



Employment of Faculty, Non Exempt Staff, and Exempt Staff

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General Description

Policy Summary:

Trinity University provides guidance on hiring faculty, non-exempt staff and exempt staff. Guidance is also provided for performance for jobs.

Purpose:

This policy aims to provide guidance to hiring managers on filling vacant positions and guidance for employees on job performance.

Scope:

This policy applies to all Trinity University faculty and staff.

Exceptions:

The applicable vice president must approve exceptions to this policy in consultation with Human Resources.

Policy Content

Faculty Employment

Policy statements relating to faculty, faculty appointments, and academic governance are contained in the Academic Affairs Policy: [Faculty Handbook 2023-2024](#) Specific information on such employment policies as establishing and filling vacant positions, faculty records, contingent faculty, and retirement are discussed in the sections on Academic Freedom, Responsibility, and Employment (Faculty Handbook, Chapter 2), Contingent Faculty Policies (Faculty Handbook, Chapter 3), and Faculty Records (Faculty Handbook, Section 2F).

Exempt and Non-Exempt Staff Employment

1. Filling a Vacant or New Position

A. Approval to Fill the Position

To create a new exempt or non-exempt staff position, the director of the unit or the departmental Chair must receive permission to create the position from the appropriate vice president, ordinarily through the University's annual budget process. Benchmark salary data needs to be obtained from the Senior Compensation Analyst in Human Resources. Should the request be approved, the director of the unit or the department Chair must then submit it in Workday to create a new position. For a vacancy in an existing exempt or non-exempt staff position, the director of the unit or the department Chair must submit in Workday. When an existing position is to be redefined, a written justification must be completed first through consultation with the Senior Compensation Analyst.

B. Search Plan

All information is in Workday and all approval processes are handled in Workday. Human Resources will receive a posting once all the approvals have been completed in Workday. The Talent Acquisition Partner will work with the department supervisor/chair for posting. Candidate application materials will be received by Human Resources to review and moved forward to the hiring manager in Workday for those qualified for the position. The appropriate hiring manager will approve and move forward with the top candidates to interview.

C. Conclusion of the Search

Contingent Offers of Employment

When the hiring manager for the position has selected a candidate, they will contact the Talent Acquisition Partner to inform them of their selection. The Talent Acquisition Partner will work with the hiring manager and the Senior Compensation Analyst to determine an appropriate salary based on the University's compensation framework. After a salary has been determined, the hiring manager will make a contingent offer of employment to the selected candidate. An offer remains in "contingent" status until the background check process concludes.

After a candidate communicates acceptance to the hiring manager, verbally or in writing, of a contingent offer of employment, the Office of Human Resources will prepare a letter of appointment for the selected candidate's signature.

Background Checks

After the selected candidate signs the letter of appointment, the Office of Human

Resources will initiate the appropriate background check for the position, and the results of the various checks will be reviewed by a designated representative of the Office of Human Resources. .

The University will conduct the following national background checks on all individuals who have applied for employment with the University and to whom a contingent offer of employment has been made.

1. Identification Confirmation Search
2. Criminal Background Search
3. Sex offender registry

The University may also conduct supplemental background checks for select positions, including, but not limited to the following:

- Credit Check
- Education verification of the highest degree indicated by the applicant
- Prior employment verification
- Professional license verification
- Homeland Security search
- Workers' Compensation search

Select positions that may require one or more of the supplemental background checks include, but are not limited to, the following:

- Any position specifically designated by the President or a member of the University's Executive Leadership Team
- Accounting/finance, fund-raising, or those with significant financial oversight
- All security personnel (in accordance with the Trinity University Police Department's hiring practices)
- Positions which have a high interaction with youth (under age 18)
- Positions that will have regular access to student residences
- Positions which require the individual to drive a University vehicle or their personal vehicle in the conduct of their job duties

In instances where there are no findings in the information received, a Human Resources representative will notify the hiring manager and the applicant that the background check is complete and that they are cleared to begin work on the date designated in their letter of appointment.

In instances where negative or incomplete information is obtained, the Chief Human Resources Office will review the materials to determine appropriate action, including, but not limited to, assessing the applicability and potential liability of findings as they may relate to the primary duties of the position, determining whether to order additional background checks, consulting with the appropriate Executive Leadership Team (ELT) member to make a final hiring decision. HR has the final decision-making authority.

It is important to note that although disqualification is possible, prior convictions do not automatically disqualify an applicant from consideration for employment.

