

Board Policies

PERSONNEL

306.00 PERSONNEL CLASSIFICATION & EMPLOYMENT STATUS

In accordance with the Fair Labor Standards Act (FLSA), applicable Kansas wage and hour laws, and related federal regulations, this policy ensures consistent and lawful classification of employees. This policy applies to all individuals performing services for Cowley College, including staff, instructional staff, faculty, student employees, interim appointments, and grant-funded employees. Employees who feel their pay may have been improperly reduced are encouraged to promptly notify the Human Resources/Payroll office.

FLSA Classification

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

Non-Exempt Employees

- Covered by FLSA minimum wage and overtime provisions.
- Entitled to overtime compensation at one and 1.5 times the regular rate of pay for hours worked over 40 in a workweek, unless otherwise excluded by law.
- Required to accurately record all hours worked.

Exempt Employees

- Exempt from FLSA minimum wage and overtime provisions.
- Paid on a salary basis as required by law.
- May be required to work beyond scheduled hours without additional overtime compensation.

Exempt employees must receive their full salary for any workweek in which they perform any work, regardless of hours or days worked, except as permitted by law. Improper deductions are prohibited.

Prohibited Deductions

- Jury duty, witness duty, or temporary military leave.
- Absences caused by the College or its operating requirements.
- Partial-day absences (except as otherwise permitted).

Permissible Deductions

- First and last week of employment when less than a full week is worked.
- Unpaid leave taken under the Family and Medical Leave Act (FMLA).
- Full-day absences for personal reasons other than sickness or disability.
- Full-day absences for sickness or disability after leave benefits are exhausted.
- Offsets for jury, witness, or military pay.
- Penalties imposed in good faith for violations of safety rules of major significance or serious workplace misconduct
- Unpaid disciplinary suspensions of one or more full days in accordance with Cowley College's employee discipline procedures.

Employment Classification

An employee's employment classification is determined based on their roles and responsibilities, following the Fair Labor Standards Act (FLSA) guidelines.

Employees

Administrators: Administrators are exempt employees including the College President, Vice Presidents, and Administrative Council members.

Faculty

- *Full-Time Faculty (Professional Employees):* Exempt employees who provide instruction, typically 15 credit hours per semester. Faculty is awarded Faculty PTO time in August at the rate of 77 hours. No vacation.
- *Adjunct Faculty:* Part-time faculty who is employed by the college and provides instruction on a limited basis, generally 1-12 credit hours per semester unless approved for more hours by the Academic Affairs Office.

Staff

- *Full-Time Staff:* Regularly scheduled to work 40 or more hours per week.
- *Part-Time Staff:* Regularly scheduled to work 30 hours or less per week in positions expected to last more than 6 months.
- *Temporary Staff:* Positions expected to last less than 6 months or for short-term assignments.
- *Instructional Staff:* Employees providing instruction who are not classified as full-time or adjunct faculty. They are not covered by the Faculty Master Agreement and follow Staff employment guidelines. These are typically 10-month appointments and do not accrue vacation. Their role may include specialized instruction outside of traditional courses or scheduling.
- *Grant-Funded Employees:* Employees who are classified as staff based on job duties and FLSA criteria. Grant-funded positions are contingent upon availability of grant funding and continued employment is not guaranteed beyond the period of grant funding. In the event that grant funds are reduced, withdrawn, or not renewed, Cowley College reserves the right to reduce hours, reassign, or terminate employment with or without notice.
- *Academic-Year Staff Employees:* Non-faculty staff employees appointed for less than 12 months annually, with compensation and benefits prorated accordingly. These are typically 10 or 11 month employees and do not accrue vacation.

Interim Appointments: Temporary appointments filling vacant positions until a competitive search process is complete. FLSA status is based on duties performed.

Student Employees

- *Resident Assistants:* Student employees providing support services in residence halls.
- *Work Study Students:* Students employed under federal or state work study programs.
- *Student Worker:* Students employed outside work study programs.

Contingent Workers

Independent Contractors (1099)

- Independent contractors are not employees of Cowley College and are not covered under this policy.
- Independent contractors are classified in accordance with IRS and Department of Labor standards and status requires prior approval.

Substitutes (Academic Setting)

- A Substitute is an individual engaged by Cowley College on a temporary, as-needed basis to provide instructional, instructional support, or academic program coverage

when a regular employee or instructor is unavailable or when short-term instructional needs arise.

- Substitutes may be classified as either independent contractors (1099) or part-time staff, as determined by Human Resources in accordance with applicable law. All substitute assignments require prior approval by Human Resources.
- Substitutes are subject to all applicable Cowley College policies relevant to their role, regardless of classification.

Unpaid Service Roles

Volunteers

- Volunteers are individuals 18 years of age or older who provides services to Cowley College without expectation of compensation, wages, stipends, benefits, or future employment, and whose services are offered voluntarily for civic, charitable, educational, or public service purposes.
- Volunteers do not receive compensation of any kind, do not operate Cowley College vehicles, do not have access to employee-only systems, do not represent Cowley College as employees or agents, and do not displace or replace paid employees.
- Volunteers are not employees of Cowley College and are not classified as such, and are not covered by employee wage and hour provisions.
- While serving in a volunteer capacity, individuals are required to comply with all applicable Cowley College policies, including but not limited to standards of conduct, confidentiality, safety, non-discrimination, harassment, and mandatory reporting requirements, as applicable to their role.
- Volunteer service may be discontinued at any time by Cowley College or the volunteer, at the College's sole discretion.
- Volunteer roles must be approved in advance by Human Resources and must have a Volunteer Service Agreement & Waiver of Liability on file prior to providing any services.

The College reserves the right to review and modify employee classifications as necessary to maintain compliance with applicable laws.

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