

# ADMINISTRATIVE PROCEDURE

## SCHEDULING OF ADJUNCT FACULTY

Number: HR - 48	Name: ACA - Scheduling of Adjunct Faculty
Purpose: The primary purpose of the Administrative Procedure is to set forth the guidelines for scheduling of adjuncts faculty. Marshall University has a responsibility to track adjunct hours worked per week over specified periods of time in order to plan for benefits eligibility criteria based on federal requirements.	
Responsible Unit: Academic Affairs	
Approved by: Director of Human Resource Services	Approval Date: 12 NOV 2014

### SECTION 1. Definitions

- 1.1 Adjunct faculty. Those persons who are not designated for full-time employment and whose status is defined in Marshall University Board of Governors Policy No. AA-5. Adjunct faculty are part-time, non-tenure track faculty who do not meet the definition of full-time, temporary, or term appointment faculty as defined in Title 133 Procedural Rule, West Virginia Higher Education Policy Commission, Series 9, *Academic Freedom, Professional Responsibility, Promotion and Tenure*. The procedure set forth herein as to adjunct faculty shall have no application to the adjunct faculty appointment of persons otherwise employed in a full-time capacity. Adjunct faculty works an average of less than 29 hours per week over a 12-month period.
  
- 1.2 Administrative period. A period of ninety (90) days beginning April 2 and ending June 30 used for making full-time determinations for ongoing employees and for offering/implementing full-time employee coverage for the following stability period. Also, a period of sixty (60) days immediately following the 12-month initial measurement period for newly-hired variable employees.
  
- 1.3 Contact Hour. Each hour of actual teaching or classroom time.
  
- 1.4 Health insurance plan eligibility. Full-time employees who work an average of at least 30 hours per week are eligible for benefits to include health insurance. If a new employee is reasonably expected to average at least 30 hours per week at the time of hire, the employee must automatically be treated as full-time and offered group health coverage within new hire enrollment period.
  
- 1.5 Initial measurement period. A 12 month period of time beginning on the earlier of the 16<sup>th</sup> or last day of the month following their initial hire date of used to determine whether a newly hired variable employee is full-time.
  
- 1.6 Patient Protection and Affordable Care Act (ACA). Federal statute signed into law by President Barack Obama on March 23, 2010. Together with the Health Care and Education Reconciliation Act, it represents the most significant government expansion and regulatory overhaul of the U.S. healthcare system since the passage of Medicare and Medicaid in 1965. Provisions take effect beginning in 2010 through 2020.

1.7 Semester. (3) Fall, Spring, Summer.

1.8 Stability period. An annual designated period of 12 months during which Marshall University will offer health coverage to all full-time employees. For ongoing employees, the stability period coincides with the fiscal year which serves as the University's health insurance plan year.

1.9 Standard measurement period. An annual designated period of 12 months used to determine whether an ongoing employee is full-time. The temporary standard measurement period will run from July 1, 2014 through April 1, 2015, thereafter the standard measurement period runs April 2 through April 1.

1.10 Variable employee. Adjunct employee. One for whom it cannot be reasonably determined at the time of hiring whether the individual will be regularly scheduled to work at least 30 hours per week.

## **SECTION 2. Administrative Procedure**

2.1 The assignment of adjunct faculty members shall be made in accordance with Marshall University Policy No. AA-5, Rule on Adjunct Faculty with final approval by HR for the specific purpose of adherence to this procedure.

2.2 Adjunct faculty may teach a maximum of seven (7) undergraduate hours or six (6) graduate hours (or a total of all hours of seven) for a designated semester with no commitment on the part of the university for subsequent employment. For purposes of calculating the hours worked for ACA purposes Adjunct Faculty may use either of the following:

- a. The standard of two and one quarter (2.25) hours of service per week for each contact hour and an additional hour of service per week for each additional hour for other required duties. If this method is used actual hours will not be required to be tracked, or
- b. Department chairs/division heads may require each adjunct to submit a weekly report with a summary of hours actually worked. Department chairs/division heads shall review the weekly hours worked summaries semester-by-semester to assist in determining subsequent semester scheduling for each respective adjunct.
- c. Once a tracking method has been selected for the Adjunct Faculty member, it cannot be changed until after the initial measurement period.

2.3 Once an adjunct employee has been employed for an initial measurement period, the employee is reviewed for full-time status as an ongoing employee. Once an adjunct employee has completed the initial measurement period, they will be reviewed based upon the standard measurement period for ongoing employees.

2.4 An employee, who is found to have worked 30 or more hours during the initial measurement period, but not as full-time during an overlapping or immediately following standard measurement period, will continue to be treated as full-time until the end of the stability period associated with the initial measurement period.

2.5 An adjunct employee who is not full-time during the initial measurement period, but is found to have worked 30 or more hours during the overlapping or immediately following standard measurement period, will be treated as a full-time employee for the entire stability period that corresponds to the standard measurement period (not exclusive of when the stability period begins before the end of the stability period associated with the initial measurement period).

2.6 The first stability period is fiscal/plan year 2016 (July 1, 2015 - June 30, 2016) relative to the first

measurement period of fiscal/plan year 2015 (July 1, 2014 – April 1, 2015) and the first administrative period of fiscal/plan year 2014 (April 2, 2014 - June 30, 2014). Each stability period thereafter will reference the standard measurement period in the preceding fiscal year for ongoing employees.

- 2.7 Marshall University's Human Resource department will enforce compliance with this policy. This policy has been written in accordance with the definition of full-time status as defined by regulations of the Patient Protection and Affordable Care Act (PPACA) with guidance issued by the Internal Revenue Service (IRS).