

UNIVERSITY SENATE RECOMMENDATION TO THE PROVOST

Rec. # Recommendation

2012-10-01 The University Senate recommends that the Provost seek continued approval of the Faculty Workload & Compensation Policy (Policy 1.2090/2.2090)

Approved 10/24/2012



POLICY & PROCEDURE DOCUMENT

NUMBER: 1.2090
2.2090

DIVISIONS: Academic Affairs, Research

TITLE: Faculty Workload and Compensation

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REVISED:

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I. Purpose and Scope

This policy establishes accounting procedures for the workload associated with various activities in which faculty may be engaged, including work on extramurally funded grants and contracts and work performed outside of WKU employment – for example consulting for external agencies. It also establishes criteria under which additional compensation, over and above the base salary, may be earned.

II. Policy

A. Definitions

1. "Base Salary" is the faculty member's base annual salary. It may be based on a nine-month appointment, a twelve-month appointment, or an appointment of another duration.

2. "Conflict of interest" is a situation in which activities carried out by a university employee conflict with the interests of the university, because the best interests of the employee and/or those for whom they work may conflict with those of WKU.
3. "Conflict of commitment" is a situation in which activities carried out by a university employee conflict with the duties and obligations of his/her university appointment, principally because the commitment of time to other activities may compromise the time available to properly carry out duties related to a WKU appointment.
4. "Effort" is a measure of total work spent in university-related activities. It is not measured in hours or days, but rather in percentages and months.

The overall effort of a faculty member may include teaching, research and service activities, and it may be conducted during normal university hours and/or at other times. For faculty with nine-month appointments, the total effort will sum to one month for any month during the academic year (August 15 through May 15) and to a value up to, but not exceeding, three months for the summer period. Policy 1.5121 (see also II.E.2.b.ii below) addresses university-related effort for faculty with administrative appointments greater than nine months in duration. In all cases, the total effort expended on all pertinent (see II.F) activities, including teaching, research, service and administration, shall not exceed twelve (12) months in any fiscal year (July 1 through June 30).

5. "Effort certification" is a mechanism through which the fraction of overall effort devoted to various tasks is reported. It is a required element of any effort compensated by external contracts and grants.
6. "Fee-for-Service Contracts" are externally-funded contracts for which, *de facto*, the university acts as a "broker" for consulting services provided by faculty to outside agencies.
7. "Outside of Effort" refers to activities that do not constitute part of the 100% effort.
8. "Overload" refers to activities that occur during the period associated with the base contract (e.g., nine-month academic year), which are above and beyond the normal expectations associated with the base salary. Examples include teaching over and above the expected load during the Fall or Spring semester, or teaching during the Winter Term. Such activities can result in compensation in excess of the base salary for the period in question.
9. "Research" means research, scholarship and creative activities performed by a faculty member. Such research may or may not be sponsored by an external award, such as a contract, grant, or fee-for-service contract.
10. "Stipend" is a form of additional compensation for temporary position assignments. Stipends are not related to a distribution of effort, but rather to the type of work being performed. For example, a faculty member may receive a stipend for assuming temporary duties as an interim department head, or for a period of time as a result of appointment as a University Distinguished Professor.
11. "Summer Term" refers to the period between mid-May and mid-August, during which classes are held within a variety of sessions.

12. "Winter Term" is the period between Fall and Spring semesters during the academic year, in which classes are offered.

B. Teaching During the Fall and Spring Semesters

Each department is responsible for establishing a typical base teaching load for the faculty within the department and for establishing the equivalencies associated with reductions from that base load. A document clearly outlining the base load and the reduction equivalencies should be available to faculty within the department.

