

Adjunct Faculty Non-Teaching (AJ002, Position #J00002) Position Description

This form is used to establish a non-teaching adjunct position for employees who have responsibilities that are comparable to Administrative or Professional faculty. The form must be approved by the Department Head, Dean/Unit Head, and respective Vice President prior to the issuance of a J00002 adjunct faculty contract. A copy of the approved Position Description form must accompany a copy of the contract. No PAF is needed for these appointments.

NOTE: Salaries for these appointments must meet the minimum salary requirements under the Fair Labor Standards Act (FLSA): A non-teaching adjunct faculty member must be paid at least \$455 per week, unless the employee's primary work is practicing law or practicing medicine. For more information on FLSA, refer to [VCU's Overtime Guidelines](#) or contact your [HR Generalist](#).

1. CHIEF PURPOSE OF POSITION:									
2. BRIEF DESCRIPTION OF POSITION:									
3. EXAMPLES OF THE KINDS OF PROFESSIONAL JUDGMENT THE EMPLOYEE MUST EXERCISE:									
4. QUALIFICATIONS (LICENSES, REGISTRATIONS, CERTIFICATIONS, EDUCATION, EXPERIENCE):									
5. IDENTIFYING INFORMATION:									
FACULTY NAME (LAST, FIRST, MIDDLE INITIAL)					V-ID NUMBER*		FACULTY RANK		
DEPARTMENT/DIVISION					DEPARTMENT CONTACT NAME			DEPARTMENT CONTACT PH #	
HIRING SCHOOL		HIRING DEPT./UNIT		HIRING DEPT. PH. #	HIRING DEPT. ORG #		HIRING DEPT. TIMESHEET ORG #		
PROPOSED SALARY (To ensure salary complies with FLSA, see important note above and page 2 of this form)				ASSIGNMENT BEGIN DATE		ASSIGNMENT END DATE		FTE	ECLASS
\$									AJ – Adjunct Faculty
POSITION CLASS		POSITION #	JOB SUFFIX	# PAYS	# MONTHS	INDEX	ACCOUNT	ACCT. PERCENT	PAY RATE
AJ002- Adjunct Faculty Non-Teaching		#J00002					533140		
6. DEPARTMENT AND DEAN APPROVAL SIGNATURES:									
FLSA JOB DUTIES EXEMPTION TEST (see page 2):					FLSA SALARY BASIS EXEMPTION TEST				
<input type="checkbox"/> EXECUTIVE	<input type="checkbox"/> PROFESSIONAL	<input type="checkbox"/> COMBINATION			<input type="checkbox"/> Employee makes <i>at least</i> \$455 per week				
<input type="checkbox"/> ADMINISTRATIVE	<input type="checkbox"/> COMPUTER	(CHECK TESTS USED)			<input type="checkbox"/> Employee's primary duty is practicing law or practicing medicine				
FLSA STATUS (as determined by department Personnel Administrator):					PERSONNEL ADMINISTRATOR SIGNATURE			DATE	
<input type="checkbox"/> NON-EXEMPT - Department must re-submit request as hourly worker.									
<input type="checkbox"/> EXEMPT - Department must attach a copy of this form, a copy of the contract, and new hire paperwork, if applicable, to this form <i>prior to submission to HR.</i>									
DEPARTMENT HEAD SIGNATURE				DATE		DEAN SIGNATURE			DATE
7. VICE PRESIDENT APPROVAL									
VICE PRESIDENT SIGNATURE								DATE	

* Contact employee's Personnel Administrator for V-ID number

Fair Pay Fact Sheet by Exemption Under the Fair Labor Standards Act (FLSA)

Job titles do not determine exempt status. Employees are considered exempt if they meet **both** (1) **all** of the requirements of **one** of the following Job Basis Exemption Tests and (2) the Salary Basis Exemption Test.

Job Basis Exemption Tests

Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary basis](#) (as defined in the regulations) at a rate not less than \$455 per week [whether part-time or full-time];
- The employee's **primary** duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; **and**
- The employee must have the authority to hire or fire other employees; or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given particular weight.

Administrative Exemption

To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary basis](#) (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's **primary** duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; **and**
- The employee's **primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.**

Professional Exemption

-- To qualify for the **learned professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary basis](#) (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's **primary** duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; **and**
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

-- To qualify for the **creative professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary basis](#) (as defined in the regulations) at a rate not less than \$455 per week; **and**
- The employee's **primary** duty must be the performance of work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor.

Computer Employee Exemption

To qualify for the computer employee exemption, the following tests must be met:

- The employee must be compensated **either** on a [salary basis](#) (as defined in the regulations) at a rate not less than \$455 per week **or**, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field performing the duties described below; **and**
- The employee's **primary** duty must consist of:
 1. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications;
 2. The design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 3. The design, documentation, testing, creation, or modification of computer programs related to machine operating systems; **or**
 4. A combination of the aforementioned duties, the performance of which requires the same level of skills.

Salary Basis Exemption Test

For employees to be considered exempt, they must be paid on a salary basis of not less than \$455 each week, regardless of whether their employment status is full-time or part-time. This salary requirement does not apply to employees whose primary duties are teaching, practicing law or medicine, or outside sales.

- For more information on FLSA, go to www.dol.gov/compliance/laws/comp-flsa.htm.

- For assistance in applying FLSA exemption tests, contact your [Human Resource Generalist](#).

[Revised April 7, 2009]