



Human Resource Policy Manual

Subject: Employment Definitions Policy

HR Policy: 210

Effective Date:

Page 1 of 3

Revision:

Revision Date:

Board of Directors Approval: 9-25-09

MSHS Policy Council Approval: 1-16-10

HS/EHS Policy Council Approval:

1.0 PURPOSE

This policy defines TMC purpose, scope, categories of employment and classifications of exempt and non-exempt according to the Fair Labor Standards Act (FLSA).

2.0 SCOPE

This policy covers all employees at all TMC locations.

3.0 CATEGORIES OF EMPLOYMENT

Regular Full-Time Employee – A regular full-time employee is an employee scheduled to work between 6 – 12 months per year, who works no less than 35 hours per week, may be exempt or non-exempt, and is not in a temporary status or introductory period. Regular full-time employees are eligible for all standard benefits subject to the terms, conditions, and limitations of each benefit program. Employment as a "regular full time employee" does not change an employee's "at-will" employment status. Either party (the employer or the employee) may terminate the employment relationship at any time, for any reason or no reason at all, with or without prior notice. Employment with Head Start/Early Head Start and Migrant Seasonal Head Start Programs further require the approval of their respective Policy Council.

Regular Part-Time Employee – A regular part-time employee is an employee scheduled to work between 6 – 12 month per year, who works a minimum of 20 hours per week but less than 35 hours per week, may be exempt or non exempt, and is not in a temporary status or introductory period. Regular part-time employees are not eligible for benefits except those legally required.

Seasonal Full-Time Employee – A seasonal full-time employee is an employee who is regularly recalled annually to work between 6 weeks and 6 months per year, and who works no less than 35 hours per week. A seasonal full-time employee may be exempt or non-exempt, and is not in a temporary status or introductory period. Seasonal full-time employees are eligible for all standard benefits subject to the terms, conditions, and limitations of each benefit program. Employment as a "seasonal full time employee" does not change an employee's "at-will" employment status. Either party (the employer or the employee) may terminate the employment relationship at any time, for any reason or no reason at all, with or without prior notice. Employment with Head Start/Early Head Start and Migrant Seasonal Head Start Programs further requires the approval of their respective Policy Council.



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Seasonal Part-Time Employee – A seasonal part-time employee is an employee who is regularly recalled annually to work a minimum of 20 hours per week but less than 35 hours per week. A seasonal part-time employee may be exempt or non-exempt, and is not in a temporary status or introductory period. Seasonal part-time employees are not eligible for benefits except those legally required.

Introductory (Probationary) Employee – All exempt and non-exempt regular or seasonal full-time and regular or seasonal part-time employees are on an introductory basis for a period of no more than 180 days or the length of their employment (if seasonal employee). Before the end of the introductory period, a written performance evaluation will be made by the employee's immediate supervisor: The satisfactory performance by an employee during an introductory period will be a requirement for the employee's continued employment with TMC. Introductory employees also include all employees who have been newly promoted to a higher-level position or a position of greater responsibility or have successfully bid on a posted position.

Contractual Services – Contractual services are services performed by an individual or firm who has been contracted directly by TMC, or through an outside temp agency, to perform specific duties for a specified limited period of time, not to exceed 60 days. Requests for contractual assignments in this category will have to be made to the Human Resources Department and cleared with the Program and/or Department Director and Chief Executive Officer; once cleared the Human Resources Department will proceed to submit all requests to the Procurement Department for processing of contractual agreement. All contracted individuals will be required to report to the Human Resources Department and expected to comply with the same Human Resources requirements of a new hire (complete an application form, undergo the required reference checks, have a physical examination with TB Test, and be interviewed, etc). Contracted individuals are not eligible for any of TMC's benefit programs.

Consultant – A consultant is an individual or a firm who receives compensation for professional or technical services at a fee agreed upon and paid by TMC, who is engaged as an independent contractor (or third party contractor) for specified services and is not a TMC employee. Consultants are not eligible for any of TMC's benefit programs.

Volunteers – It is the policy of TMC to provide volunteer opportunities for parents and students so they can gain practical and professional experience or to provide them a means for helping the people we serve. The term "volunteer" means an unpaid individual who is trained to assist in implementing ongoing program activities on a regular basis under the supervision of a staff person. Volunteers are not eligible for any of TMC's benefits. Volunteers must complete all the requirements of a new hire (complete an application form, undergo the required reference checks, have a physical examination with TB Test, and be interviewed, etc). All volunteers serve at the discretion of the Program and/or Department Director and the Chief Executive Officer, who can terminate their relationship with TMC at any time and for any reason.



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4.0 EMPLOYEES ARE CLASSIFIED AS EXEMPT OR NON-EXEMPT FROM THE OVERTIME PROVISIONS OF THE FLSA (29 CFR PART 541) AND STATE WAGE AND HOUR LAWS.

Exempt Employee

Employees in exempt positions are:

- Paid on a salary basis and must meet the Department Of Labor requirements for exemption.
- Excluded from specific provisions of Federal and state wage and hour laws.
- Not eligible for overtime pay.

Non-Exempt Employee

Employees in non-exempt positions are:

- Paid on an hourly basis.
- Entitled to overtime pay for hours worked in excess of 40 hours in a work week.

Nothing contained in this policy will impact the policy of employment-at-will.