



## **Policy on the Conversion of Contractual Exempt Staff Positions to Regular Staff Positions**

### **I. Purpose of Policy**

This policy is to govern the process for the conversion of full-time contractual exempt staff positions to regular staff positions subject to the availability of funds. Positions funded 50 percent or more through grants, contracts, and auxiliary operations are excluded from this policy.

### **II. Definitions for the Purpose of this Policy**

- A. Institutional Support – Direct support from the State and tuition revenue.
- B. Full-time contractual staff – A person who has a University employment contract for a term of six (6) months or more in duration, and the employee’s work schedule is 40 hours per week.
- C. Adjusted Entry on Duty Date – the date a contractual employee was employed as a full-time contractual staff or, if applicable, the date an employee was employed as a full-time contractual staff after any break in service of one year or more or the date an employee was employed as a full-time contractual staff after a period of reduced average work schedule below 40 hours per week for one year or more. (Break in employment due to FMLA approved leaves are not considered as a break in service.)

### **III. Presidential Approval**

The number of positions allocated for conversions shall be approved by the President.

### **IV. Staff Conversions**

- A. The appropriate Vice President or Administrator must certify that there is a continuing need for the function being performed by each selected employee to qualify for conversion.
- B. Employees funded by an institutional support source shall be selected based on need, seniority and performance. Generally, more senior contractual employees shall be converted to regular full-time status as follows:

1. Seniority –
    - i. Individuals with the longest time served as a full-time contractual staff member at Morgan will be converted into a regular position.
    - ii. Seniority shall be determined by the above defined adjusted entry on duty date.
    - iii. Individuals employed less than three years from the planned effective date of conversion do not qualify under this policy.
  2. Disciplinary History – Employees with a disciplinary history to include written reprimands, within 18 months prior or suspensions, within three years prior to the planned effective date of the conversion shall not be eligible for conversion.
  3. Performance – Employees with an overall evaluation of less than “meets standard” prior to the planned effective date of conversion are not eligible for conversion.
- C. The personnel policies and procedures for University exempt employees shall apply to a converted staff member. For purposes of eligibility for tuition waiver and annual leave accrual only, the adjusted entry on duty date will be used as the entry on duty date. In all other situations, the first day of employment as a regular employee will be used. Upon conversion of a contractual staff member to a regular staff position, the converted employee will serve a probationary period in accordance with University policy.
- D. Funding associated with the staff contractual positions identified for conversion shall be directed toward the total cost of the newly created regular positions.
- E. A position remains converted even after the employee leaves the position, unless abolished.
- F. Exception to the Policy
1. In the event, a regular position is requested for a critical need:
    - i. A Vice President or an administrator who reports directly to the President may submit an exception request to the Office of Human Resources to convert an employee who would not otherwise be eligible for conversion at the time.
    - ii. The request must identify a funding source, justification including associated benefits and/or negative consequences to the University, if not authorized.
    - iii. The Director of Human Resources will forward the request to the President with comments, to include fiscal impact information from the Vice President for Finance and Management for determination.

- iv. To be considered critical, evidence must be provided that the
  - 1.
    - a. Employee has specialized and/or unique skills or experience that cannot be easily replicated, or
    - b. Turnover in the position would significantly disrupt the critical operations of the associated unit; and
  - 2. A comprehensive fringe benefit package is typically provided for this type of position.

**V. The effective date of this policy is August 6, 2013.**