

2.15.2 Employment Actions

2.15.2.1 Initial Employment

Salary offers are made using salary ranges for existing positions. Upon initial employment, commensurate with education and experience newly hired regular employees shall receive a salary of at least the minimum but not to exceed the market salary of the position title's pay band. The KCTCS Chancellor, in consultation with the KCTCS System Director of Human Resources, may approve exceptions above the KCTCS market salary for the position title's pay band for situations involving an individual's exceptional credentials and/or unique market conditions.

2.15.2.2 Promotion

The promotion of a regular employee is a move to a different position title with a higher corresponding classification pay band with corresponding new and/or increased duties and responsibilities. Employees are not eligible for promotions until after completion of the Introductory Period, or until after completion of the first 6 (six) months of employment if they are not subject to the Introductory Period. Salary increases resulting from promotions shall be at least to the minimum of the pay band of the new position title and may be up to 20% of the current salary not to exceed the KCTCS market salary of the new position's pay band. Salary increases resulting from promotion shall be commensurate with the duties of the new position. The KCTCS Chancellor, in consultation with the KCTCS System Director of Human Resources, may approve exceptions above the KCTCS market salary for the position's pay band for situations involving exceptional increases in responsibilities. For faculty promotions in rank, the designated KCTCS promotion salary increase shall be awarded.

2.15.2.3 Reclassification

A position reclassification is the assignment of a given position within a specific college or department to a different position title as a result of significant and demonstrated expansion, reduction, or change of the duties and responsibilities of that specific position on an ongoing basis. A position reclassification requires approval by the college president/ceo and the KCTCS System Director of Human Resources. Salary increases resulting from position reclassifications to a higher pay band shall be at least to the minimum of the pay band of the employee's new position and may be up to 20% of the current salary, not to exceed the KCTCS market salary of the position's pay band. Salary increases shall be commensurate with the duties of the reclassified position. A position reclassification to a lower pay band shall not result in a salary change for the incumbent due to the reclassification. The KCTCS Chancellor, in consultation with the KCTCS Human Resources office, may approve exceptions above the KCTCS market salary for the position's pay band for situations involving pay equity and/or market salary.

2.15.2.4 Reassignment

A reassignment of position occurs when an employee is moved to a different position or whose position title is changed, involving the same or different pay band. A reassignment of duties occurs when there is a change in the assignment of responsibilities of a given position. A reassignment is not an automatic reclassification or demotion.

An employee may be reassigned to another position and/or title, or be reassigned to other duties, with the understanding that the reassignment or change of duties is in the best interest of the institution and does not violate the employee's rights.

An employee's salary may or may not be adjusted as a result of a reassignment. The determination about whether a salary increase is appropriate is based on an increased scope of assigned responsibilities or an increase in the level of assigned responsibilities.

A reassignment may be associated with an administrative reorganization, which is a realignment of the functions/processes and/or operations within the department, division, and/or college. A reassignment due to an administrative reorganization shall not adversely affect the employee's salary. A reassignment due to an administrative reorganization shall be approved by the college president/ceo and the KCTCS System Director of Human Resources.

Tenured Faculty Reassigned to Staff Roles

By mutual agreement tenured faculty members may be reassigned to staff roles. Although individuals cannot earn tenure in staff positions tenure may be held separately as a faculty privilege concurrent with a staff role, including an administrative role. Tenured faculty in a staff role shall retain their faculty status, faculty rank, and faculty position title, along with retaining coverage under faculty benefits and policies, including faculty temporary disability leave and faculty vacation leave. Tenure shall not provide the right to remain in or be reassigned to a staff role. Tenured faculty in a staff role shall retain the right to return to a teaching position in KCTCS for which they are qualified, if such a position is available at the time the faculty member leaves the staff role. Tenured faculty who leave a staff role shall be entitled to receive a position in the academic unit in which the faculty member obtained tenure. The removal of tenured faculty from their staff role shall not impair whatever rights they may have in their faculty rank.

See section 2.15.2.9 (*Conversion or Transfer from a Non-Tenured Faculty Position to a Staff Position*) regarding a position change for faculty with continued employment status, continuing employment status, and term contract employment status.

