours worked will be counted toward

the 40-hour threshold for purposes of calculating Fair Labor Standards Act (FLSA) overtime pay; paid leave will not be counted. Non-exempt employees asked to work overtime will do their best to accommodate such requests. Exempt employees working in excess of forty hours are exempt from overtime compensation.

Non-exempt employees are not permitted to work overtime except as requested and authorized by their supervisor, or in case of emergency, as determined by the College. Working overtime without prior authorization or approval is grounds for discipline. In emergency situations that necessitate working overtime, the employee must notify a supervisor as soon as possible, and in no event later than the end of that day upon which the emergency occurred. If the supervisor denies the request to work overtime, the employee must obey the supervisor's directive and cease working. Failure to follow these overtime approval procedures may subject the employee to disciplinary action, up to and including termination, for violating the overtime approval procedures.

Employees who anticipate the need for overtime to complete assigned work must notify their supervisor in advance and obtain approval prior to working hours that extend beyond their normal schedule. Approval is required for hours that exceed eight hours in a day, or 40 hours in a work week. All employees must accurately report all work time to the nearest fifteen minutes.

All time spent for the benefit of the College must be reported as hours worked on time records so that the employee is paid for all work. Non-exempt employees may not "volunteer" work time to perform duties that are the same or similar as their stated or regular job duties. Employees have no authorization to work without compensation. No supervisor has authority to request non-exempt employees to volunteer work time.

Accrual Rate:

Overtime accrues at the rate of 1.5 hours for each hour, or fraction thereof, worked after 40 hours of actual work within the employee's designated workweek. Time in paid leave status does not count toward overtime.

Non-exempt employees who are in Full Time positions will not be authorized to work in other employee positions within the college that would add hours beyond 40/week. Part Time employees will not be able to work additional positions beyond their primary role.

Employee Request to Use COMP TIME:

A non-exempt employee may opt to accrue compensatory time-off (Comp Time) in lieu of cash payment for overtime worked if the employee's supervisor agrees prior to overtime work being performed. The supervisor has the discretion to decline the Comp Time request in lieu of overtime pay based on the needs of the business.

The College will grant an employee's request to use accumulated Comp Time provided that:

- the department can accommodate the use of Comp Time on the day requested without undue disruption to department operations; and
- the employee makes the request in writing to the supervisor no later than five days prior to the date requested. If the employee does not provide five days' notice, or if the department cannot accommodate the time off without undue disruption, the College will provide the employee the opportunity to use Comp Time at another time.
- Comp time must be used in the month it is accrued. Comp time may not be carried over to a new month/pay period; in the event the accrued time or a portion of the accrued time is not used it will be cashed out.

Value of COMP TIME Cash Out:

During employment, Comp Time is cashed out at the employee's current FLSA regular rate of pay (including all FLSA-applicable salary differentials and special pays). Employees separating from the College service shall be compensated for all accrued, unused comp time hours at their current FLSA regular rate of pay.

Staff Teaching Classes

All employees who are in Full Time positions may be authorized by the Chief Academic Officer to teach classes for which they are qualified to teach and where a need exists unless that course is part of their regularly assigned job description. There will be a 4-credit limit per term for teaching (4 credits, not to exceed 6 hours instruction per week). Exempt employees will receive compensation for teaching the class at the appropriate adjunct faculty rate. Non-exempt employees will be paid at a blended rate (regular position plus teaching position divided by 2 times 1.5) for hours in the classroom. Part Time non-exempt employees will not be eligible to teach in an adjunct capacity.

The employee, and supervisor, must agree that the teaching responsibilities will not interfere with their main job duties. The teaching hours can then be taken as leave from their regular job schedule, flexed within the current work schedule, or may occur during their "off" duty hours, based on approval from their supervisor.

Benefits**Health and Other Insurance**

Eligible employees may elect to waive or opt-out of College-sponsored health insurance plans coverage. When an employee opts out, Tillamook Bay Community College shall provide a monthly cash payment. This cash payment, defined in Appendix A-2 and C-1 of the TBCC Budget book, shall be reviewed and adopted each fiscal year by the Board of Education. The option to waive or opt out of the College's health insurance plan is limited to 25% of eligible employees – once that threshold is reached employees will be added to a waiting list and will be allowed to opt-out only as space within the threshold becomes available. In order to waive coverage, employees will be required to complete a "Declination of Coverage" form (available from the Human Resources office) and provide proof of other equivalent health insurance coverage.

Tillamook Bay Community College shall contribute to the Public Employees Retirement System (PERS), for eligible employees, in compliance with PERS Rules.

Tillamook Bay Community College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.

