

Simmons University

Policy on Additional Compensation and Discretionary Bonuses for Exempt Staff with notations for Non-exempt Staff; and

Process for Obtaining Approval for Additional Compensation for Exempt Staff with notations for Non-exempt Staff;

Effective Date: May 1, 2018

Policy Owner: Human Resources (HR)

Note: This policy does not apply to Faculty at Simmons. Deans, program directors and others seeking to award additional compensation to Faculty should follow the Additional Compensation Policy for Faculty, or consult directly with the Provost's Office. This policy also does not apply to Officers of Simmons University whose compensation is set by the Compensation Committee of the Simmons Board of Trustees. Nor does this policy apply to the exempt staff in public safety given their six day rotating schedule.

A. Introduction

At Simmons, an exempt staff member's annual base salary is full remuneration for the performance of regular duties. An exempt staff member's regular duties include those listed in the job description; those set by the manager each year as part of the annual goal-setting process for the staff member and the unit; and other duties and responsibilities that may be assigned by the manager to accomplish the mission of the school or unit.

Occasionally, a manager may request an exempt staff member to assume distinct duties and responsibilities, typically for an extended period of time, which fall outside the reasonable expectations associated with their current role. When such an assignment is contemplated, the manager may request that the exempt staff member be paid additional compensation for the time period in which the additional duties are performed. An additional Discretionary Compensation form should be submitted judiciously, and prepared by the supervisor in advance of the staff member performing the work for which the additional compensation is sought. The Department Managers must approve the request in advance of the work. Examples of the Department Manager level of management include SVP, VP and department head.

In addition, there are limited circumstances when exempt employees are eligible for discretionary bonuses.

If granted, additional compensation shall consist of either (1) a temporary series of payments; or (2) a one-time, lump-sum payment. Additional compensation is not to be treated as a permanent increase to an employee's base salary.

B. To Whom this Policy Applies

The Additional Compensation policy applies to exempt staff at Simmons. For purposes of this policy, "staff" is defined as any [regular] full-time or less than full-time Simmons employee, regardless of position grade, who is not

classified as a faculty member at Simmons or as an Officer of Simmons University. Thus, administrators at any level who are not classified as faculty are subject to this.

The Additional Compensation Policy is not intended to apply to Non-exempt staff members. An Explanation as to why this policy does not apply to Non-exempt staff, follows below:

C. Non-exempt Employees and Additional Compensation

In accordance with state and Federal labor laws and Simmons policy this Additional Compensation Policy does not apply to Non-exempt staff because all hours worked by a Non-exempt employee are paid as straight time pay at the employee's hourly rate for up to 40 hours and time and a half for hours over 40 hours per week.

1. Additional compensation via overtime hours through WORKDAY

When a Non-exempt employee works additional hours at the request of their manager, those hours are to be recorded and approved in Workday and paid consistent with payroll policies that apply to Non-exempt staff. No additional paperwork or approvals are needed. The staff member is to be paid the regular hourly wage for as many additional hours the staff member has worked. If the additional hours worked by the staff member exceed 40 in the pay period, the staff member shall be paid at the overtime rate, consistent with Simmons policy and state and federal law. Should there be an issue with working in two different departments, Department Management may need to reach out to Diane Hallisey, AVP for Budget and Revenue Planning, for guidance.

2. The use of budget transfers when two units are involved

If a Non-exempt staff member is asked to work additional hours by a different unit, or a different manager, the staff member shall record the additional hours in Workday and the two managers shall arrange a budget transfer of whatever sums are paid to the staff member for additional hours worked which did not accrue to the benefit of the "home" unit.

3. Important LEGAL NOTICE

All hours worked by Non-exempt employees are to be recorded in Workday. There are no exceptions and any Non-exempt Simmons employee who is asked to work additional hours by the employee's manager, but who is not compensated for those additional hours, is urged to report the additional work and missing compensation immediately to the Assistant Vice President, HRIS, Benefits and Payroll, (Aaron Morrison x 3020); the Assistant Vice President of Human Resources, (Beth Hurley x 2013), or to General Counsel (Kathy Rogers x 2276).

D. Guidelines for Addressing Additional Compensation for Exempt Employees (See Attached Form)

It is not possible to list all the circumstances under which a manager's request to pay additional compensation would be approved. What follows are *examples* of work that may be eligible for additional compensation. This list is not exhaustive, and other types of work may be eligible for additional compensation. Managers should note that not all requests to pay additional compensation will qualify for approval and that they should be judicious in submitting requests to pay additional compensation.

Examples of Work that May be Eligible for Additional Compensation:

- **Teaching** a semester-long program or course. Payments for teaching courses should typically be set at the same rate offered to adjuncts in that school for that course or similar courses. Managers are strongly discouraged from hiring staff to teach more than one course per academic year. Additional compensation for teaching a course is not appropriate if the exempt employee is teaching the course during normal business hours, when the employee is typically scheduled to work, rather than in evenings or on the weekends.
- **Project work performed by employees in Technology during Thanksgiving and Winter Break.** There may be times when exempt employees in the Technology unit may be required to report to campus to assist with projects during the Thanksgiving and/or Winter breaks. When that becomes necessary, employees are eligible for extra compensation at their regular hourly rate for as many hours as approved by the Chief Information Officer or designee.
- **Course Development.** Payment to staff for course development should be consistent with payments made to adjuncts in that school or program for that course or similar courses.
- **On-Call Pay** (applicable to Residence Life, Health Center and Buildings and Grounds only). An employee who is required to remain on call on the University's premises or so close thereto that the employee cannot use the time effectively for the employee's own purposes is working while 'on-call.'
 - Buildings and Grounds - Members of the SEIU should refer to Schedule A – On-Call Procedures of the Agreement between Simmons University and SEIU, Local 32BJ District 615 for terms of on- call eligibility and practices.
 - Residence Life – employees in the role of Residence Life Coordinator are eligible for additional compensation in the amount of \$40 per day for providing on-call coverage during Thanksgiving Break and Winter Break. On-call eligibility and rates are defined in offer letters for employees in this role.
 - Health Center – employees in the role of Nurse Practitioner are eligible for on-call pay on a monthly basis, based on a schedule determined by the Assistant Director of the Health Center in consultation with the Associate Dean of Student Life or designee. On-call eligibility and rates are defined in offer letters for employees in this role.