If appropriate, a faculty member may be entitled to an administrative supplement of non-recurring salary due to the assignment of duties or reassignment of staff or administrative duties or position. Any faculty administrative supplement salary shall be established in writing and shall be applicable only during the period of administrative assignment. In addition, if a faculty member's assignment period is changed, the faculty member may be due a faculty assignment period salary (FAPS) conversion based on the table in section 2.15.2.13.2 (*Faculty Salary Conversion Related to Change in Assignment Period*) regarding faculty salary conversion. A salary supplement shall be excluded from the calculation when implementing any conversion of the faculty salary related to a change in assignment period.

If the administrative duties are subsequently removed and/or the length of the assignment period is reduced, the administrative salary supplement and/or the FAPS conversion amount that was previously awarded is likewise removed.

2.15.2.5 Salary Adjustment

Salary adjustments may be made as appropriate as determined by the college president/ceo and the KCTCS System Director of Human Resources, based on defined pay equity issues and market salary studies. Salary adjustments may be made due to the increased scope of assigned responsibilities, increased levels of assigned responsibilities, and/or pay equity issues. Salary adjustments may be up to

20% of the current salary not to exceed the KCTCS market salary of the position's pay band. The college president/ceo and the KCTCS System Director of Human Resources shall review for local internal pay equity issues before making a salary adjustment.

2.15.2.6 Lateral Transfer

A lateral transfer occurs when an employee is moved to another position within the same classification pay band, to a position of the same title within a college, or to a position of the same title or classification band at another KCTCS college. The salary shall remain the same for an employee who makes a lateral transfer. An employee shall not apply for a lateral transfer until after the employee completes the Introductory Period, or until the employee completes the first six months of employment if the employee is not subject to the Introductory Period.

2.15.2.7 Acting Assignments

Based on college needs and resources, an employee may be asked to serve in a position or be assigned new responsibilities on an interim or temporary basis. Interim or temporary positions or responsibilities require prior written notice to the KCTCS System Director of Human Resources. An employee serving in a *non-exempt* acting assignment may be provided compensatory time or supplemental pay, subject to approval by KCTCS System Director of Human Resources. An employee serving in an *exempt* acting assignment may be given supplemental pay, subject to approval by the KCTCS System Director of Human Resources. Resulting salary adjustments may be up to 20%, not to exceed the KCTCS market salary of the position's pay band. Requests above the KCTCS market salary for the position's pay band for situations involving pay equity and/or market salary issues may be approved only by the KCTCS Chancellor, in consultation with the KCTCS System Director of Human Resources.

2.15.2.8 Conversion or Transfer from a Staff Position to a Faculty Position

A proposed conversion or transfer of a KCTCS employee from a KCTCS staff position to a KCTCS faculty position shall be reviewed by the KCTCS System Director of Human Resources prior to the transfer. The salary of an employee who is converted from a staff to a faculty shall be no less than it was before the conversion. The salary of an employee who pursues and elects to voluntarily transfer to a faculty position shall be determined based on the same guidelines as determining the starting salary upon initial employment in a faculty position. The employee who converted or transferred to a faculty position shall then begin coverage under faculty benefits, faculty leaves policies, and other faculty policies.

Unused staff vacation leave balance shall be banked and available for future use. In addition, if applicable, vacation/annual leave balance that was banked in conjunction with a personnel system opt over election shall continue to be banked and available for future use.

If applicable, the staff sick leave balance shall be banked and available for use, including as a donation through the KCTCS sick leave sharing or pool programs, or applied toward service credit at the time of retirement under KTRS/KERS. In the event that the employee returns to a staff position at a point in time after opting over the employee's banked staff sick leave balance earned under the UK personnel system is available for use, and/or if applicable, for sick/temporary disability leave conversion at retirement (unless retirement previously occurred in conjunction with opting over).

2.15.2.9 Conversion or Transfer from a Non-Tenure Faculty Position to a Staff Position

A proposed conversion or transfer of a KCTCS employee from a KCTCS non-tenure faculty position to a KCTCS staff position shall be reviewed by the KCTCS System Director of Human Resources prior to the transfer. The salary of an employee whose position is converted from a faculty position to a staff position shall remain the same as it was before the conversion. The salary of an employee who pursues and elects to voluntarily transfer to a staff position shall be determined based on the same guidelines as determining the starting salary upon initial employment in a staff position. In addition, faculty with continuing employment status, continued employment status, or term contract employment status whose position is converted to a staff position shall return to the faculty rank that they had prior to the conversion or transfer if they subsequently have a position conversion or transfer back to a faculty position.

