

Western Michigan University
FLSA Guidelines for Part-time Teaching Appointments
Effective: May 8, 2017

Purpose: This document describes how Western Michigan University (WMU) will comply with the Fair Labor Standards Act (FLSA), as it pertains to part-time teaching appointments.

Review and approval: A preliminary version of these guidelines was reviewed by the University's FLSA technical implementation team which included representation from each impacted executive area. The final version was approved by the Office of the Provost and Vice President for Academic Affairs, the Office of the General Counsel, and Human Resources.

FLSA requirements: Under the FLSA, employees must be paid overtime (1.5 times their regular rate) for all hours worked over 40 in a workweek, unless an exemption applies. Employees whose primary duty is teaching are exempt from the FLSA's overtime requirements. WMU compensates employees with part-time teaching appointments in compliance with these principles.

University guidelines for part-time teaching appointments:

- A. Employee holds only a part-time teaching appointment with no other University appointments.
 - 1. The part-time teaching appointment is primary.
 - 2. The part-time teaching appointment is paid via a per-credit hour stipend.
 - 3. There is no need for the employee to record and report hours worked on the part-time teaching appointment.

- B. Employee holds a part-time teaching appointment AND a temporary hourly appointment.
 - 1. The part-time teaching appointment is primary.
 - 2. The part-time teaching appointment is paid via a per-credit hour stipend.
 - 3. There is no need for the employee to record and report hours worked on the part-time teaching appointment.
 - 4. The temporary hourly appointment is secondary, and is paid on a straight-time hourly basis for all hours worked. Since the employee's primary appointment (teaching) is exempt, the employee is not eligible for overtime pay.
 - 5. The hourly rate of pay for the temporary appointment is determined by the hiring department.

- C. Employee holds a part-time teaching appointment AND a **benefits-eligible exempt/salaried** appointment.
1. The benefits-eligible exempt/salaried appointment is primary.
 2. The part-time teaching appointment is paid via a per-credit hour stipend.
 3. There is no need for the employee to record and report hours worked on the part-time teaching appointment.
- D. Employee holds a part-time teaching appointment AND a **benefits-eligible nonexempt/hourly** appointment.
1. The benefits-eligible nonexempt/hourly appointment is primary.
 2. The part-time teaching appointment will be treated as a nonexempt/hourly teaching appointment in the department in which the course is offered.
 3. The hourly rate of pay for the part-time teaching appointment is equal to the rate of pay for the employee's benefits eligible nonexempt/hourly appointment (i.e. primary appointment).
 4. The employee must record and report all hours worked in conjunction with the primary appointment, the nonexempt/hourly teaching appointment, and any temporary nonexempt/hourly appointments. For the nonexempt/hourly teaching appointment, "all hours worked" includes preparatory time, instructional time, office hours and grading time.
 5. The employee must be paid overtime in accordance with Section 5 (Direct compensation: hours worked and pay) of WMU's Human Resources Policies and Procedures Manual available at wmich.edu/hr/manual-hours.

Compliance with this policy will be monitored jointly by the Office of the Provost and Human Resources.