



Policy: Employment Categories

Issuing Dept: Human Resources

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Approved By:

Linda Watson
Chief Executive Officer

SCOPE

This policy applies to ALL Authority employees and/or independent contractors.

POLICY

The Authority achieves its mission and provides its services through contractual relationships, employment and/or appointment of qualified individuals. An employee may be appointed to fill an executive officer position, hired to fill a regular (full- or part-time) administrative position, hired to fill a bargaining unit position or employed in a temporary capacity. Additional terms and conditions of employment or the provision of services may be detailed in a written Employment Agreement or Contractor Agreement consistent with the Authority's rules and policies. It is the intent of the Authority to clarify the various categories of persons providing services.

DEFINITIONS

Employment Agreement - may be used to establish the terms and conditions of employment. This agreement must be completed and signed by the hiring authority/management and by the employee at the start of the employment relationship. Such agreement must be pre-approved by Human Resources and the Authority's legal counsel.

Exempt employees - are generally executive officers, managers, professional, administrative, or technical staff who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees perform jobs which meet the standards and criteria established under the FLSA by the US Department of Labor. Exempt employees are generally paid on a salary basis and are not eligible for overtime pay.

Intern - an undergraduate or graduate student who is currently enrolled in a regular course of study, in an accredited college or university, whose employment or service with the Authority may earn college credits towards graduation.



Non-Exempt employees - are employees whose work is covered by the FLSA. They are subject to the FLSA's requirements concerning minimum wage and overtime and the Florida Minimum Wage Amendment. Non-exempt employees are paid on an hourly basis and receive overtime pay for all overtime worked as required by the FLSA.

EXECUTIVE OFFICER POSITIONS

Executive Officers are appointed by and serve at the pleasure of the Chief Executive Officer. Employees in these positions are expected to communicate the organization's philosophy to employees in other classifications. Executive officer positions are designated by the Chief Executive Officer and confirmed by the Board. These positions are not subject to employment agreements.

In the event of a change in Authority administration (i.e. the appointment of a new Chief Executive Officer), Executive Officers who are not reappointed, without cause, and/or for the convenience of the Administration, may be given severance pay equal to the amount that would have been earned in a ninety (90) calendar day period upon signing the Authority's Separation Agreement and General Release. The ninety (90) calendar days would begin upon written notification to the employee. Executive Officers are subject to termination at any time, with or without cause, at the discretion of the Chief Executive Officer. When terminated by the Chief Executive Officer without cause, Executive Officers may receive the same severance pay as set forth above for non-reappointment. Executive Officers are expected to give the Authority no less than thirty (30) days written notice before resignation.

Executive Officers are covered by all standards of employment as set forth by the Authority's rules and policies but are exempt from the Introductory Period and the Grievance Process (other than EEO/discrimination claims).

REGULAR EMPLOYMENT

Regular employees include full-time and part-time administrative employees. Regular employees are covered by all standards of employment as set forth in the Authority's rules and policies. Employment with the Authority is at will, voluntary, and there is no specified length of employment. The right to terminate the employment relationship at will at any time is retained by both the employee and the Authority.

All employees are designated as either Non-Exempt or Exempt under state and federal wage and hour laws.



A. Full-Time Regular Employees

Employees who are not in a temporary status and who are regularly scheduled to work the Authority's full-time schedule of 40 hours per week. Full-time regular employees are eligible for such Authority paid benefits available to all full-time regular employees that have been approved by the Chief Executive Officer.

B. Part-Time Regular Employees

Employees who are not in a temporary status and who are regularly scheduled to work less than 40 hours per week. Part-time regular employees who work at least 20 hours per week (1,040 hours per year) are eligible for specified Authority paid benefits. Employees working an average of less than 20 hours per week shall NOT be entitled to Authority paid benefits (such as holiday pay, medical coverage, vacation, sick, retirement, etc.) other than compensation. All part-time regular employees shall be paid hourly rates according to their respective classifications.

TEMPORARY EMPLOYMENT

Temporary employment provides the ability to staff a position that requires work to be performed for not more than a three (3) month period. It is a supplement to the regular workforce providing staffing needs on an intermittent or as needed basis. Employees filling temporary positions do not receive Authority paid benefits such as holiday pay, medical coverage, vacation, sick, retirement or other offered benefits. The general terms and conditions of the Temporary Employment Assignment are detailed in an established scope of work for the positions. A temporary employee may be hired for a fixed term or to perform a specific task. A temporary employee shall be treated in the same manner as a regular employee for purposes of the Authority's rules and policies except that such employee's position and employment shall cease upon the date designated when the appointment was made, or upon the completion of the specific task which the employee was hired to perform, whichever occurs first. The cessation of such employment shall be automatic and unappealable. Any exceptions must be pre-approved by Human Resources. Employees in this classification are not guaranteed employment for any specified period of time. The right to terminate the employment relationship at will at any time is retained by both the temporary employee and the Authority. Temporary employees may work part-time or full-time and may be hired through an agency or hired directly by the Authority.



