



TEXAS TECH UNIVERSITY

Operating Policy and Procedure

OP 70.11: Appointment of Staff Employees

DATE: September 12, 2022

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish responsibility and policy regarding staff appointments. Faculty appointments are covered in Section 32, Academic Policies (Faculty), of Texas Tech University's Operating Policies and Procedures.

REVIEW: This OP will be reviewed in May of even-numbered years by the Associate Vice President for Human Resources with substantive revisions forwarded to the Vice President for Administration and Chief of Staff for the President.

POLICY/PROCEDURE

1. Policy

Texas Tech University will not discriminate in employment actions against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, age, disability, national origin, status as a protected veteran, genetic information, an individual's refusal to submit to a genetic test, or any other legally protected category, class, or characteristic while keeping with the state and federal laws and the *Regents' Rules* for Texas Tech University.

All appointments are subject to the following conditions:

- a. All appointments are made relative to the needs of the institution.
- b. Unless otherwise provided for by law, the *Regents' Rules*, or the university's operating policies and procedures, employment at Texas Tech University is at-will.

2. Definitions

- a. Staff Employee – An employee performing full- or part-time work based on the needs of the administrative or academic department. Staff employees are eligible for benefits offered based on their position's full-time equivalent (FTE) calculation.
- b. Student Employee – An employee performing part-time work incidental to his or her academic training in an occupational category that requires all incumbents to be students as a condition of employment. All positions that require student status as a condition of employment are considered temporary or seasonal positions. These occupational categories are:

Graduate Assistant
Research Assistant

Teaching Assistant
Graduate PT Instructor
Student Assistant
Student Assistant - Food Service
Community Advisor
Graduate Community Advisor
Student Assistant - External
High School Student Worker

- c. Retired Employee – Any employee who has retired under a retirement provision under the jurisdiction of
- (1) The Teacher Retirement System of Texas;
 - (2) The Optional Retirement Program;
 - (3) The Employees Retirement System of Texas; or
 - (4) Any other federal or state statutory retirement program to which the university has made employer contributions.
- d. Temporary Employee – Generally, temporary positions are less than full time, created for less than 60 days, have a specific end date, and have a funding source that is non-recurring.

3. Employment of Temporary Employees

- a. It is the responsibility of the employing department to recruit qualified applicants to fill the temporary staff positions listed below:
- (1) Temporary Worker – Positions created for less than 60 days relative to the needs of the institution.
 - (2) Game Worker – Temporary Positions created for seasonal support or on an intermittent basis to support athletic events and/or entertainment venues.
 - (3) Outside Sales – Positions created to specifically focus on increasing sales in printed media.
- b. Individuals employed as temporary workers are subject to the following:
- (1) Exemption Status – Temporary workers are non-exempt and will be required to report hours worked and are subject to overtime payments should they work more than 40 hours in a week. Temporary workers are not eligible to receive compensatory time.
 - (2) Appointment Duration – An individual classified as a temporary employee may not be employed in that position for more than 60 days. Appointments that exceed this limit should be considered for part-time positions.
 - (3) Reclassifications: Promotions, Demotions, Lateral Job Change – Individuals employed as temporary employees may not be promoted or reclassified into other staff positions. Temporary employees desiring employment in staff positions must apply for open

positions through the normal process, which includes submitting an online employment application through the university's employment website.

4. Appointment of New Employees

- a. Appointment Authority – Approval of appointments made in accordance with Texas Tech University policies and procedures is delegated to the Associate Vice President for Human Resources, based upon recommendations submitted by the appropriate administrator on an *electronic Personnel Action Form* (ePAF).

Hiring administrators seeking exceptions to this policy should route their written justification to the appropriate senior vice president/vice president, Provost and Senior Vice President, or vice chancellor and Human Resources for review, consideration, and approval. If approved, the written justification must be attached to the initial ePAF appointment.

- b. Appointment of Relatives – All appointments must comply with [OP 70.08, Nepotism](#).

- c. Appointment after Retirement

- (1) Individuals receiving a retirement annuity from the Teacher Retirement System (TRS) or Optional Retirement Program (ORP) may be employed without affecting their retirement annuity under the following conditions:

- (a) There must be at least one full calendar month break in service between retirement and returning to employment.
- (b) Individuals who retired before January 1, 2021, may return to work without restriction or reduction in benefits.
- (c) Individuals who retired after January 1, 2021, are subject to the following conditions:
 - Half-time or less employment, no more than 92 hours in a month;
 - Substitute service defined as a person who serves on a temporary basis in the place of a current employee—a retiree cannot be considered as a substitute when serving in a vacant position; and
 - Full-time employment after a break in service from all TRS-covered employers for 12 consecutive months after retirement.
 - If a TRS retiree is employed by a third-party entity and the retiree performs services for or on behalf of a TRS-covered employer, the retiree will be considered employed in Texas public education. Therefore, the retiree's work will be subject to hours restrictions.

- (2) Retired employees appointed to otherwise regular positions would be entitled to the employee benefits normally available to regular active employees, except retirement program participation.

- (3) Retired employees should be appointed for less than 50 percent time in accordance with the provisions of [OP 70.02, Retirement](#).

- (4) Retired employees should be appointed into part-time, non-exempt staff positions upon their return to the workforce.