New Employee Orientation

The orientation of new staff members is a shared responsibility between the individual department and Human Resources.

Postdoctoral Staff Employment

Persons appointed to postdoctoral positions at Trinity University are classified as exempt staff employees and are subject to all the policies of the University regarding the employment of persons in the staff category.

Appropriate search procedures must be followed as described above for exempt staff. Before a letter of appointment and background check can be completed, the grants accountant must approve if it is grant-related.

The postdoctoral employee is eligible for some or all fringe benefits, providing the individual works at least 30 hours per week over the course of a year. After two years of continuous employment, the individual will be eligible for retirement benefits. The individual will accrue sick leave and vacation leave in the same manner as other staff employees. However, unused vacation time will not be reimbursed at the termination of employment or at any other time.

All costs for fringe benefits, including retirement and social security, and related University costs are to be charged to the funding source unless specific arrangements are approved. Visa status determines the individual's liability for social security tax. This must be determined on a case-by case basis by the institution's Payroll Office.

All Employees

All staff are subject to annual evaluations in accordance with the [Performance Evaluation Policy for Staff](#)

All university employees must be 18 years of age or older, with the exception of high school students officially accepted in the Upward Bound program. Any exceptions require the vice president's approval.

A person shall not be permitted to begin work until the hiring manager receives final authorization from the Human Resources Office.

The University will not employ staff members who will directly supervise or be supervised by their immediate family members. Exceptions may be made upon the approval of the President of the University when there is a demonstrated difficulty in recruiting and concerted efforts to locate an equally qualified non-relative have been exhausted. Members of immediate family include parents, children or step-children, husbands and wives, brothers and sisters, and corresponding in-law relationships.

Outside Employment

Trinity University recognizes that employees will occasionally accept outside employment and/or outside research as a means of supplementing income. Employees may accept outside employment as long as their outside employment will not create a real or perceived conflict of interest or commitment. Outside employment activities must also not interfere with an employee's full and proper performance of their University employment.

Before an employee is allowed to accept outside employment, they must submit the appropriate documentation to their immediate supervisor (Staff) or respective department chair (Faculty):

* All Staff (Exempt and Non-Exempt) will complete an Outside Activity Form.

* Faculty members and other principal investigators/researchers should also complete an Outside Activity Form for submission of outside activity requests.

Recruitment, Interviewing, and Onboarding of Prospective Employees

Interviews should be scheduled within a reasonable time from submission and posting.

Any recruiting or advertising for applicants will be done directly through the Human Resources Office. If any applicant or current employee contacts the supervisor directly concerning a vacancy, they shall be referred to the Human Resources Office for appropriate processing. In the event no suitable candidates are available for a temporary position, a department may utilize a temporary employment agency; however, the cost will be borne by that department. The use of a temporary employment agency should be discussed with Human Resources before proceeding with any agency.

In accordance with federal law, all employees must provide proof that they are legally authorized to

work in the United States within 72 hours of employment (I-9). This documentation shall be kept separate from each employee's personnel records in the Human Resources Office. The original I-9 documents must be shown in person to the Office of Human Resources and the form completed by the new hire in Workday.

If a former employee applies for re-employment, the applicant will be handled in the same manner as a new applicant. When a former employee is re-employed in a classification in which they were previously employed, the rate of pay will be in accordance with the University's compensation model for the position that the employee is being hired to fill.

The employee, either hired or rehired, will be given a formal orientation briefing by the Human Resources Office and by the individual's immediate supervisor. This orientation will include but is not limited to an explanation of Trinity University's benefits and various other policies, as well as an orientation by each supervisor to the specific work site.

Each newly employed staff member will serve an orientation period of six (6) months from their effective date of employment, during which the individual's performance is evaluated against the job requirements.

- a. The orientation period may not be extended beyond six (6) months.
- b. All non-exempt staff will be formally evaluated at two (2) and five (5) months during the orientation period in Workday. Formal evaluations will become a part of the employee's personnel record.
- c. An employee in the orientation period who does not meet required work standards may be terminated.

General Guidelines

Each employee of Trinity University, by performing their assigned duties, contributes to the instruction, research, and administrative activity of the University. Trinity endeavors to provide working conditions based on fair and equitable standards.

Any employee or group of employees may, without the threat of retaliation or discrimination, discuss with their supervisor(s) and/or the Chief Human Resources Officer the terms of their employment or working conditions.