1. For all faculty members, the expected distribution of all effort-related workload throughout the term of the base appointment (e.g., academic year for faculty with nine-month appointments, fiscal year for faculty with twelve-month administrative appointments) should be clearly established in advance through the appointment and annual evaluation processes. In order to clearly show any redistribution of effort from teaching activities, or to justify overload assignments, particular attention should be devoted to establishing the teaching workload. This expected distribution of workload shall total 100% of effort and should be recorded in a file in the office of the department in which the faculty member's primary appointment is held. This may differ from one faculty member to another, and may change from year to year by mutual consent of the faculty member and department head.
2. Faculty members are entitled to additional pay for overload teaching if that teaching need meets all three of the following criteria:
 - a. The overload teaching must be irregular – additional teaching beyond the expected load should be sporadic in nature and neither an expectation of the faculty member nor a regular assignment by the department head;
 - b. The assignment of the instructor is unavoidable – the needed class, or another part of the faculty member's teaching assignments, could not readily be assigned to another qualified instructor as part of the other instructor's established teaching load; and
 - c. The teaching is **either**:
 - i. unanticipated – a need for an instructor arose under circumstances that could not reasonably have been anticipated by the department head; **or**
 - ii. temporary – the satisfaction of a teaching need such as the introduction of a new course being taught on a trial or interim basis, the teaching of courses with limited enrollment in anticipation of full enrollment in due course, or a course intended to be offered for a limited period of time.
3. All overload assignments must be approved by the Office of the Provost in advance.
4. Overload teaching assignments do not affect effort reporting.

5. A faculty member will normally be compensated for overload teaching at established rates. Alternatively, with mutual agreement among the faculty member, department head and dean, a faculty member may receive a commensurate reduction in teaching in a subsequent Fall or Spring semester.

C. Summer Term Assignments, Effort and Compensation

1. Consistent with II.E.2.b.i, faculty on nine-month contracts may expend a maximum of three months of effort during the Summer Term.
2. Teaching during the Summer Term involves an expenditure of effort equal to one-quarter of a month per credit hour taught; hence, a faculty member on a nine-month contract may teach up to a maximum of twelve credit hours during any Summer Term.
3. For Summer Term teaching assignments, a faculty member will be compensated in accordance with Policy 1.2120.
4. Compensation for faculty performing non-teaching duties, funded from internal University sources, during the Summer Term will be at a rate commensurate with the base salary for the month in question. The amount of effort expended on such activities will be factored in to the overall amount of effort expenditure for the Summer Term.

D. Winter Term Teaching Assignments, Effort and Compensation

1. Faculty may teach a maximum of four credit hours during the Winter Term.
2. Teaching during the Winter Term is normally treated as overload, and does not affect effort reporting.
3. For Winter Term teaching assignments, a faculty member will be compensated in accordance with Policy 1.2120.

E. Activities Sponsored by External Contracts and Grants

All research funded from extramural sources must follow the stipulations of Federal Publication OMB A-21. In accordance with paragraphs J.10.b(2)(b) and J.10.c(2)(b), viz.

“These reports will reflect an after the fact reporting of the percentage distribution of activity of employees. Charges may be made initially on the basis of estimates made before the services are performed, provided that such charges are promptly adjusted if significant differences are indicated by activity records,”

any effort expended on a sponsored project must be verified after-the-fact through an effort certification report.

1. Academic Year

- a. According to J.10.d(1) of OMB A-21,

“charges for work performed on sponsored agreements by faculty members during the academic year will be based on the individual faculty member's regular compensation for the continuous period which, under the policy of the institution concerned, constitutes the basis of his salary.”

- i. In consultation with the department head, activity on sponsored projects must be factored in to the overall workload for the faculty member involved.
- ii. During the nine-month academic year, activity on sponsored projects is generally considered part of the overall effort and consequently entails no additional compensation to the faculty member. Nonetheless, effort may be charged to a sponsoring agency such that a fraction of the academic year salary is paid by the sponsoring agency rather than WKU E&G funds.

b. J.10.d(1) of OMB A-21 also provides that

“in unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is in addition to his regular departmental load, any charges for such work representing extra compensation above the base salary are allowable provided that such consulting arrangements are specifically provided for in the agreement or approved in writing by the sponsoring agency.”

- i. Such supplementary payments require both that the case be “unusual” and that it be approved in writing in advance. Whether a given situation satisfies both criteria will be determined by the Vice President for Research.
- ii. Faculty members who seek supplementary pay for such “unusual” activities during the academic year should ensure that the necessary approvals from both the Office of the Vice President for Research and the sponsoring agency have been secured in writing, and in advance of the proposed activity.

2. Summer Term

a. According to J.10.d(2)(a) of OMB A-21,

“charges for work performed by faculty members on sponsored agreements during the summer months or other period not included in the base salary period will be determined for each faculty member at a rate not in excess of the base salary divided by the period to which the base salary relates, and will be limited to charges made in accordance with other parts of this section. The base salary period used in computing charges for work performed during the summer months will be the number of months covered by the faculty member's official academic year appointment”

Consequently, a faculty member may participate in sponsored project activities during the Summer Term. Compensation for such activities will be at a rate commensurate with the base salary for the month in question, and

will reflect the amount of effort expended and reported as required by J.10.b(2)(b) and J.10.c(2)(b) of OMB A-21.

