



VCU

Overload Jobs

Policy Type: Administrative

Responsible Office: VCU Human Resource and the Office of Academic Affairs and Senior Vice Provost for Academic Affairs

Initial Policy Approved: 12/01/1993

Current Revision Approved: 11/11/2016

Policy Statement and Purpose

Virginia Commonwealth University hires employees on both a full- and part-time basis. Under certain circumstances, an employee may hold an additional job(s) at VCU that is outside of the scope of their primary job (referred to as an overload job) and may receive supplemental compensation when **all** of the following criteria have been met:

- In specific circumstances when the intended task is clearly outside normal responsibilities of the primary job;
- It is in the university’s best interest to do so;
- The individual is qualified to perform the additional duties;
- The intended task is in compliance with the federal Fair Labor Standards Act (FLSA) and university Effort Reporting procedures; and
- The required approvals have been obtained.

This policy defines how VCU employees holding overload jobs at the university are compensated for their work.

Noncompliance with this policy may result in disciplinary action, up to and including termination. VCU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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Who Should Know This Policy

All faculty and staff are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

Definitions

Academic Year

August 16 through May 15

Full Time Equivalent (FTE)

FTE is expressed in terms of the level of full-time support in a given position. Every full-time position is considered 1.00 FTE.

Manpower Control Act (MCA) Standard Measurement Period

The 12-month period of May 1 through April 30 of the following year during which certain non-benefited employees cannot work more than 29 hours per week on average or 1,480 hours per measurement period (the “29-hour limit”).

Overload Jobs

Overload jobs are additional assignments where the duties are clearly outside of the regular job responsibilities of the employee’s primary job.

Primary Jobs

When an employee holds multiple jobs at the university and one of the jobs is salaried, the salaried position is considered the employee’s primary job. Otherwise, the primary job is the job that was accepted first. When an employee holds multiple jobs at the university and all are adjunct faculty appointments, the primary job is the one with the greatest FTE.

Contacts

The Office of Academic Affairs and Senior Vice Provost for Academic Affairs officially interprets this policy for faculty appointments including full-time, part-time, and adjunct faculty. VCU Human Resources officially interprets this policy for all other employee types. VCU Human Resources, in consultation with the Office of Academic Affairs and Senior Vice Provost for Academic Affairs, is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to the applicable office based on employee type.

Policy Specifics and Procedures

Generally, overload jobs are not allowed between VCU and the Virginia Commonwealth University Health System. VCU Human Resources will consult with departments when such situations occur. The following procedures describe types of overload jobs allowed based on primary job and employee type.

1. Classified, Hourly and Student Employees:

- An exempt classified employee can be employed in an overload job as hourly or adjunct faculty. A non-exempt classified employee may only be employed in an overload job as hourly. An hourly employee may hold another hourly job. A student employee may hold another student employee position or an hourly job. However, the total combined hours worked by hourly and student workers between all wage jobs must comply with the 29-hour rule within the Standard Measurement Period.
- The supervisor of the primary job must concur with the appointment to the overload job to ensure there is no conflict between the two positions and the employee's effectiveness in the primary job will not be diminished. Employment in overload jobs must be disclosed to the supervisor of the primary job and depends upon available funding.
- Supervisors are responsible for monitoring and ensuring compliance with this policy. If hours worked in a single week exceed 29, supervisors must ensure that hours worked in other weeks are limited so that work hours average 29 or less per week over the Standard Measurement Period.
- It is the responsibility of both the primary and overload departments to coordinate reporting of hours worked and leave taken so that overtime payments are correctly calculated and the employee is not paid for working simultaneously in two departments at one time. The Wage Timesheet and OT2 Form are provided for this purpose and, like other timekeeping documentation, must be maintained for five years.
- Overload jobs cannot be used for performing the same duties as the primary job when there is the same supervisor, work location, customers, and work titles. In such cases, all of the work hours would be included in the primary job.
- Generally, classified, hourly, and student employees cannot be denied the ability to obtain additional employment outside of VCU. However, employees must obtain approval from their supervisor prior to accepting outside employment in accordance with State Policy #1.60, Standards of Conduct. Managers can require there be no conflict between the jobs and that the employee's effectiveness in the VCU job not be jeopardized. If a wage position is obtained within state government, each agency or institution is considered a separate employer and work hours restricted to 29 hours per week, on average, for each employer.
- The recruitment and compensation of hourly positions must comply with VCU's *Wage Employment (Hourly and Student Worker)* policy. The rate of pay for the overload job is determined using the starting pay policy and considering applicable pay factors. If an overload job is in the same pay band as the employee's primary job, the employee generally will be offered the equivalent hourly rate unless precluded by funding restrictions.
- All overload job hours worked by classified, student, or hourly employees must be reported and paid in accordance with current payroll and FLSA procedures. Overtime payment is typically dependent on the FLSA status of the primary job. (The workweek established for the institution is Sunday through Saturday.)