The President of the University delegates responsibility for the administration of the policies and rules herein set forth to the Chief Human Resources Officer:

- a. The Chief Human Resources Officer is responsible for the application, conformity, and coordination of the policies and rules, and for recommendation of changes when necessary.
- b. The Chief Human Resources Officer is the Equal Employment Officer for the University and is responsible for matters relating to Equal Employment Opportunity.
- c. Department supervisors are responsible for the administration of personnel functions as they pertain to employees under their jurisdiction. All officers and supervisory personnel are charged with the responsibility of administering all University policies and procedures in a fair and equitable manner.

The employment of any staff employee by the University is exclusively “at will” employment, any previous verbal assurance, statement or representation notwithstanding. This means that the employment of any staff employee may be terminated by the University at any time with or without reason or cause, with its only obligation being to pay wages or salary owed to the employee up to date of termination. Any such employee may terminate their employment at any time, subject to applicable notice requirements and the provisions of HR policies.

The matters discussed in these HR policies are intended for general guidance only, and the University may, from time to time, amend or cancel any of the policies, rules, or benefits discussed herein. Nothing in the policies is intended to alter the at-will employment relationship or act as an express or implied contract or guarantee of employment for any particular duration or of the terms and conditions by which any person’s employment is governed. The enumeration of any reason or cause for discipline and/or discharge by the University shall not in any way limit or affect the University’s right to discipline or discharge any person for any other cause or for no cause whatsoever, and the University’s compliance, or attempted compliance, with any guidelines for discipline and/or discharge or with such Human Resources Policies it has promulgated, or promulgates in the future.

Additionally, the Employment of Faculty, Non-Exempt Staff, and Exempt Staff Policy shall not be construed to create a “contract” (express or implied) or modify any right the University has pertaining to discipline and/or discharge for cause or for no cause whatsoever. Neither does it otherwise contractually require that there be “just cause” for termination, disciplinary action, or any other action the University may take.

Terms & Definitions

Terms and Definitions:

Term:	Definition:
Non-Exempt Full-Time Employees	Non-exempt employees are not exempt from the legal overtime provisions of the Fair Labor Standard Act and are, therefore, entitled to overtime pay for all hours worked beyond 40 in a workweek. Non-exempt employees may be paid

Term:	Definition:
	<p>on a salary, hourly, or other basis.</p> <p>Non-exempt full-time employees are appointed to work in positions requiring continuous service of forty (40) hours per week. These employees are eligible for full fringe benefits.</p>
Non-Exempt Part-Time Employees	<p>Non-exempt employees are not exempt from the legal overtime provisions of the Fair Labor Standards Act and are, therefore, entitled to overtime pay for all hours worked beyond 40 in a workweek. Non-exempt employees may be paid on a salary, hourly, or other basis.</p> <p>Non-exempt part-time employees are appointed to work part-time require twenty (20) hours per week or more. Employees appointed to work less than thirty (30) hours per week are not eligible for fringe benefits.</p>
Non-Exempt Temporary Employees	<p>Non-exempt temporary employees are appointed for a limited duration. These employees are not eligible for fringe benefits or holiday pay.</p>
Exempt Employees	<p>An individual who is exempt from the overtime provisions of the Fair Labor Standards Act because they are classified as an executive, professional, or administrative employee and meets the specific criteria for the exemption as determined by the Office of Human Resources. With certain limited exceptions, exempt employees must be paid on a salary basis.</p> <p>Exempt employees include all staff positions categorized as exempt from the federal Fair Labor Standards Act by the Office of Human Resources. Exempt employees are eligible for full fringe benefits if they are appointed to work forty (40) hours per week and are eligible for prorated benefits if they are appointed to work thirty (30) or more hours per week.</p>
Employee in Orientation Status	<p>Exempt and Non-Exempt employees that are newly hired, promoted, or transferred serve a six (6) month orientation period. During this period, an evaluation of performance is conducted to determine whether the employee should be recommended for continuation in the position.</p>
Student Employees	<p>Employees, including undergraduates and graduate assistantships, are appointed to student work positions requiring no more than twenty (20) hours of work per week. Student employees not enrolled as full-time Trinity University students during the summer semester can be appointed to full-time student positions requiring forty (40) hours of work per week, provided the student will be enrolled as a full-time student for the following academic semester. These employees are not eligible for any University fringe benefits.</p>

Revision Management

Revision History Log:

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Vice President Approval:

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