Departments hiring TRS retirees at 100 percent FTE will be required to pay a surcharge to TRS. The surcharge amount will be the combined percentage of the salary the employer and employee would have typically contributed to a retirement account. If the individual retired from an Independent School District in Texas, they will not be eligible to participate in any benefit plan offered by the university.

- (5) All RTW retirees should use direct appointment process through the ePAF system.

d. Minimum Appointment Age

- (1) A minor below 14 years of age cannot be employed.
- (2) A 14- or 15-year-old minor may be employed in any occupation except those declared hazardous by the Secretary of Labor and may not be employed:

During school hours

Between 7:00 p.m. and 7:00 a.m.

More than 3 hours a day on school days

More than 18 hours a week in school weeks

More than 8 hours a day on non-school days

More than 40 hours a week in non-school weeks

The employment of a 14- or 15-year-old minor requires the prior approval of the Associate Vice President for Human Resources.

- (3) A 16- or 17-year-old minor may be employed during school hours for any number of hours and during any period of time except in occupations that have been declared hazardous by the Secretary of Labor. Contact Human Resources for information concerning these occupations.

- e. Assignment of Home Departments – Employees are assigned to a “home department.” The home department is the department first submitting an ePAF appointing the individual. The home department is responsible for the coordination of that employee’s employment if the employee is employed by an additional department. The home department may be changed by submitting an ePAF through appropriate administrative channels to Human Resources.
- f. Effective Dates for Appointment – The effective date of an employee’s appointment will be the first day the employee reports to work for pay. The initial salary payment to be paid to a monthly salaried employee will be calculated on the basis of the number of workdays, including holidays, to be paid, as related to the total number of workdays, including holidays, in that month.
- g. For information on beginning salary rates for staff employees, refer to [OP 70.14, Compensation Policy](#).
- h. Pay Frequency – Employees who are subject to the overtime provisions of the Fair Labor Standards Act (FLSA) must be paid on an hourly basis on the semi-monthly payroll.

Employees who are exempt from the overtime provisions of the FLSA must be paid on the monthly payroll.

i. Appointment Procedures

After an offer of employment has been made and accepted by the prospective new employee and on or before the employee's first day of work for pay, the hiring manager should refer the new employee to the designated departmental contact for completion of the *New Employee Packet* and the *Onboarding – Step-by-Step Guide for New Employees at Texas Tech* located on the Human Resources website.

- (1) The ePAF originator must prepare the ePAF.

Copies of the following documents must accompany the ePAF:

- New Hire packet paperwork if not completed through the online onboarding system
- Form I-9 and E-Verify
- College/University Transcript (if applicable)
- Professional Certifications/Affiliations (if applicable)

- (2) After the ePAF has been processed, the designated departmental contact should assist the employee in signing up for the next available Benefits Orientation and New Employee Orientation, which includes required trainings such as equal employment opportunity (EEO), Title IX, Americans with Disabilities Act (ADAAA), and workplace violence.

NOTE: All new benefits eligible employees are required to attend New Employee Orientation and Benefits Orientation conducted by Human Resources. Insurance eligible graduate students may contact Human Resources to attend the next available Benefits Orientation if desired.

5. Reclassifications: Promotion, Demotion, Lateral

a. Definitions

- (1) Promotion – The permanent movement of an employee from one position to another position in a higher pay grade as determined by work complexities, minimum job requirements, and pay scale.
- (2) Demotion – The permanent movement of an employee from one position to another position in a lower pay grade as determined by work complexities, minimum job requirements, and pay scale.
- (3) Lateral Job Change – The permanent movement of an employee from one position to another position, both of which are assigned to the same pay range and/or have equivalent work complexities and minimum job requirements.

b. Procedures

- (1) Employees may apply and be considered for a new position if they meet the following requirements:
 - Meet the minimum qualifications for the job;
 - Have been employed in their current position for a minimum period of six consecutive months (employees may apply for a promotion, demotion, or lateral job change prior to completing six months of employment in their current position, provided they have the approval of their administrator); and
 - Have a satisfactory record of performance.
- (2) Employees who would like to be considered for a new position must submit an application through the university's online applicant tracking system.
- (3) Employees who express interest in different positions may do so without jeopardizing their current position or future opportunities.
- (4) Employees who meet the requirements outlined in section 5.b.(1) are not required to notify their present supervisor when applying for promotions or transfers. It is the employee's responsibility to schedule appointments at a time when they will cause the least disruption of work, and they may be limited by the supervisor to a reasonable number. Supervisors may not limit the number of interviews scheduled outside the regular work schedule. Supervisors have the option to permit employees to take time off to interview during regular work hours without charging leave accruals.
- (5) The effective date of a job change should be determined jointly by the two departments, using a courtesy two-week notice as a guideline.

6. Multiple and Other Employment

Refer to [OP 70.15, Multiple and Other Employment](#)

7. Authoritative References

[Fair Labor Standards Act](#)
[Teachers Retirement System of Texas \(TRS\)](#)

8. Policy Information

The information in this OP is intended to provide a general explanation of employment provisions. This document is not meant to include the complete details of all available options. Every effort has been made to ensure the information is accurate; however, if there is ever a conflict between this document and the governing authority, the governing authority rules will prevail.

9. Right to Change Policy

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.

All related forms are available on the Human Resources website:

<https://www.depts.ttu.edu/hr/forms.php>

[New Employee Packet](#)