2. Graduate Assistant, Work-Study Student Employees, and Employees on Certain Visas:

- Graduate assistants cannot have more than one job without the approval of their program director. Work-study student employees cannot have more than one work-study job without the approval of VCU's Office of Financial Aid. The 29-hour restriction described above for wage employees also applies to graduate assistants and work-study student employees. For more information, please contact the VCU Graduate School or VCU's Federal Work-Study Coordinator (see www.fws.vcu.edu).
- Employees on certain visas cannot have more than one job without the approval of VCU's Global Education Office.

3. Faculty Employees: Generally, a faculty member cannot hold an overload job (secondary assignment) at VCU. Faculty with primary appointments supported by grant funding are not permitted to have overload jobs regardless of the source of additional funding. The only exception is where the overload job has been specifically documented in the grant or contract award or approved in writing by the sponsoring agency.

Requests for faculty overload assignments must be made in writing by the hiring department to the faculty member's primary supervisor. The primary supervisor must certify that the work performed in the overload job is not a part of the faculty member's primary responsibilities and that the amount does not exceed the 33.33% of the primary job's contractual salary. Subsequent approval must be obtained from the faculty member's primary director/department head/chair, dean and vice president.

Within strict limits set forth in the VCU's *Outside Professional Activities and Employment, Research, and Continuing Education* policy, the university allows faculty to participate in outside employment and paid consultation.

- *Nine- and 10-month Faculty:* Teaching and research (T&R) and administrative and professional (A&P) faculty in 9- or 10-month appointments are not routinely permitted to hold overload jobs during the course of the academic year. Nine-/10-month faculty are permitted to have summer appointments. The total compensation for all the overload jobs during the academic year and summer may not exceed 33.33% of the faculty member's 9/10-month contractual salary.
- *Twelve-month Faculty:* T&R and A&P faculty in 12-month appointments are not routinely permitted to hold overload jobs. Compensation for 12-month faculty without grant funding may be permitted for teaching duties only during the academic year (excluding summer and intersession) and if within the following limits:
 - The teaching must be outside the scope of the faculty member's regular responsibilities;
 - The teaching must be conducted outside of the 12-month faculty member's regular work schedule; and
 - Compensation for teaching duties must be paid at the standard rate for adjuncts in the respective school/college where the faculty member is teaching.

Requests for 12-month faculty to teach a course(s) must be made in writing by the hiring department head to the faculty member's primary supervisor (see "Overload Job Request Form - Faculty Employee" in the forms section of the VCU Human Resources'

website at <http://hr.vcu.edu/forms/>). These requests require approval by the faculty member's chair/director and respective vice president.

- *Adjunct Faculty:* Adjunct faculty are not permitted to accept additional employment in another part-time, non-benefited position (adjunct or hourly) at VCU unless they have been authorized to do so by the respective hiring authorities. Overload jobs for non-teaching adjunct positions are not permitted unless the duties are instructional. Any overload assignment that is not primarily instructional may require an appointment to an hourly position. If a secondary hourly or adjunct assignment is permitted, the total combined hours for all part-time, non-benefited positions held during the Standard Measurement Period must comply with the 29-hour rule. If at any time during the Standard Measurement Period it is determined that the projected hours might exceed this hourly limit, the hours must be reduced and/or the position may be subject to earlier termination. These restrictions are to ensure compliance with the provisions of the Affordable Care Act, Manpower Control Program, and the Fair Labor Standards Act FLSA. For additional information see [Adjunct Faculty Appointments- Compliance with the ACA, MCP, and FLSA](#).

Forms

Search for the following forms at <http://hr.vcu.edu/forms/vcu-hr-forms/>.

1. Wage Timesheet
2. Overtime Calculate Classified Primary and Overload Hourly
3. Overload Job Request Faculty Employee

Related Documents

1. State Manpower Control Program
2. State Policy #1.60, Standards of Conduct
3. VCU Policy: [Wage Employment \(Hourly and Student Worker\)](#)
4. VCU Policy: [Outside Professional Activity and Employment, Research, and Continuing Education](#)
5. [Adjunct Faculty Appointments-Compliance with the ACA, MCP, and FLSA](#)
6. [VCU Faculty Salary Administration Guidelines](#)
7. [VCU Human Resources Overtime Guidelines](#)

Revision History

This policy supersedes the following archived policies:

February 1, 2010	<i>Overload Jobs</i>
July 24, 2013	<i>Overload Jobs</i>

FAQ

There are no FAQ associated with this policy and procedures.