- b. As stated in II.A.4, the total effort for the academic year and Summer Term combined shall not exceed twelve (12) months.

- i. *Faculty with nine-month (academic-year) appointments*

The total effort during Summer Term shall not exceed three months.

- ii. *Faculty with administrative appointments greater than nine months in duration*

The amount of effort during the Summer Term is determined by the salary conversion factor associated with the administrative appointment. For example, for a faculty member holding a twelve-month appointment with an 11/9 salary conversion factor, eleven months of effort (9 months at 100% during the academic year, three months at 67% effort during the Summer Term) is devoted to the administrative appointment, leaving one month of effort (33%) for other tasks. Any additional compensation for non-administrative effort must be in accordance with Policy 1.5121, "Annual Compensation for Faculty with Administrative Appointments."

3. Winter Term

During the Winter Term, a faculty member may participate in sponsored project activities. Such activities are considered part of the overall academic year effort and consequently do not entail additional compensation.

F. Activities Outside of Effort or Not Involving Reportable Effort

According to J.10.e of OMB A-21,

"an institution must follow its institution wide policies and practices concerning the permissible extent of professional services that can be provided outside the institution for noninstitutional compensation."

In general, activities, whether or not for compensation, may be performed either "outside of effort" or "not involving effort." Examples of such activities are described below. In order that possible issues related to conflict of interest or conflict of commitment (see Section II) may be resolved, all such activities must be disclosed in accordance with III.F.1.

1. Activities Outside of Reportable Effort

The following activities are considered as work outside the 100% annual effort:

- a. consulting for outside agencies;
- b. activities on fee-for-service contracts;

- c. overload teaching assignments;
- d. DELO contracts that include outside-of-effort agreements such as developing and delivering online and independent learning courses, dual credit academic liaisons, cohort program coordination, and non-credit training and facilitation.

Activities outside of reportable effort are limited to one day per week during any period in which 100% university effort is expended (e.g., August 16 – May 15 for faculty with nine-month appointments). For other periods (e.g., Summer Term), activities outside of effort are generally not restricted. However, if reportable WKU effort is expended during these other periods, the amount of allowed outside-of-effort activity is correspondingly and proportionately reduced.

2. Compensation Not Involving Reportable Effort

The following types of additional compensation are considered salary enhancements. They require neither a commitment nor a reporting of effort.

- a. stipends associated with interim administrative appointments;
- b. salary supplements associated with endowed chairs/professorships;
- c. stipends associated with University Distinguished Professorships;
- d. other assignments that are approved by the Provost as not involving effort.

III. Procedure

A. General

This section specifies the various reporting procedures for the types of work and/or effort of Section II. While the various types of forms and administrative routings cited herein are accurate as of the implementation date of this policy, it is recognized that these may change in the future, and such changes shall not be considered as changes to this Policy.

B. Additional Teaching During the Fall and Spring Semesters

1. For faculty teaching overloads during the fall or spring semesters, the department head should submit a Form 16 through the administrative process to the Office of Academic Affairs. This form should clearly indicate that the requirements of II.B.2 have been addressed.
2. Compensation, from an appropriate E&G account, will be added through the regular WKU payroll process.

C. Summer Term

1. For faculty teaching during the Summer Term, the department head should submit a Special Instructional Assignments (SIA) form through channels to the Office of Academic Affairs. The Office of Academic Affairs will note the associated expenditure of effort per II.C.2 and will coordinate with the Division of Extended

Learning and Outreach Summer Term Office and the Office of Sponsored Projects (see III.E.2.a) to ensure that the total effort expended during the Summer Term does not exceed the limits set in II.E.2.b.

2. For faculty performing non-teaching activities during the Summer Term that are funded from internal accounts, the department head should submit a Form 16 through channels to the Office of Academic Affairs. The Office of Academic Affairs will note the associated expenditure of effort per II.C.4 and will coordinate with the Division of Extended Learning and Outreach Summer Term Office and the Office of Sponsored Projects (see III.E.2.a) to ensure that the total effort expended during the Summer Term does not exceed the limits set in II.E.2.b.
3. Compensation for summer activities will be added through the regular WKU payroll process.

