



OLD DOMINION UNIVERSITY

University Policy

Policy #6012

NON-INSTRUCTIONAL PART-TIME FACULTY EMPLOYMENT POLICY

Responsible Oversight Executive: Vice President for Human Resources, Diversity, Equity, and Inclusion

Date of Current Revision or Creation: January 10, 2024

A. PURPOSE

The purpose of this policy is to identify a specific category of part-time employment with the University and define the terms and conditions under which this type of exempt employee works.

B. AUTHORITY

[Code of Virginia Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

C. DEFINITIONS

4031 Employee - See “Non-instructional Part-time Faculty Employee.”

Computer Employee - An employee who is not subject to the provisions of the [Federal Fair Labor Standards Act \(FLSA\)](#) and is employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties primarily consisting of 1) the application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications; or 2) the design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications.

Conflict of Interests - A personal interest by a University employee or the employee’s immediate family member in a contract or transaction to which Old Dominion University is a party.

Employee - A person who is hired to provide dependent personal services to the University on a regular basis in exchange for compensation. The University has the right to control and direct the person regarding the result of the work to be accomplished and the details, methods and means by which that result is accomplished. An employee is subject to income tax withholding and is paid through the payroll process.

Exempt Employee/Position - An employee who is not subject to the provisions of the [Federal Fair Labor Standards Act \(FLSA\)](#). The position meets the FLSA job duties exemption test and the employee's salary meets the FLSA salary basis exemption test. Such employees are normally in management or professional positions.

Hiring Supervisor - The management level with the authority to hire, assign work, manage work schedules, approve leave, evaluate, and discipline employees.

Non-instructional Part-time Faculty Employee - A person hired in a part-time non-teaching and non-research position with responsibilities that are comparable to administrative and professional faculty. This category is also referred to as "4031," which is the budget subaccount code used to designate the funding for this type of employee.

Performance Testing - Written validation that the work for which the employee was hired has been performed and documented.

D. SCOPE

This policy applies to all employees. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University.

The hiring of non-exempt positions to meet similar needs is covered under [University Policy 6024, Wage Employment Policy](#).

E. POLICY STATEMENT

In order to meet seasonal, temporary, part-time or casual workforce needs, departments may hire an individual in a non-teaching and non-research exempt (4031) position if specific requirements are met. When considering what type of employee to hire, hiring supervisors in academic areas must consult with the Office of Academic Affairs. Hiring supervisors in other areas must contact the Department of Human Resources for guidance.

A search is not required to hire a non-instructional part-time faculty employee.

The hiring of non-instructional part-time faculty employees must be approved by the Department Head, Chair or Dean. If the term of employment is expected to be greater than 12 months, written approval by the President is also required.

Non-instructional part-time faculty employees may not work more than 29 hours per week.

F. PROCEDURES

If the determination is made to hire a non-instructional part-time (4031) faculty employee:

1. In the case of a non-instructional part-time faculty hire in a unit or department that is in the reporting line of the Provost and Vice President for Academic Affairs, all employment forms must be submitted to the Provost and Vice President for Academic Affairs or designee. These forms shall include, but are not limited to, the [Temporary Employment Data Form \(4031\)](#) and all required new hire forms and related documents.
2. In the case of a non-instructional part-time hire in all other units or departments other than those that are in the reporting line for the Provost and Vice President for Academic Affairs,

all employment forms must be submitted to the Department of Human Resources Staffing and Operations Manager. These forms shall include, but are not limited to, the [Non-Instructional Part-Time Faculty Temporary Employment Payroll Form \(4031\)](#), and all required new hire forms and related documents.

3. The position must be exempt under FLSA and requires a minimum salary. The current minimum salary threshold is available on the website. If the salary basis test is not met, the Hiring Supervisor should contact the Department of Human Resources for assistance in establishing and documenting an hourly wage position.
4. All non-instructional part-time faculty employees are required to complete the [Conflict of Interests/Dual Reporting Form](#) and the [Elected Official Disclosure Form](#).
5. In certain circumstances, administrative, professional and computer employees such as computer systems analysts, computer programmers, or software engineers may be paid on a “fee basis” rather than a salary basis when the employee is paid an agreed sum for a single job. In these circumstances, hiring supervisors should contact the Department of Human Resources for assistance.
6. If the sum paid in one year (from the date of hire) is expected to exceed \$25,000, the approval of the appropriate Vice President is required.
7. If the sum paid in one year (from the date of hire) is expected to exceed \$35,000, the approval of the President is required.
8. Once a non-instructional part-time faculty employee has served 12 months, that employee cannot be continued unless written approval is obtained from the President. The request for an extension should be submitted to the appropriate Vice President for approval and then submitted to the Department of Human Resources. The Department of Human Resources will make a recommendation to the President and the President’s decision is final. If the request for an extension is denied, a position should be established as full-time or part-time salaried with benefits and a competitive job search conducted. The employee is eligible to apply and compete for the position. If funding is not available to establish the salaried position, the employee should be separated from employment.
9. The Department Head, Chair or Dean must verify and document the delivery of the employee’s services to the University and the completion of all assigned work. Documentation includes, but is not limited to, written goals, performance testing, and expected outcomes.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the [Commonwealth’s Records Retention Schedules](#).

H. RESPONSIBLE OFFICER

Director of Total Compensation and Staffing, Department of Human Resources

I. RELATED INFORMATION

[State and Local Government Conflict of Interests Act, Code of Virginia Section 2.2-3100 et seq., as amended](#)

[Virginia Public Procurement Act, Code of Virginia Section 2.2-4300 et seq., as amended](#)

[Board of Visitors Policy 1240 – Resolution Concerning Employment](#)

[University Policy 6024 – Wage Employment Policy](#)

[University Policy 6130 - Policy for Direct Employment of Wage Employees](#)

[Worker Classification Review Process, ODU Office of Finance](#)