The employee shall then be covered by staff benefits, leave policies, and other staff policies.

If applicable, any faculty sick leave balance that was earned through monthly accrual (under the 151B personnel system), shall be banked, including sick leave balances as a result of an opt over, and available for future use including as a donation through the KCTCS sick leave sharing or pool programs if the eligibility requirements are met.

Faculty annual leave earned through monthly accrual (under the 151B personnel system) shall be banked and available for use. Unused prorated faculty vacation leave earned under the KCTCS and UK personnel systems during the fiscal year in which the transfer occurred shall be banked and available for use up to one year from the effective date of the transfer conversion from faculty to staff.

2.15.2.10 Pay Band Changes/Adjustment

KCTCS shall conduct an ongoing review and refinement of the KCTCS classification and compensation plan and shall make necessary adjustments. Periodically, within the classification and compensation plan position titles may be changed and/or assigned on a system-wide basis to a different pay band to accurately reflect the evolving job responsibilities of the KCTCS workforce and market conditions based on revisions of existing job specifications documents. When changes in pay band assignments are made employees shall be at least at the minimum salary level of the new pay band and may be eligible for a salary increase of up to 10% of the current salary only if approved by the college president/ceo in consultation with the KCTCS System Director of Human Resources.

2.15.2.11 Demotion

A demotion is:

- 1) a change from a regular position to a different regular position assigned to a lower band within the KCTCS job classification system, excluding a change due to a reassignment or administrative reorganization, or
- 2) a change in position and/or employee duration category of a regular staff employee or of a regular faculty member with tenured employment status, tenure-track employment status, term contract employment status, continued employment status, or continuing employment status from regular to temporary and/or from full-time to part-time.

A demotion is either voluntary or involuntary. A voluntary demotion is one in which the KCTCS employee elects to take a position in a lower pay band. The KCTCS President approves voluntary demotions for college presidents/ceo's. College presidents/ceo's or system office cabinet members (for system office employees) approve voluntary demotions, in consultation with the KCTCS System Director of Human Resources. Unsatisfactory performance or lack of qualifications to perform the duties required of the position may result in an involuntary demotion, as determined by the college president/ceo or system office cabinet member in consultation with the KCTCS System Director of Human Resources.

When a demotion occurs, KCTCS shall reduce the demoted employee's salary. The new salary shall be within the classification pay band range for the new position and with consideration of internal equity and commensurate with qualifications.

2.15.2.12 Separation

Separation shall comply with Section 2 of the KCTCS Board of Regents Policies and Section 2 of the KCTCS Administrative Policies and Procedures, as well as KCTCS Human Resources Procedures.

2.15.2.12.1 Proration of Salary for Faculty Members Separating Employment

KCTCS Personnel System and the UK Personnel System

The period of assignment for faculty with a 10-month assignment period is August 1 through May 31. One-tenth (1/10) of the annual salary is considered earned for each full month of service during this assignment period.

The period of assignment for faculty with an 11-month assignment period is August 1 through June 30; however, with prior consultation and approval of the Chancellor, the month when the faculty member is not on assignment during a fiscal year may be a month other than July. One eleventh (1/11) of the annual salary is considered to be earned for each full month of service during an assignment period.

The period of service for faculty in a 12-month assignment period is July 1 through June 30. One-twelfth (1/12) of the annual salary is considered earned for each full month of service during this assignment period.

If separation of employment occurs prior to the start of the assignment period, the faculty member shall not be entitled to any pay for that assignment period within the new appointment period.

If separation occurs during the assignment period, the salary and vacation leave for that month shall be prorated in accordance with the faculty vacation leave and terminal vacation pay policies and regulations of the applicable personnel system. If separation during the assignment period occurs at a time other than the end of the month, the salary for that month shall be prorated on the basis of calendar days.

Temporary (adjunct) faculty who leave before the end of their contract shall be entitled to pay on a prorated basis based on the number of class periods they actually taught of the total scheduled classes to be held during their assignment period.