D. Winter Term

1. For faculty teaching during the Winter Term, the department head should submit a Special Instructional Assignments (SIA) Form through channels to the Office of Academic Affairs, who will verify that the total teaching assignment for the Winter Term does not exceed the limits set in II.D.1.
2. Compensation, from the Winter Schedule budget, will be added through the regular WKU payroll process.

E. Activities Sponsored by External Contracts and Grants

1. Academic Year (Fall and Spring Semesters plus Winter Term)

- a. Sponsored program activity during the academic year should be reported as a labor distribution on an Electronic Personnel Action Form (EPAF).
- b. Any effort expended on a sponsored project must be verified after-the-fact, using the faculty and professional staff effort certification form at <http://www.wku.edu/Dept/Support/FinAdmin/faforms.htm> . Such reports should be filed within the first ten days following a month in which sponsored-project effort was expended.
- c. If the after-the-fact effort report conflicts with the EPAF for the period in question, funds shall be internally reallocated in accordance with the after-the-fact effort report.

2. Summer Term

- a. Summer effort on sponsored programs should be reported at least two weeks in advance of the activity on a Form 16 and routed through the Office of Sponsored Programs to the Office of Academic Affairs. The Office of Academic Affairs will verify that the amount of effort requested is available, taking into consideration any effort expended on other duties during the Summer Term, e.g., teaching (see II.C.2, and administrative duties.

- b. In accordance with federal regulation OMB-A21, any effort expended on a sponsored project must be verified after-the-fact, using the form at <http://www.wku.edu/Dept/Support/FinAdmin/faforms.htm>. Such reports should be filed within the first ten days following a month in which sponsored-project effort was expended.
- c. If the after-the-fact effort certification report conflicts with the Form 16, funds shall be reallocated in accordance with the after-the-fact effort certification report using internal funds as necessary and/or appropriate.

F. Compensation for Activities Outside of Effort or Not Involving Effort

For additional compensation involving activities outside of effort, or not involving effort, the following procedures should be used.

1. Activities Outside of Effort

Participation in activities outside of effort are subject to the limits of II.F.1. Participation should be disclosed at least two weeks in advance of the proposed activity by submitting the Outside Professional Activities Report form, available at http://wku.edu/academicaffairs/forms/outside_professional_activities_form.pdf, through the department head and dean to the Office of the Provost. Such submissions should occur at least annually, and when any significant changes in the types of activity conducted are anticipated.

As applicable, the following additional procedures should be followed:

a. Consulting for Outside Agencies

Other than submission of the Outside Professional Activities Report form, no other university procedures are involved. Note that volunteer / *pro bono* work should also be disclosed. Any compensation will generally occur outside of the WKU payroll system.

b. Activities on Fee-for-Service Contracts

Participation in activities on fee-for-service contracts should be disclosed at least two weeks in advance by submitting a Form 16 to the Office of Sponsored Programs, ideally as part of the annual disclosure process. The number of days devoted to such approved activities should be reported after-the-fact. After this report has been received, additional compensation, at a level consistent with base pay and the duration of the base appointment, will be added through the WKU payroll system.

c. Overload Teaching

A Form 16 should be submitted to the Office of Academic Affairs. For Fall and Spring overload assignments, the form should note the base teaching load established for the semester in question in accordance with II.B.1.

d. DELO Contracts

For DELO contracts that include outside-of-effort agreements such as developing and delivering online and independent learning courses, dual credit academic liaisons, cohort program coordination, and non-credit training and facilitation. a Form 16 should be submitted to Academic Affairs.

2. Compensation Not Involving Effort

- a. Stipends associated with interim administrative appointments

This amount is reflected in the employee's EPAF.

- b. Salary supplements associated with Endowed Chairs/Professorships

A Form 16 will be processed by the pertinent college office.

- c. Stipends associated with University Distinguished Professorships.

A Form 16 will be initiated by the Office of Academic Affairs.

- d. Overload Teaching Assignments.

Form 16 should be submitted to Academic Affairs.

- e. Other Assignments Approved as Overload

The procedure for such assignments will be determined on a case-by-case basis.

IV. Related Policies

1.2120 Summer and Winter Teaching

1.5121 Annual Compensation for Faculty with Administrative Appointments

V. Reason for Revision