

## FROM DHRM: New Interpretation of Maximum Annual Leave Carryover Application Effective January 9<sup>th</sup>, 2014

The annual leave policy addresses how and when leave accruals are credited to classified employees' balances and notes a maximum carryover of annual leave balances from one leave year to the next. However, the policy does not address the sequence of when the carryover maximum is applied.

In the past, policy interpretation held that the final leave accrual of the leave year would be awarded on January 9<sup>th</sup> and then the carryover maximum would be applied. This meant that employees' balances at the beginning of the new leave year (January 10<sup>th</sup>) could be equal to or less than the maximum carryover but could not exceed that limit. Employees near or exceeding the maximum carryover were not credited with the full accrual for the last pay period of the leave year. Payroll programs have been programmed to apply the maximum carryover limit accordingly.

### Former Application:

Jan. 9 <sup>th</sup> Balance	Apply Leave Accrual 12/25 thru 1/9	Balance	Apply Maximum Carryover	Leave Lost	Jan. 10 <sup>th</sup> Balance
194 hours	+4 hours	198 hours	192 hours	-6 hours	192 hours

### Application Effective January 9<sup>th</sup>, 2014:

Jan. 9 <sup>th</sup> Balance	Apply Maximum Carryover	Leave Lost	Balance	Apply Leave Accrual 12/25 thru 1/9 Balance	Jan. 10 <sup>th</sup> Balance
194 hours	192 hours	-2 hours	192 hours	+4 hours	196 hours

The new interpretation will be in force for the 2014 leave year. The sequence has been changed so that the maximum carryover is applied to the leave balance on January 9<sup>th</sup> and then the leave accrual for the final pay period (12/25 through 1/9) is credited and available for use on the first day of the new leave year. This means that employees' Jan. 10<sup>th</sup> balances may exceed the previous year's maximum carryover limit.

Example: Employee having 4-1/2 years of service and accruing leave at 4 hours per pay period has an annual leave balance of 194 hours on January 9<sup>th</sup>. Her maximum carryover rate is 192 hours.

There will be no change to Policy 4.10 because policy does not describe the sequence of the carryover limit application. If you have questions about the change in how the leave is calculated, please contact the Department of Human Resources.

## Joint Employment

Joint employment occurs when a University employee occupies two or more positions within the University. Joint employment frequently results in complications under the Federal Fair Labor Standards Act (FLSA).

If the individual considered for part-time employment (non-instructional (4031) position, adjunct faculty position or wage position) is already a University employee, the University may have an overtime obligation depending upon the status of the employee's primary job.

- **Non-exempt primary job:** the employee must be paid one and one-half hours of overtime for all hours worked in the second job, even if the second job's duties are exempt. The only exception to this requirement is if the extra work outside the primary job is done on an "occasional or sporadic basis" in a "substantially different capacity" from the employee's primary job and at the employee's own volition. (Example, a fiscal assistant in the Office of Finance proctors a test on Saturday twice a semester).
- **Exempt primary job:** if the duties of the second job are exempt, there are no overtime issues. If the duties of the second job are non-exempt, at least 50% of the duties in both jobs combined must be exempt or else an overtime obligation exists, and the employee will lose the exempt status in his/her primary job.

It is our practice that an employee in a **non-exempt** position, not be hired into an exempt position due to the complications under FLSA and to avoid any fiscal issue regards to which department would be charged for the overtime pay.

The hiring supervisor of the employee's primary job must concur with the appointment to the secondary job to ensure there is no conflict between the two positions and that the employee's effectiveness in the primary job will not be jeopardized.

## What is the Hybrid Plan?

The 2012 General Assembly passed a series of pension reform initiatives, including the establishment of the VRS Hybrid Retirement Plan. The new plan will apply to most members hired on or after January 1, 2014. Most current VRS members will have the opportunity to elect the Hybrid Retirement Plan during an opt-in window from January 1 through April 30, 2014.

The VRS Hybrid Retirement Plan combines the features of a **defined benefit plan**, which pays a monthly retirement benefit based on age, total service credit and average final compensation, and a **defined contribution plan**, which provides a retirement benefit based on contributions and the investment performance of those contributions.