Regular and adjunct employees are responsible, based on the actual portion of the assignment period worked prior to separation, for repaying KCTCS for any overpayment of unearned salary and/or employer insurance contributions paid during the appointment period.

18A/151B Personnel System

For employees under this personnel system pay is addressed in the provisions of their retirement plan and in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.

2.15.2.13 Appointment and Assignment Periods

Staff Assignment Periods

Staff assignment periods shall normally be for 12 months. Designated staff positions shall be established as having either 10-month assignment periods or 11-month assignment periods.

Faculty Assignment Periods

Faculty members have both an appointment period and an assignment period. The appointment period is a twelve month period from July to June, coinciding with the KCTCS fiscal year period. The assignment period is the time interval within the appointment period that the faculty member is actually assigned to work. The assignment period may encompass the entire appointment period or may encompass only a portion of the appointment period, depending on the length of the assignment period. For faculty members employed on a contract, the appointment period and the designated assignment period are specified in their contract.

Faculty assignment periods are 10 months, 11 months, or 12 months, depending upon program and curriculum needs and as allowed under the respective personnel systems. Although faculty members work either a 10-month, 11-month, or 12-month assignment period, pay for the various assignment periods is spread over the course of the 12-month appointment period. Except for newly appointed faculty members, payments for 10-month, 11-month, and 12-month assignment periods normally begin in July, even though the faculty member's assignment period may not begin until August. Payment normally shall begin in August for newly appointed faculty members whose assignment period begins in August. Payments for 10-month, 11-month, and 12-month assignment periods normally end in June, even though the faculty member's assignment period may end during May.

Faculty on a 10-month, 11-month, or 12-month regular assignment shall be paid in twelve (12) equal installments during the fiscal year in their second year and subsequent years of employment. Exceptions to this rule are salary paid to faculty whose separation occurs prior to the end of the fiscal year and for faculty who do not receive a paycheck for every pay period during the fiscal year due to being in a leave without pay status.

2.15.2.13.1 Ten-Month and Eleven-Month Staff Assignment Periods

Certain regular full-time staff positions shall be officially designated and established as a 10-month or 11-month position. The determination to designate a staff position as a 10-month or 11-month assignment period is based on the operational needs of KCTCS.

KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

When in established 10-month and 11-month positions, staff employees shall work during their assignment period and shall not be assigned to work in their regular position during the period of time that is outside of their assignment period. Staff employees in 10-month and 11-month positions shall be considered regular full-time employees for all human resources policy purposes in accordance with the following provisions:

- Employees shall not be eligible to receive unemployment compensation during the period of time outside of their assignment period.
- Employees shall not accrue paid leave during the period of time outside of their assignment period.
- Employees shall not be entitled to holiday pay or the use of or payment for vacation leave, sick/temporary disability leave, or other paid leaves during the period of time outside of their assignment period.
- Terminal vacation pay for eligible staff who have a 10-month or 11-month assignment period shall be calculated at a rate of pay based on the length of their assignment period (10-month or 11-month).
- Participation in insurance plans shall continue during the period of time outside of their assignment period under the same conditions that are in effect during the assignment period.
- Other benefits afforded to regular full-time employees shall continue and may be used during the period of time outside of their assignment period, except for benefits for which employees in a leave without pay status are ineligible (such as retirement).
- Employees in 10-month and 11-month positions shall abide by all other applicable policies and procedures.

Proration of salary

The period of assignment for employees in 10-month and 11-month positions shall be for either 10 months or 11 months; one-tenth (or one-eleventh) of the annualized salary is considered earned for each full month of employment in a 10-month or 11-month position.

Due to state and federal regulations salary payments for non-exempt staff employees in 10-month and 11-month positions shall be paid only during the time period(s) in which the actual work is performed in the established KCTCS pay cycle for the assignment period.

For exempt staff employees in 10-month and 11-month positions, beginning with the 2007-08 fiscal year salary payments shall be extended over 12 months of the year. During the transition, starting August 1, 2006, payments for existing exempt staff in 10-month and 11-month positions shall begin in July, even though the staff members' assignment period may not begin until August. Each year salary payments for exempt employees in 10-month and 11-month positions shall end in June, even though the employees' assignment period may end during May.

