

## ORIGINAL APPOINTMENT/COMPENSATION FOR USPS AND A&P EMPLOYEES (INCLUDING EXECUTIVE SERVICE)

<b>Responsible Executive:</b>	Vice President for Finance and Administration
<b>Approving Official:</b>	Vice President for Finance and Administration
<b>Effective Date:</b>	<u>ASAP</u> <u>On expiration of notice and final approval of the Responsible Executive</u>
<b>Revision History:</b>	Readopted 1/1/2014

### I. INTRODUCTION

This policy applies to all Administrative and Professional (A&P), Executive Service (AEX), and University Support Personnel System (USPS) employees. These Policies and Procedures are supplemental to and complement the University regulations.

The Chief Human Resources Officer is delegated by the President with responsibility for administration of appointment and compensation practices to ensure adherence to Federal law, Florida Statutes, and University regulations.

### II. POLICY

The original appointment and compensation of employees will be based upon their qualifications, competition in the job market, and available salary rate. Compensation shall be within the salary ranges established by the University. , not to exceed the maximum of the salary range.

### PROCEDURES

These procedures provide guidance for determining original appointment/compensation for Executive Service (AEX), Administrative and Professional (A&P), and University Support Personnel System (USPS) employees.

#### A. EMPLOYEE APPOINTMENT STATUS

Upon appointment to an A&P position, an employee will be given one of the following statuses: regular, provisional, acting, or visiting.

Upon appointment to an USPS position, an employee will be given one of the following statuses: probationary, emergency, trainee, or temporary. , or time-limited status.

An Executive Service employee serves at the will of the University President. Appointment is normally at 1.00 FTE, but may not be less than .5 FTE.

**NOTE:** *Provisional/Trainee status must be requested by the department in writing and approved by the Office of Human Resources, —Employment & Recruitment Services prior to the before making a formal offer to the employee. When appointing an employee on-in provisional or temporary/trainee status as-a result-indue to a delay of verification of education, the ending date should be identified as ninety (90)*

days from date of appointment. Standard procedure for appointing in regular status should be followed once verification is received. Duration of visiting, temporary, acting, and emergency appointments is limited in accordance with 4-OP-C-7-B2.

**NOTE:** The decision to count temporary or emergency service toward completion of the *probationary period* shall be made by the hiring department in consultation with [the Office of Human Resources](#), [Employee and Labor Relations](#) at the time of the regular status job offer. This should be noted in the official offer letter.

~~**NOTE:** An employee appointed simultaneously in a General Faculty position and an A&P position shall not be eligible for Executive Service.~~

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#### B. HIRING COMPENSATION FOR SALARIED STAFF (A&P and USPS employees)

A salary range for new hires (internal and external) ~~salary~~ shall be recommended through an analysis, conducted by [the Office of Human Resources, Compensation Services](#), of the job code salary range of current employees within the same job code and the external market. Established salary ranges and quartiles within the campus-wide job code salary range shall be used as control points after verification of internal and external salary benchmarks by Human Resources.

Departments should partner with [Human Resources Compensation Services](#) when monitoring internal salary equity or conducting periodic reviews of employee compensation to identify any potential concerns. Salary inequities as identified by the department should be brought to [Human Resources Compensation Services](#) for consultation and assistance in developing a plan to proactively address these issues as required by federal law. This will include compensation issues that cannot be explained by job related responsibilities, business necessity, and other non-discriminatory factors as verified by Human Resources.

a. Internal candidates hired into an advertised position where the move is considered by [Human Resources Compensation Services](#) to be a lateral move (e.g. same job classification) will not receive an increase in pay unless [Human Resources Compensation Services](#) determines the job requires increased responsibilities as documented in the position description or the candidate's knowledge, skills, and abilities are unique and critical to the position. This would be applicable at all levels of approval.

b. Internal candidates hired into an advertised position where the move is considered by [Human Resources Compensation Services](#) to be competitive advancement should receive salary consideration similar to that of an external candidate, as validated through Human Resources compensation tools. Competitive advancement is defined as competing for a higher level advertised position that would be considered an increase in responsibilities compared to what the employee is currently performing.