The University will be offering informational sessions during the special election period. The sessions will be held in the Lecture Hall, Room 1505, in Spong Hall. Please see dates and times:

<a href="#">January 22, 2014</a>	<a href="#">02:00 p.m.</a>
<a href="#">January 28, 2014</a>	<a href="#">10:00 a.m.</a>
<a href="#">February 12, 2014</a>	<a href="#">11:00 a.m.</a>
<a href="#">February 24, 2014</a>	<a href="#">03:00 p.m.</a>
<a href="#">March 19, 2014</a>	<a href="#">09:00 a.m.</a>
<a href="#">March 24, 2014</a>	<a href="#">01:00 p.m.</a>
<a href="#">April 1, 2014</a>	<a href="#">02:00 p.m.</a>
<a href="#">April 15, 2014</a>	<a href="#">03:00p.m.</a>
<a href="#">April 23, 2014</a>	<a href="#">11:00 a.m.</a>





We are pleased to announce the 2014 University Staff Dream Fund program. First launched in 2008, this program, which is privately funded through an endowment, will provide monetary awards up to \$2,000 and up to five days of paid time off for staff members to fulfill a long-held dream—to pursue studies in an area unrelated to work, traveling to another country or visiting family far away, for example. The awards are not intended to address personal hardship situations, emergencies or job-related professional development.

Proposals will be reviewed by a selection committee that includes representatives from the President’s office, the vice presidential areas, HACE and AUA. Recipients will be selected on the merits of their proposal, their past service and promise of future service. The winner will be announced in April and funding will be made available in July.

**Eligibility:** Full-time classified employees and full-time administrative and professional faculty who have worked at the University for a minimum of five years. Applicants must also have a satisfactory or higher performance evaluation and no active disciplinary actions. Proposals are due to the Department of Human Resources by **March 3, 2014**. A description of the program, including selection criteria and a proposal form, are available on the Human Resources’ web site. <http://www.odu.edu/facultystaff/awards-recognition/staff-dream-fund>

Proposal Packets must contain:

- Letter stating the dream, the reasons for it and a budget;
- Letter of support from a direct supervisor indicating the candidate is a valuable and meritorious employee;
- Letter of support from an Old Dominion University colleague;
- Brief resume;
- Statement of intent to remain at Old Dominion University for the foreseeable future.

**Note:** Proposals must be received in Human Resources not later than close of business on Monday, **March 3, 2014**.

If you have questions or require assistance in completing a proposal packet, please contact Tony Belk, e-mail - [jbelk@odu.edu](mailto:jbelk@odu.edu) or 683-3046 in the Department of Human Resources.

## Flexible Holiday Leave

The Governor has awarded state employees an additional four (4) hours of holiday leave for Tuesday, December 31, 2013. Since Old Dominion University was already closed on December 31<sup>st</sup>, faculty and classified employees received 4 hours of flexible holiday leave. The flexible holiday leave will be available for use on January 6, 2014 and will expire on June 9, 2014. Should you have any questions, please contact the Department of Human Resources at 683-3042.

## Tuition Assistance Program

The summer 2014 Employee Tuition Assistance application deadline is: 5:00 p.m. on Thursday, May 1, 2014.

A completed application **with proof of registration** must be received by the Department of Human Resources prior to the application deadline.

Summer Tuition Assistance is only available for eligible Classified, Hourly, Faculty and Administrative & Professional Faculty employees. The Tuition Assistance Program for dependents and spouses is not offered during the Summer Semester.

Eligible employees may receive Tuition Assistance for up to three (3) credit hours for the summer sessions at the Old Dominion in-state tuition rate.

The current income cap for Tuition Assistance programs is \$89,000.00.

For information on eligibility, maximum credit hours of assistance and program specifics please read the policy at:

<http://www.odu.edu/content/dam/odu/policies/university/6000/univ-6400.pdf>.

Applications are available on the Human Resources forms page at:

<http://www.odu.edu/facultystaff/employee-services/benefits/tuition-assistance>.