Tuition Waiver

The Board agrees to waive tuition for classes for any eligible employee in accordance with policy in Appendix B-1 of the TBCC Budget book. An employee's spouse and dependent or unmarried children up to age 24 may also be eligible for tuition waivers as described in the Summary of Employee Benefits Chart and the Tillamook Bay Community College Tuition Waiver/Tuition Assistance Policy in Appendix B-1. The TBCC tuition waiver will be applied prior to federal financial aid or scholarships. Additional tuition shall be waived in accordance with policy in Appendix B-1 of the TBCC Budget book.

Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When job-related courses require absence from work, supervisor approval is required.

Employees may petition in writing to their supervisor for reimbursement of book cost and course fees if the course in which they are enrolled relates directly to their job duties. Petitions for reimbursement must be forwarded to and approved by the College President.

Community partner and other college or university courses which enhance employees' job performance or develop necessary job skills are considered staff and professional development. Subject to available funds, Tillamook Bay Community College will provide up to \$200 per semester hour tuition and fees reimbursement for each hour earned to a maximum of ten (10) credit hours annually and thirty (30) credits cumulative. All employees may petition their supervisors, in writing, for assistance with tuition, fees, and related costs for courses, conferences, and training for staff and professional development.

Staff applications for assistance will be forwarded to Human Resources for review and consideration. Faculty applications for assistance shall be forwarded to Vice President, Instruction and Student Services for review and consideration. Application and approval for reimbursement must be made, in advance of enrollment, on the Tillamook Bay Community College Professional Development Application Form. Applications should be submitted as early as possible prior to the actual class or training and will be reviewed on a first come first serve basis.

Stipends

Dual Language Skill Stipend

Dual language skill shall mean the translation to and from English, the interpretation of another language, or the use of sign language. The College will determine language translation skills required to accommodate the student/customer needs.

To best meet the needs of students/customers, languages eligible for the stipend will be determined based on demographic makeup of the service district indicated by the current census data.

Dual language skill stipends are paid to employees who have fluency in a second language. When called upon, employees who receive this stipend will utilize their verbal and/or written language skills to respond to student/customer needs during their scheduled working hours. Compensation will be a monthly stipend of \$100 for Fulltime Employees (prorated for part-time employees). Certification of dual language proficiency will be done by providing a written and/or oral evaluation of language competency prior to being approved for the stipend. It is the responsibility of the employee to keep skills current. The college reserves the right to periodically re-evaluate the employee's language proficiency.

Cell Phone Stipend

The President, executive cabinet, and designated facilities and information technology staff shall receive a cell phone stipend in the amount of \$30 per month to respond to after-hours campus situations, campus emergencies, and critical operational needs.

Process For New Stipends

Future circumstances may require consideration for other stipends. Approval of stipends will be through the college governance process- Leadership will approve, then send to College Council to consider as part of a revision to this AR.

Requests for stipend consideration will include:

1. Stipend name and purpose
2. Criteria for eligibility to receive the stipend
3. Amount of the stipend
4. Certification process to be approved for the stipend
5. Process for college to re-evaluate employees for continuation of the stipend.

Prohibit of Incentive Compensation

Senior managers and executive level employees who are only involved in the development of policy and do not engage in individual student contact or the other covered activities will not generally be subject to the incentive compensation ban.

NOTE: ORS 244.040 prohibits Oregon public employees from using their official position for their own personal financial gain or to avoid a financial detriment. Official compensation is excluded from this prohibition. "Official compensation" is defined as "any part of an official compensation package as determined by the public body that the public official serves."

Faculty Sources of Compensation – Additional exception to ORS 244.040. Oregon law allows community college boards to authorize receipt of compensation for any faculty member from private or public resources, including, but not limited to, income from:

- a) Consulting;*
- b) Appearances and speeches;*

- c) *Intellectual property conceived, reduced to practice or originated and therefore owned within the community college;*
- d) *Providing services or other valuable consideration for a private corporation, individual or entity, whether paid in cash or in-kind, stock or other equity interest or anything of value regardless of whether there is a licensing agreement between the community college and the private entity; and*
- e) *Performing public duties paid by private organizations, including institution corporate affiliates, that augments a faculty member's publicly funded salary. Such income shall be authorized and received in accordance with policies and standards established by each board.*

Boards retain authority to prohibit and exclude any compensation that is inconsistent with the mission of the college or that interferes with the duties of the faculty member to the college as their employer. Faculty members are required to disclose in writing to the board potential conflicts of interest that might arise as a result of the authorization or receipt of the compensation. The board is required to have procedures to receive complaints related to potential or actual conflicts of interest. See AR 7135.

Approved:

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