

## Definitions of Employment Status

### I. Purpose

To help provide uniformity and equity in applying personnel policies and benefits, and to provide definitions for determining this status according to law.

### II. Policy

All positions in the City will be classified as either exempt or non-exempt in compliance with law and for pay administration purposes. The City will maintain standard definitions of employment status and classify employees for purposes of personnel administration and related payroll transactions according to the following definitions.

### III. Definitions

Exempt: Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and state law and who are exempt from FLSA overtime pay requirements. Exempt employees generally include executive, professional and administrative levels.

Non-exempt: Employees whose positions do not meet FLSA exemptions tests OR otherwise FLSA-exempt positions for which the City has elected to pay overtime rates.

Orientation Employee: During the first six (6) months of employment unless otherwise specified in a collective bargaining agreement, in law, or by civil service rules, all employees are in an orientation period and will be trained, coached and evaluated in their ability to perform at a satisfactory level. During this period, employees accrue sick leave, vacation, and floating holiday leave. For non-represented employees, sick leave may be taken after one month of continuous employment, but orientation employees are not eligible to use their vacation or floating holidays until they have satisfactorily completed their orientation period. Termination during the orientation period cannot be appealed. Orientation employees receive all other employee benefits unless specified otherwise in a collective bargaining agreement or by civil service rules. Satisfactory completion of the orientation period does not create an employment contract nor guarantee employment with the City for a specific duration.

Regular Full-time: Regular full-time employees are employees who have completed the orientation period and are in full-time positions that are considered to be year-round positions (as opposed to seasonal). Regular full-time employees are entitled to a benefit package of sick leave accrual, vacation accrual, medical/dental/vision insurance, long-term disability insurance, life insurance benefits and retirement system membership.

Regular Part-time: Regular part-time employees work a minimum of 20 hours per week but less than 40 hours per week on a regular year-round basis and have completed the orientation period. Regular part-time employees are entitled to a benefit package of sick and vacation leave accruals prorated based on the number of hours allocated for their position, medical/dental/vision insurance on the same terms and conditions as regular full-time employees pursuant to LMC 2.49.060, and retirement system membership.

Part-Time: Part-time employees work less than 20 hours per week on a year-round basis and are not eligible for benefits but may be eligible for retirement system membership, depending on the number of hours they work.

Seasonal/Temporary Employee: A seasonal/temporary employee is anyone hired (full or part-time) to fill a temporary, emergency, short-term, or seasonal need. Seasonal/temporary employees are usually hired for less than nine months. Seasonal/temporary employees may be rehired for other or same positions. A seasonal/temporary employee is not eligible for benefits but may be eligible for retirement system membership, depending on the number of hours they work. Such employees are considered casual employees.

IV. Employees Under 18 Years of Age

Employees under the age of 18 are subject to federal law regarding the employment of minors.

Approved:

  
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Nicola Smith, Mayor

5-21-2014  
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Date