

College Procedure: 404.11 – Full-time Employees as Continuing Education Instructors

Policy Reference: 404 – Employment Relationship
Responsible Department: Human Resources
Approval Authority: Cabinet
Procedure Owner: Vice President, Human Resources
Effective Date: 07/01/2009

Version Number: 3
Legal Counsel Reviewed (yes/no): No
Scope: College-wide

Reason for Procedure

Kirkwood encourages full-time employees to serve as continuing education instructors. This procedure explains the employment of full-time employees in a secondary continuing education instructor capacity and the impact on payroll.

The Procedure

Full-time employees are encouraged to work as Continuing Education instructors for Kirkwood in the following circumstances:

- **Teaching assignment as part of current duties.** The Administration, at its discretion, may require an employee to perform a teaching assignment as part of his/her regular job duties. In these cases, the employee will receive no extra compensation as such time is considered part of the current duties of the employee. If the employee would like to add a teaching assignment to his/her regular job duties, the employee must obtain approval from his/her supervisor prior to accepting such an assignment.
- **Teaching assignment not part of current duties but during regularly scheduled work hours.** If the teaching assignment is not required by the Administration and the teaching assignment occurs during the regularly scheduled workday, as determined by the Administration, Kirkwood will:
 - Require the employee to make up hours worked and obtain approval from his/her immediate supervisor of a written schedule to make up such hours;
 - Compensate the employee for faculty/instructor hours at the appropriate rate;
 - Limit, in general, the employee to a maximum of 4 hours per week of faculty/instructor hours because the assignment may interfere with the full-time duties of the employee;

- Require the employee to utilize vacation time for all hours over 4 during regularly scheduled work hours under the rare circumstance that more than 4 hours of faculty/instructor time is approved in writing by his/her immediate supervisor; and
- Require the employee to obtain written approval from his/her immediate supervisor prior to accepting the teaching assignment.
- **Teaching assignment not part of current duties and outside regularly scheduled work hours.** If the teaching assignment is completed outside of the regularly scheduled work day, as determined by the Administration, and the teaching assignment is not required by the Administration, Kirkwood will:
 - Compensate the employee for faculty/instructor hours at the appropriate rate for the assignment;
 - Require that the teaching assignment not interfere with the full-time duties of the employee; and
 - Require the employee to obtain written approval from his/her immediate supervisor prior to accepting the teaching assignment.
- **Continuing Education Compensation.** Employees (exempt and non-exempt) accepting a Continuing Education assignment will receive a specific amount, in the programmer's discretion, based upon profitability of the course, including factors such as the area of expertise, popularity of course, and the market demand for such courses.
- **Overtime.** All overtime compensation will be determined and, if applicable, calculated using the following provisions:
 - **Faculty/Exempt Employees.** Faculty/Exempt employees accepting teaching assignments will not be paid any overtime for his/her assignment.
 - **Non-exempt Employees.** When a non-exempt full-time employee works over 40 hours in a single workweek due to a combination of hours from the teaching assignment and his/her regular duties, Kirkwood will utilize a weighted average calculation to obtain the overtime pay. That is, his/her total earnings are computed to include his/her compensation during the workweek from all hours (teaching or regular), and are then divided by the total number of hours worked at all jobs. The new rate will be multiplied by one-half and then multiplied by the hours over 40.

For example, if non-exempt employee Smith works 38 hours at his/her regular job paying \$10 per hour (for a total of \$380) and 5 hours of teaching paying \$15 per hour (for a total of \$75), the weighted average would equal \$10.58 per hour (or $\$455 \div 43$ hours). His/her overtime pay would equal one-half of \$10.58 times five hours (or $\frac{1}{2} \times$ Overtime Rate \times Hours over 40), which would equal \$26.45. (Note: the employee already received the straight time pay for 43 hours and only gets the extra $\frac{1}{2}$ time of overtime pay.)

Revision Log

Table 1 Revision Log

Version Number	Date Approved	Approved by	Description of Change
1	07/01/2009	Jim Choate, Vice President, Finance	New procedure
2	05/12/2017	Mick Starcevich, President	New template
3	07/02/2019	Cabinet	Procedure template