c. If the proposed candidate is a non-U.S. citizen seeking H or J [visa](#) status, consult with [Human Resources Compensation Services](#) and the Center for Global Engagement on prevailing and actual wage determinations.

d. Approvals, as outlined below, may require the New Hire Salary/Appointment Explanation Form:

1. To hire a person for an A&P or USPS position within the 1st quartile of the job code salary range: Approval for a new hire (internal or external) will be at the discretion of the hiring manager for a salary being offered from the minimum of the job code salary range up to the beginning of the 2nd quartile of the job code salary range. For new hires (internal and external), salary shall be recommended by the hiring manager through analyses conducted by [Human Resources Compensation Services](#), including an analysis of the job code salary range of current employees within the same job code and the external market.

2. To hire a person for an A&P or USPS position at the beginning of the 2nd quartile through the end of the 3rd quartile of the job code range:

Approval for a new hire (internal or external) will require the approval of a division's higher level manager (above original hiring manager as determined by division) for a salary being offered from the beginning of the 2nd quartile through the end of the 3rd quartile of the job code range. Salary offers above the median may require additional approvals and justifications. For new hires (internal and external), salary shall be recommended by the hiring manager through analyses conducted by [Human Resources Compensation Services](#), including an analysis of the job code salary range of current employees within the same job code and the external market.

3. To hire a person for an A&P or USPS position at the beginning of the 4th quartile through the maximum of the job code salary range:

Approval for a new hire (internal or external) will require Vice President or designee approval for a salary being offered from the beginning of the 4th quartile through the maximum of the job code salary range. For new hires (internal and external), salary shall be recommended by the hiring manager through analyses conducted by [Human Resources Compensation Services](#), including an analysis of the job code salary range of current employees within the same job code and the external market.

4. All salary requests to hire an internal candidate for a position that is in the same job classification or the same pay band as the applicant's current job will be reviewed by [Human Resources Compensation Services](#). If the new job does not require increased levels of responsibilities as documented in the position description or the candidate does not possess unique or critical knowledge, skill, and ability relevant to the position, the hire will result in a lateral move (e.g. same job classification or in-band with same level of responsibility) and there should be no expectation of additional pay.

5. Additional approvals may be required for any compensation level as set by the respective division.

e. An A&P employee given provisional status must be paid at ten percent (10%) below the [expected hiring salary minimum of the job code salary range at the time of hire](#). If the training period will be six months or less, the employee may be paid at five percent (5%) below the [expected hiring salary minimum of the job code salary range at the time of hire](#). ~~A p~~rovisional status shall not last more than [two years one year, not to exceed 50% of the total required minimum experience qualification for the classification](#). In accordance with FLSA regulations, the salary for A&P [exempt](#) employees may not be below [\\$23,660 annually the current salary threshold for exemption set by FSU and the Department of Labor](#). When the employee has acquired sufficient training and experience to meet the minimum qualifications of the position, ~~his or her~~[their](#) rate of pay [can may](#) be increased to the [original expected hiring salary minimum of the job code salary range](#). Salaries for provisional appointments made as a result of the delay of verification of education will not be affected.

f. A USPS employee given a trainee status must be paid at ten percent (10%) below the expected hiring salary minimum of the job code salary range at the time of hire. If the training period will be six (6) months or less the employee may be paid at five percent (5%) below the expected hiring salary minimum of the job code salary range at the time of hire. A trainee status shall not last more than two years one year, not to exceed 50% of the total required minimum experience qualification for the classification. When the employee has acquired sufficient training and experience to meet the minimum qualifications of the position, ~~his or her~~ their rate of pay ~~can~~ may be increased to the original expected hiring salary minimum of the job code salary range. The hourly ~~salary rate~~ must not ~~go be~~ below the federal and state minimum wage. In accordance with FLSA regulations, the salary for USPS exempt employees may not be below ~~\$23,660 annually~~ the current salary threshold for exemption set by FSU and the Department of Labor.

g. USPS employees given an emergency status appointment who do not meet the minimum qualifications must be paid at ten percent (10%) below the expected hiring salary minimum of the job code salary range at the time of hire. The hourly salary must not ~~go be~~ below the federal and state minimum wage.