E. Guidelines for Addressing Discretionary Bonuses for Exempt Employees (See Attached Form)

Discretionary bonuses are not typically granted to Simmons employees (faculty or staff) and nothing in this Policy should be interpreted as a change to the University's compensation philosophy. Bonuses are available in very limited circumstances.

On occasion, the payment of a one-time discretionary bonus may be awarded to a staff member in recognition for extraordinary achievement in a University-wide goal. A request for a Discretionary Bonus for Extraordinary Achievement must be submitted by two or more members of senior management (a Provost, Vice President, or

Dean) and also have the support of the President or designee. The discretionary bonus form is to be submitted to the Assistant Vice President of Human Resources, Discretionary bonuses should typically not exceed \$3,000.

F. Avoiding “conflicts of commitment”

When a manager assigns duties for additional compensation to a staff member (exempt or NON-exempt) outside of the manager's unit, or when a staff member agrees to perform duties for additional compensation in a unit other than the employee's “home” unit, both the manager and the staff member must avoid creating a “conflict of commitment.” The request to assign additional duties, and/or the acceptance of the additional duties, must not interfere with or diminish the staff member’s capacity to meet the expectations of their primary roles and responsibilities in the “home” unit. A staff member is strongly encouraged to discuss a request to assume additional duties for additional compensation with her/his manager before accepting the additional work.

Likewise, managers from other units are strongly encouraged to consult with the staff member’s manager prior to approaching that staff member to perform duties for additional compensation outside of the staff member’s “home” unit. Upon reasonable grounds, a manager may deny a request for a staff member to perform additional duties for additional compensation for another school or unit.

G. Dual employment

On rare occasions, someone at Simmons may hold two distinct employment positions of half-time or less each (“dual employment”). No employee at Simmons should hold more than one full-time position at the same time.

In the case of dual employment, the employee should have a single appointment letter that reflects and describes both positions and the salary to be paid for each position. Alternatively, the employee may receive two (2) separate letters with each appointment letter setting forth the amount to be paid for the specific duties to be performed.

In no event, should an employee in a dual employment arrangement be paid through the Additional Compensation process.

H. Determination of Amount of Additional Compensation and Discretionary Bonus

A request for additional discretionary compensation for an exempt staff member has five distinct steps. It is expected that all of these steps are performed in the appropriate order and in a timely manner.

Step 1: A supervisor or manager completes the attached form and has the Department Manager or Dean and the employee sign the form prior to the employee completing the work.

Step 2: Once the work is completed, the manager secures the signature of the department's VP or Dean for approval of payment amount to the employee performing the additional discretionary compensation assignment.

Step 3: This completed form is sent to Human Resources, Elizabeth Hurley AVP of HR, or the Provost for staff working in academic units, for signature and forwarding to Payroll for processing

Step 4: Human Resources reviews forms and if any seem inappropriate for the future, will discuss this with the appropriate VP or Dean and manager

Step 5: Human Resources will send the form to payroll for processing.

Questions and Guidance:

Managers are encouraged to speak with Human Resources if there are questions on whether or not types of work by a staff member may be eligible for additional compensation. It is important that managers seek guidance in advance of commitments to pay employees.

SIMMONS UNIVERSITY
ADDITIONAL DISCRETIONARY COMPENSATION
FORM For Exempt, Full-Time and Part-Time, Employees Only

PART A: Preapproval for Employee to Perform Additional Discretionary Assignments

Prepare this section of the form **BEFORE** an employee **BEGINS** assignments that require additional compensation.

Employee	Title	School/Division	Department
Supervisor	Supervisor Signature	Date	

Reason for additional compensation (Select from list below)

<input type="checkbox"/> Additional Work	<input type="checkbox"/> On-Call	<input type="checkbox"/> Teaching a Program or Course
<input type="checkbox"/> Nursing Services	<input type="checkbox"/> Other: _____	

Description of work to be performed or reason for discretionary bonus (attach supporting documentation if necessary)

Please note that bonuses are subject to additional withholding based on IRS regulations

Is this a one-time payment? Yes: _____ No: _____ if no, please explain: _____

Note: For a series of payments contact Human Resources to initiate the process.

Explain the methodology for determining the amount and payment (i.e., fixed amount paid once, \$ rate/hour for xxx hours lasting from date A to Date B):

Total Additional Compensation amount anticipated	Cost Center/Grant account to be charged
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Approval of Additional Discretionary Compensation

Department Head Signature	Date	Employee Signature	Date
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PART B: Final Approval for Payment of Additional Discretionary Compensation

Obtain signed Approval from the Unit's Vice-President or Dean **AFTER** the work has been completed.

Signature of manager and employees are secured before work is completed. Once work is complete the manager will secure the unit's VP or Deans' approval and forward this form onto Human Resources.

_____	_____
Additional Time Worked	Amount Approved to Pay
_____	_____
VP or Dean Signature	Date

Forward to Human Resources for signature or to the Provost for anyone working in the academic units.

_____	_____
Human Resources or Provost Signature	Date