Payment shall begin in August for newly hired exempt staff employees in 10-month and 11-month positions whose assignment period begins in August. Exempt staff employees in regular 10-month and 11-month positions shall be paid in 24 equal installments during the fiscal year in their second year and subsequent years of employment.

Exceptions to these rules are: 1) exempt staff employees in 10-month and 11-month positions whose separation occurs prior to the end of the fiscal year, and 2) exempt staff employees in 10-month and 11-month positions who do not receive a paycheck for every pay period during the fiscal year, due to being in a leave without pay status during their normal assignment period.

Exempt and non-exempt staff employees employed in 10-month and 11-month positions may be permitted to work at KCTCS during the period of time that is outside of their assignment period in a different position and only on a temporary basis.

Additional provisions regarding employees in 10-month and 11-month positions shall be adhered to in accordance with other KCTCS policies and human resources procedures related to benefits and leaves of absence.

**2.15.2.13.2 Faculty Salary Conversion
Related To a Change in
Assignment Period**

KCTCS and UK Personnel Systems

Faculty assignment periods are ten (10) months, eleven (11) months, or twelve (12) months. When a faculty assignment period is changed from one assignment period to another, it may be accompanied by a change in the faculty assignment period salary (FAPS). The following table depicts the customary faculty salary conversions related to changes in faculty assignment periods. Any proposed exceptions shall be submitted in advance to the Chancellor for consideration, and may be approved in consultation with the KCTCS System Director of Human Resources.

**FACULTY SALARY CONVERSION TABLE RELATED TO CHANGE IN
ASSIGNMENT PERIOD**

Relationships in this table are based on the ratio of the number of non-vacation or working months during the new faculty assignment period to the number of such months during the old assignment period.

<u>New Assignment Period (Months)</u>	<u>Old Assignment Period (Months)</u>	<u>New Faculty Assignment Period Salary (FAPS)</u>
10	11	9/10 (90%) of 11-month assignment period salary = 10-month assignment period salary
10	12	9/11 (82%) of 12-month assignment period salary = 10-month assignment period salary
11	10	10/9 (111%) of 10-month assignment period salary = 11 month assignment period salary
11	12	10/11 (91%) of 12-month assignment period salary = 11-month assignment period salary
12	10	11/9 (122%) of 10-month assignment period salary = 12-month assignment period salary
12	11	11/10 (110%) of 11-month assignment period salary = 12-month assignment period salary

Salaries for faculty who converted from a 12-month assignment period to a 10-month assignment period subsequent to an election to opt over from the 151B personnel system to the KCTCS personnel system shall not be converted if the change in assignment period occurs within one (1) year of the effective opt over date.

Any faculty who previously converted to a shorter assignment period with no salary conversion having been applied at that time, shall have no salary conversion applied if the faculty subsequently return to a longer assignment period.

151B Personnel System

In accordance with the administrative regulations for KRS Chapter 151B (see Appendix 1), faculty shall have a 12-month assignment period; therefore, with no change in assignment periods, salary conversion is not applicable.

If eligible due to the faculty member being assigned administrative duties, the faculty member may be entitled to an administrative supplement in salary. Any administrative supplement to the faculty salary shall be established in writing and shall be applicable only during the period of administrative assignment. If the administrative duties are subsequently removed from the faculty member's responsibilities, the corresponding administrative salary supplement is likewise removed from the faculty member's salary.

2.15.2.14 Reduction in Force

In accordance with KCTCS Board Policy 1.1-*KCTCS Responsibilities of the Board of Regents and the President of KCTCS*, a reduction in force may occur because of lack of work or funds. The reduction in force shall be implemented in accordance with a reduction in force plan under the direction of the KCTCS System Director of Human Resources.

2.15.2.15 Reemployment

Former KCTCS employees may be hired under the KCTCS personnel system by KCTCS at the discretion of KCTCS. Salary and benefits shall be determined based on KCTCS policies and procedures regarding benefits and initial employment in accordance with the KCTCS compensation program.

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Date Approved by President, KCTCS	Date(s) of Last Review	Date(s) of Last Revision <i>(Include all dates in chronological order)</i>
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