### C. SIGN-ON BONUS

The sign-on bonus is used as an incentive to attract a highly qualified individual into a position deemed as critical to the mission and operation of the University. The sign-on bonus will not be applied to all positions assigned to a specific classification and will be evaluated on a case-by-case basis. To offer a new, highly qualified employee a pre-employment sign-on bonus, the following criteria must be met:

~~a. The new employee must be hired into a position deemed as critical to the mission and operation of the University. The sign-on bonus will not be applied to all positions assigned to a specific classification, and will be evaluated on a case-by-case basis. The sign-on bonus has been determined to satisfy a University purpose by allowing the University to recruit a highly qualified person.~~

b. Before offering a prospective employee a sign-on bonus, the funding source must be identified and approvals must be received from the Chief Human Resources Officer (CHRO), the appropriate Vice-President, and where applicable, Sponsored Research Administration (Contract and Grants).

c. The offer of a sign-on bonus may be up to 15% of the original annual salary offered. The size of the incentive will be determined by the significance and criticality of the position.

d. The sign-on bonus will be paid as a lump sum and must be paid out of the hiring department's budget after the employee has reported for work.

e. Employees receiving these bonuses must agree to work for the university for at least one continuous year. If the employee voluntarily terminates employment with the department before 6 months, the employee must return the full amount of the sign-on bonus to the University ~~prior to~~ before the termination date. Voluntary termination after 6 months and ~~prior to~~ before 1 year of employment will require a prorated amount to be returned to the University.

ef. The offer of a sign-on bonus must be part of the offer of employment and Aa formal written agreement must be included with the offer letter (see sign-on bonus agreement form), which includes

key objectives for the employee, requirements for satisfactory performance, dates of employment, and pay back terms if the agreement is not met. The sign-on bonus agreement form, must be executed with each employee receiving a bonus. Individual agreements will be reviewed and approved by the Chief Human Resources Officer.

~~f. Prior to Before offering a prospective employee a sign-on bonus, the funding source must be identified and approvals must be received from Human Resources, the appropriate Vice President, and where applicable, Sponsored Research Accounting Administration (Contract and Grants).~~

#### D. CONTRACTS/APPOINTMENT LETTERS

a. AEX and A&P: The contract of employment (Contract) for AEX and A&P employees is between The Florida State University Board of Trustees (University) and the employee. The Contract is subject to Federal and State Laws and University regulations, policies, and procedures. Neither the Contract nor any action or commitment taken pursuant to it is final or binding upon the parties until, and unless, the signature of the University President, Vice President, or Representative as approving authority, and the signature of the employee have been affixed.

The AEX and A&P Contract creates no expectancy of employment beyond the terms stated therein. Furthermore, the Contract may be voided by either party with proper notice as provided by University Regulations. Employment is subject to satisfactory performance of assigned duties and may be terminated for cause as provided by the Regulations of the University.

The A&P Appointment Letter must also be signed by the supervisor or designee and employee.

b. USPS: The USPS Appointment Letter must be drafted by the hiring department signed by the supervisor or designee and signed by the employee. ~~Unless exempted, tT~~ The USPS Time-Limited Appointment Letter must be completed if appointed to a USPS time-limited soft money funded position, unless otherwise approved by the CHRO.

**NOTE:** *Notwithstanding the notice provisions as provided by the Regulations of the University and the employment contract, employment will cease on the date indicated and no further notice of cessation of employment is required for the following employees: (a) Employees holding visiting, acting, or provisional appointments, or (b) Employees appointed for less than one (1) year, or (c) Employees who are funded by Contract and Grant, Auxiliaries, or Local Funds (-i.e., "Soft Money"). However, departments must contact ELR-Employee & Labor Relations ~~prior to before~~ ending any appointments of A&P employees. Additionally, information regarding contract cancellations for A&P employees is found in OP-C-7-G9. **NOTE:** Contact Human Resources — Employment & Recruitment Services for assistance regarding Executive Service appointments and associated contract administration.*

~~**NOTE:** The In-Unit Contract is covered under the UFF contract and administered by the Office of Faculty Development and Advancement.~~

~~**NOTE:** One (1) copy of the A&P out-of-unit contract must be returned to the Vice President's Office.~~

