

<b>System-wide Policy: HR0126 - Flex-Year Positions</b>	
<b>Version: 7</b>	<b>Effective Date: 10/01/2017</b>

## HR0126 – Flex-Year Positions

### Topics:

<a href="#">Guidelines</a>	<a href="#">Related Policies</a>
<a href="#">Procedures</a>	

### Objective:

To provide staff with flexible work schedules which are adapted to the cyclical workload of the academic needs and schedule of the university.

### Policy:

#### Guidelines

1. A flex-year position is a non-faculty position related directly to the academic schedule of the university and utilizes a flex-year service base. A flex-year service base is defined as any time period, greater than 9 and less than 12 months, which is scheduled to accommodate the cyclical workload of university departments. For each flex-year appointment, an annual work schedule expressed in total workdays and the percent of the total year will be predetermined. Annual flex-year appointments may be no less than 195 days or more than 240 work days in duration.
2. Employees in flex-year positions must be regular full-time or regular part-time employees and are paid on the monthly payroll. Full-time employees in flex-year positions are scheduled to work a 40-hour week during their active flex-year appointments. Part-time flex-year employees are scheduled to work less than a 40-hour week during their active appointments.
3. The normal effective dates for flex-year appointments for payroll purposes will be August 1 through July 31 (September 1 through August 31 for the Health

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Science Center). All mid-year flex-year appointments are effective for payroll purposes on the first of the month. Likewise, all mid-year salary increases for flex-year employees must be effective on the first of a month. Annual salary increases for flex-year employees are effective on the first day of the flex-year appointment of each year. Flex-year employees who terminate on or after their last scheduled day worked will not be paid in a lump sum but will continue to receive payment through the end of their flex-year appointments.

4. All employees in flex-year positions will have a reasonable assurance of continuation in the same position at the commencement of the academic year. These employees will receive advance notification of the date on which they are to resume their duties.
5. Employees in flex-year positions will be eligible for benefits as outlined below:
  - a. **Insurance.** All employees in flex-year positions regularly scheduled to work 30 or more hours per week during the flex-year appointment may participate in the state of Tennessee group insurance plan by following normally prescribed procedures.
  - b. **Unemployment Compensation.** Because all flex-year employees are reasonably assured of resuming their duties each year, they will not be considered to be eligible for unemployment compensation during non-working months.
  - c. **Annual and Sick Leave.** Full-time employees in flex-year positions earn annual and sick leave at the appropriate accrual rate per month worked; part time employees will earn leave on a pro rata basis. A flex-year of service will be considered as one year of creditable service for purposes of leave accrual rates.
  - d. **Holidays and Days of Administrative Closing.** Full-time flex-year employees receive a day's pay for holidays or days of administrative closing occurring during scheduled work periods; part-time flex-year employees will also receive such pay on a pro rata basis.
  - e. **Other Leaves.** All employees in flex-year positions will be eligible for court, funeral and military leaves when such leaves become necessary during scheduled work periods.

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- f. **Death Benefits.** The administrator of the estate of a flex-year employee will receive benefits as the result of an employee death under those guidelines for employees serving on a twelve month basis. In initial employment situations, such benefits will be paid only when the employee dies on or after the first day worked. (See [HR0307, BENEFIT IN THE EVENT OF AN EMPLOYEE DEATH.](#))
- g. **Retirement and Social Security.** Full-time, flex-year employees who meet social security eligibility guidelines shall participate in retirement. Part-time flex-year employees have the option to participate. For full-time employees, each flex-year of service results in a full year (12 months) of creditable service for retirement purposes. For part-time flex-year employees, creditable service for retirement purposes is prorated based upon the employee's percent full-time. To ensure proper processing of retirement forms, the **FLEX-YEAR RETIREMENT VERIFICATION FORM** must be completed and forwarded to Benefits and Retirement Services.
- h. **Fee Waivers.** Flex-year employees are eligible for the university's educational assistance programs at any time during the year following those guidelines established in [HR0330, EDUCATIONAL ASSISTANCE \(FEE WAIVER\)](#) and [HR0331, EDUCATIONAL ASSISTANCE \(STUDENT FEE DISCOUNT\) FOR SPOUSES AND DEPENDENT CHILDREN OF EMPLOYEES.](#)
- i. **Longevity Payments.** Full-time flex-year employees are eligible to receive longevity payments, and for these purposes a flex-year of service will be considered a full year of creditable service.
- j. **Personal Leave Day.** Effective January 1, 1982, eligible full time non-exempt employees in flex-year positions will receive a day's pay for a day of personal leave; eligible part-time non-exempt employees in flex-year positions will also receive such leave on a pro rata basis.
6. All newly hired non-exempt employees in flex-year positions will serve the conventional six-month probationary period, which shall not include the unworked portion of the year.

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7. Implementation of the flex-year concept should occur as a result of supervisory discretion and the voluntary choice of the employee. A flex-year position should not be imposed on an employee except as a final alternative to lay off or as a condition of initial employment. To document the voluntary nature of the employee's acceptance of a flex-year position, the **REQUEST FOR FLEX-YEAR EMPLOYMENT FORM** should be completed and placed in the employee's personnel file.

**PROCEDURES:**

Health Science Center:	<a href="https://uthsc.policymedical.net/policymed/home/index?ID=de47aa28-16aa-408b-9c96-cb04f232964f&amp;">https://uthsc.policymedical.net/policymed/home/index?ID=de47aa28-16aa-408b-9c96-cb04f232964f&amp;</a>
Space Institute:	<a href="http://www.utsi.edu/index.php/utsi-procedures/">http://www.utsi.edu/index.php/utsi-procedures/</a>

**Related Policies:** [HR0305 - Annual Leave \(Vacation\)](#), [HR0307 - Benefit in the Event of an Employee Death](#), [HR0315 - Court Leave](#), [HR0320 - Administrative Closings](#), [HR0330 - Educational Assistance \(Fee Waiver\)](#), [HR0331 - Educational Assistance \(Student Fee Discount\) for Spouses and Dependent Children of Employees](#), [HR0340 - Funeral and Bereavement Leave](#), [HR0350 - Holidays](#), [HR0370 - Military Leave](#), [HR0373 - Personal Leave](#), [HR0375 - Retirement Plans](#), [HR0380 - Sick Leave](#), [HR0385 - Social Security Benefits](#), [HR0432 - Longevity Pay](#)