

PPP-02 Employment Classification

The following definitions shall apply to employee categories as indicated:

Academic Personnel (Exempt) - All faculty members who hold academic rank, and who are directly engaged in instruction, departmental research or public service. Academic personnel may be employed either on a nine, ten, eleven or twelve-month service basis (academic year), compensated over a twelve-month period, hereinafter described as academic personnel, or on a twelve-month service basis (fiscal year), compensated over a twelve-month period, hereinafter referred to as twelve-month academic personnel.

Executive & Administrative (Exempt) - All personnel other than personnel primarily employed in instruction, research or public service who primarily have executive and administrative responsibilities, and whose positions require recognized professional achievement acquired by formal training or equivalent experience. This classification includes non-academic personnel who are exempt from the provisions of the Federal Wage and Hour Law.

Professional Non-Faculty (Exempt/Non-exempt) All personnel other than personnel primarily employed in instruction, research or public service who primarily have professional responsibilities, and whose positions require recognized professional achievement acquired by formal training or equivalent experience. This classification includes non-academic personnel who are exempt or non-exempt from the provisions of the Federal Wage and Hour Law.

Adjunct faculty – All faculty whose temporary appointments are based on demand each semester.

Clerical, Support, Technical, Maintenance, and Operations Personnel (Non-exempt) - All personnel other than executive, professional, academic, administrative, or student workers.

Student Workers - All personnel whose primary purpose for being at the institution or school is to be enrolled in an academic program of the institution or school. Student workers are temporary.

Graduate Assistants/Graduate Instructors – Appointments subject to TBR policy 5:02:05:00 where the specific terms may be academic year semesters, fiscal year or based on a percentage. They may be part-time or full-time temporary appointments.

Each employee is also assigned one of the following designations:

Regular Full-Time Employees - All personnel (executive, administrative and professional, academic, and clerical, support, technical, maintenance and operations) who are employed on a continuing basis, expected to exceed one year, and who have a regular work week of 37.5 hours

or who are scheduled to carry a full teaching load or its equivalent. Regular full-time employees include full-time MODFY (modified fiscal year) employees. Regular full-time employees are eligible for benefits.

Regular Part-Time Employees - All personnel (executive, administrative and professional, academic, and clerical, support, technical, maintenance and operations) who are employed on a continuing basis, expected to exceed one year and who have a regular work week of less than 37.5 hours or who are scheduled to carry less than a full teaching load or its equivalent. Regular part-time employees include part-time MODFY (modified fiscal year) employees. Regular part-time employees are eligible for prorated benefits.

Temporary Employees - All personnel whose initial period of appointment or expected service is less than one year. This definition should not be confused with employees who are designated as probationary employees, who may be regular full-time or part-time employees, and who are entitled to all leave benefits of such employees. If temporary assignments are recurring, then the university must make a decision to create and fund a regular position.

“Temporary employees” are ineligible for [State benefits \(retirement, state insurance, annual and sick leave, and holiday pay or longevity credit\)](#). (Refer to [TBR Policy 5:02:07:10](#) and [TBR Policy 5:02:07:00](#) for the temporary appointment types for faculty—~~this type may be eligible for benefits~~). However, limited term appointments may be designated as positions eligible for benefits when budgeted. ~~As a temporary employee, you are not eligible for employment benefits (retirement, state insurance, annual and sick leave, and holiday pay or longevity credit).~~ [Temporary employees working on average at least 30 hours per week over a specified measurement period will be considered a full-time offered medical benefits-eligible employee under the Affordable Care Act \(ACA\).](#)

Breaks in Service: An employee who has worked as a temporary for the maximum time of one calendar year must be completely separated and off the payroll for fourteen calendar days before becoming eligible for re-employment in a temporary position.

After one year of employment as a temporary employee, the university shall consider adding a position with benefits if the assignment is needed on a regular basis. The process for filling the position will follow [TBR Guideline P-010](#), Personnel Transactions and Recommended Forms.

Temporary employees contracted through a temporary staffing agency [or as an Independent Contractor](#) are not university employees. [Once an Independent Contractor has been placed on Payroll, they are considered an employee and will no longer be able to be an Independent Contractor.](#)—

MODFY (modified fiscal year) Employees - All regular, full and part-time personnel whose service period is at least nine months, but less than twelve months. The actual length and work schedule can vary at the discretion of the university President (See [TBR Personnel Guideline P-030](#), Modified Fiscal Year Appointments; and [PPP-64](#), Implementation of Modified Fiscal Year Appointments).

The university has developed appropriate guidelines for employing persons within the institution. Consistent with the definitions included within this policy, appropriate employee designations and percent of employment shall be determined through campus review of the length of the assignment and the continued need for services.

Source: Tennessee Board of Regents Policy No. 5:01:01:00.