#### E. APPOINTING PROCEDURES

~~A final candidate employee is required, either by law or by University policy, to complete the onboarding process and a New Hire Wizard packet, furnish a copy of his or her Social Security Card, and enroll in the Direct Deposit Program (Electronic Transfer) documents required by law or by University policy. If the employee candidate is a non-U.S. citizen, he/she/they must furnish a copy of immigration documents. All AEX, A&P, and USPS positions require successful completion of a criminal history background check. The background check will be conducted as authorized and in accordance with University Policy 4-OP-C-7-B11. All AEX, A&P, and USPS positions require a Criminal History Background check (reference 4-OP-C-7-B11 Criminal History Background Checks). For certain positions, criminal history background checks, drug tests, examinations, and credentials (e.g., a degree, certifications, licensure, etc.) may be required. A&P employees must sign a contract and appointment letter. These forms are located on the Human Resources website at-~~

After the recruitment and selection period has been completed, to include: advertising;~~;~~ applicant screening by Employment & Recruitment Services;~~;~~ interviews;~~;~~ pre-employment checks (i.e., reference checks, criminal history background check, salary approval if applicable, etc.);~~;~~ verifications of credentials;~~;~~ and final selection, the department should take the following actions:

- a. Use the Payroll Calendar to assist with determining an appropriate start date and corresponding payroll deadline.
- b. Verify the applicant's candidate's employment eligibility, to include U.S. citizenship or ensure that appropriate immigration requirements are met. (Reference Immigration Form I-9 and 4-OP-C-7-B5 Non-Citizen Employment)
- c. Obtain New Hire Salary/Appointment Explanation Form, if required based on Compensation Policy outlined above. The New Hire Salary/Appointment Explanation Form is also required for emergency, temporary, trainee, provisional, acting, and visiting status appointments. However, if the employee's salary will be below the minimum of the job code range based upon appointment status (emergency, provisional, trainee) complete the New Hire Salary/Appointment Explanation Form and submit to Human Resources — Employment & Recruitment Services for endorsement prior to before extending an offer of employment.
- d. If filling an advertised position, complete the OMNI e-recruit process to include: interview evaluations, disposition codes, pre-employment checklist, and job offer. ~~(See job aids for details.)~~
- e. Reference the Appointment Papers Matrix and ~~C~~checklists for all documents required based on the appointment type. ~~for all appropriate documents that are required for an USPS appointment, including an USPS Appointment Letter, or an USPS Time Limited Appointment Letter for those appointed on "Soft Money" funds.~~
- f. Reference the ~~and all appropriate documents that are required for an A&P appointment, including the A&P Appointment Letter and appropriate A&P Contract based on funding source.~~

~~**NOTE:** The name on all hiring documents MUST be the same name as on the Social Security Card. Non-resident aliens are subject to the following restrictions: cannot claim exemption from income tax withholding, except under Tax Treaty provisions.~~

**NOTE:** Appointment paperwork and OMNI job offers should be submitted to Human Resources before

the appointment date and by the appropriate payroll deadline. ~~Any Personnel Actions~~ submitted to Human Resources more than 20 days after the effective date must include a justification for the late submission of appointment paperwork.~~memo from the department head.~~

**NOTE:** ~~If the action involves an overlap appointment, reference 4-OP-C-7-D3 Overlap. If the employee is eligible for a pay additive, reference 4-OP-C-7-D4 Pay Additives for USPS Employees.~~

### III. LEGAL SUPPORT, JUSTIFICATION, AND REVIEW OF THIS POLICY

The President holds delegated authority from the Board of Trustees to establish personnel policies. Constitutional authority, state statutes, federal statutes, Florida Board of Governors regulations, and University regulations authorize the policy:

Florida Constitution Article IX, Section 7;

Section 1001.706(6)(a), F.S.;

Florida Board of Governors Regulation 1.001(5)(a);

Florida State University Board of Trustees Regulations FSU-4.001;

Fair Labor Standards Act, 29 U.S. Code Chapter 8.

This policy shall be reviewed by the Chief Human Resources Officer every seven years for its effectiveness. The Office of Human Resources shall make recommendations to the Vice President for Finance and Administration for any modification or elimination.

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[Proof of approval retained in file]