There are two (2) categories of Temporary Employment:

A. Temporary/Casual Employment

A temporary/casual employment assignment is established by a department/division to meet pre-determined work demands that exist, not to exceed three (3) consecutive months without a reassessment of need by HR and approval from the Chief Executive Officer. A temporary/casual employee is hired as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project for a limited duration. Temporary/Casual employment positions are paid from department budgets. All such employment must be specific as to a reasonable length of time anticipated to complete the temporary assignment with such time indicated on the appropriate form upon initial employment. A temporary/casual employee shall be paid a rate of pay approved by the Chief Executive Officer and within the Authority's Pay Plan. Temporary/Casual employees do not receive Authority paid benefits such as holiday pay, medical coverage, vacation, sick, retirement or other offered paid benefits. Employment extended beyond the initially stated period does not, in any way, imply a change of employment status.

B. Student Internship

A Student internship is a form of temporary employment established by a department/division for an undergraduate or graduate student enrolled in a regular course of study in an accredited college or university whose employment with the Authority may earn credit towards graduation. Student Internships are for the benefit of the student. An internship provides a student with pre-professional and/or professional experiences designed to enhance and build skills. Interns are not to be used in place of employees. The Human Resources Department administers the Internship Program.

CONTRACT LABOR

A worker classified as an independent contractor works under a specified Independent Contractor Agreement subject to approval by the Chief Executive Officer and Chief Administrative Officer. An independent contractor is generally an individual or company that performs work where the Authority controls the result of that work, but not the means by which the result is accomplished. An Independent Contractor is not under the control of the Authority. All fees for contract labor are paid directly to the contractor and are not subject to FICA, federal and state withholding, workers' compensation or unemployment insurance. Independent Contractors are not eligible for any Authority offered paid benefits.



Contract Labor arrangements must be pre-approved by Human Resources and the Authority's Legal Counsel.

BARGAINING UNIT

Employees hired into positions represented by a collective bargaining agent are considered part of the bargaining unit. Bargaining unit employees are covered by the terms as set forth in their respective Collective Bargaining Agreement (Union Contract).

PROCEDURES AND RESPONSIBILITIES

Regular Full-time or Part-time Employee Request:

All requests to fill a regular full-time or part-time budgeted position must be submitted to Human Resources via an Employee Requisition Form available on InLYNX.

Temporary/Casual Worker Assignment or Student Internship:

1. When a department has a need and budgeted funds for a full-time or part-time temporary/casual labor assignment or student internship, the department must submit a request to Human Resources via an Employee Requisition Form available on InLYNX.
2. All requests must have scope of work and length of assignment clearly defined where appropriate on requisition form.
3. Human Resources will review and process request.
4. Human Resources will provide the appropriate Agreement (Student Intern Services Agreement, Temporary/Casual Employment Assignment Agreement) as necessary.
5. Hiring department/management will be required to sign appropriate Agreement upon initial employment.

Contract Labor:

1. When a department has identified a need for the services of an independent contractor, the department will follow the appropriate procurement procedures by initially completing a purchase requisition then



forwarding the requisition through the requisition approval process (refer to procurement policies and procedures).

2. When the services of an independent contractor have been procured and Human Resources has determined that the individual or company is an independent contractor, there will be no employment relationship (i.e. the Authority will not make contributions to either unemployment insurance or worker's compensation on the worker's behalf) and the appropriate procurement procedures will be utilized.
3. Should it be determined that the individual or company is not an independent contractor, the appropriate hiring procedures shall be followed.
4. All Independent Contractor Agreements will be reviewed by the Authority's legal representative prior to approval of the arrangement.

REPLACES: Policy HR-001 with effective date of 10/25/01

Related Sources:

- Vacation Policy
- Sick Leave Policy
- Holiday Policy
- Procurement Policies and Procedures
- Employee Requisition Form
- Purchase Requisition Form
- Administrative Employee Handbook
- Student Intern Services Agreement
- Casual/Temporary Employment Services Agreement