

# **HR PROCESS GUIDE**

## **for Officer/Exempt Professionals**



Department of Human Resources  
Employment Services

# OEP HR Process Guide

University of Colorado at Boulder – Human Resources, Employment Services

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## I) Introduction:

This process guide has been developed to assist employees, department liaisons, supervisors and hiring authorities at the University of Colorado at Boulder (UCB) in carrying out human resources (HR) processes for officer/exempt professional (OEP) positions.

HR processes for OEP positions are governed by Regent Laws and Policies, University Administrative Policy Statements (APS), UCB Campus Policies, Federal and State Laws and Regulations, and industry best practices.

### Note:

**Within Academic Affairs, all department or unit actions must be routed for approval through the dean's office by the dean's liaison.**

**All actions for the department of Intercollegiate Athletics must be routed for approval through the Office of the Senior Vice Chancellor/Chief Financial Officer.**

For specific questions about the processes covered in this document, please contact the Office of Employment Services (ES) [OEP Services](#) unit.

## II) Definitions:

### Authority:

- **Appointing Authority (Chancellor):** The “appointing authority” is defined in [Regent Policy 3-G](#) as the Board of Regents or the Board’s delegate as authorized by [Regent Policy 2-K](#). Appointing authority for officer/exempt professionals on the Boulder campus resides solely with the campus chancellor, as delegated in the Administrative Policy Statement, [Delegation of Personnel Authority for Employees Exempt from the State Personnel System](#). The chancellor’s appointing authority includes authority for personnel matters including appointments, terminations, title changes, and salaries, including administrative stipends. The chancellor exercises this authority by reviewing and signing a monthly delegation report of hires and appointment changes. Although appointing authority may be further delegated by the chancellor (in writing) for classified positions, appointing authority for the personnel matters described above may not be further delegated for officer/exempt professional positions.
- **Hiring Authority:** The hiring authority for officer/exempt professional positions is typically a department director or academic department chair/associate dean. The hiring authority is accountable for the budget and personnel actions occurring within a department, college, school, unit or institute per written delegation of authority from the campus chancellor through the respective division officer and dean.
- **Hiring Authority’s Supervisor (Dean for academic units):** The hiring authority’s supervisor is the individual or body to whom the hiring authority directly reports. Since the hiring authority for academic units is typically the department chair/associate dean, the hiring authority’s supervisor for academic units is the dean. For non-academic units, the hiring authority’s supervisor is typically a higher level director, an assistant/associate vice chancellor, a vice chancellor, or the chancellor.
- **Supervisor:** The individual or body to whom the employee or position directly reports. In some cases, a position or employee’s supervisor and hiring authority may be the same person.

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**Campus Division:** An organizational subset of the campus led by a vice chancellor, senior vice chancellor, executive vice chancellor, provost or chancellor. Current campus divisions on the Boulder campus include Academic Affairs; Administration; Office of the Chancellor; Office of Diversity, Equity and Community Engagement (ODECE); Office of the Vice Chancellor for Research and Dean of the Graduate School (VCR/DGS); Office of the Senior Vice Chancellor/Chief Financial Officer (SVC/CFO); and Student Affairs.

**Classified:** As set forth in the state of Colorado Constitution, a position that is governed by the rules and regulations of the state of Colorado personnel system.

**Employee-at-will:** Per [Regent Policy 3-G](#) and in accordance with C.R.S. 24-19-104, officers and exempt professionals shall be employees-at-will in their officer/exempt professional positions unless expressly provided an employment contract authorized by C.R.S. 24-19-104(1.5). An employee-at-will shall be appointed for an indefinite period of time. The appointment is terminable by either the employee or the appointing authority at any time. The terms and conditions of an appointment shall be set forth in a letter of offer in compliance with state law and university policy.

**Exempt Professional:** Personnel who hold positions that have been exempted from the state personnel system pursuant to state law and are not officers or faculty members, as defined in [Regent Law, Article 3.A.3](#) and [Regent Policy 11-F](#). Exempt professionals provide leadership, management, program development and implementation, and support services for the University's administrators, faculty, staff, students, and visitors. Under state law exempt professionals are "at-will" employees unless an exempt professional has been awarded a term contract as permitted by state law and authorized by the Board of Regents. Exempt professionals are also referred to as professional exempt or unclassified.

### Liaison:

- **Department Liaison:** An employee within a campus department or unit who has completed required training to enter and update information in PeopleSoft HRMS and/or Jobs at CU on behalf of the supervisor and/or hiring authority. The department liaison plays a key role in communicating information between the campus department or unit and the dean's liaison, division liaison, and Human Resources. Department Liaisons are also referred to as Department Recruiting Liaisons (DRL) or Personnel/Payroll Liaisons (PPL).
- **Dean's Liaison:** An employee within a college or school dean's office who has been delegated authority to function as a liaison between the dean, the academic units within that college or school, the division liaison, and Human Resources.
- **Division Liaison:** An employee within the chancellor, provost, senior vice chancellor, or vice chancellor office who has been delegated authority to function as a liaison between the division officer and departments or units within that division.

**Officers:** Includes both *Officers of the University* and *Officers of the Administration*. See specific definitions below.

- **Officers of the Administration:** Officers of the Administration, as defined in [Regent Policy 3-J](#), are those individuals who hold the title or interim/acting title of vice president, chancellor, associate vice president, assistant vice president, vice chancellor,

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associate vice chancellor, associate university counsel, and deans of the schools, colleges, and libraries. Furthermore, on written request the President may designate other officers of the administration, which will be recorded in the letter of offer and the University's official personnel roster.

- **Officers of the University:** Includes the president, secretary, treasurer, and university counsel and secretary, as defined in [Regent Law 3.A.1](#).

### III) Position Exemption Review and Approval Process:

Exempt professional positions must meet Colorado statutory guidelines for exemption from the state personnel system. The UCB [Procedures for Exemption of Positions from the State of Colorado Personnel System](#) has further information on position exemption criteria. Exempt professional job titles are created and approved at a CU system-wide level and begin with job code 21xx. A current list of approved job codes/titles for exempt professional positions is available from the [Job Code Table](#) on the PBS website.

To create or update an OEP position:

- 1) The hiring authority or college/school dean's office discusses the proposed position exemption or change with the appropriate campus officer ensuring that sufficient funding is available.
- 2) Department or dean's office has preliminary discussions with ES OEP Services regarding proposed options for type of position, potential job title, appropriate salary range, and search process considerations.
- 3) New Position: Department or dean's liaison obtains a new position number from PeopleSoft HRMS and enters funding information for budget approval.  
Existing Position: Department or dean's liaison ensures funding is up to date.
- 4) Department or dean's office drafts or updates the [Position Description](#) using the [Position Description Instructions](#) as a guide.
- 5) The draft Position Description is sent to ES OEP Services for informal feedback, if needed.
- 6) Based on feedback received, the position description is finalized and signed by the hiring authority and the dean/hiring authority's supervisor to certify that the information is accurate and that budget/funding approval has been received.
- 7) If an OEP position will replace an existing classified position, a signed [Employee Agreement Form](#) must also be completed along with a [Search Waiver Request Form](#) and updated resume.
- 8) The fully signed position description, updated organizational chart, and any additional documentation is submitted to ES OEP Services (through the dean's liaison for units within Academic Affairs.)
- 9) Grant funded positions require an additional funding approval signature from OCG (Office of Contracts and Grants). The Office of the Vice Chancellor for Research / Dean of the Graduate School will initiate this signature process.
- 10) ES OEP Services reviews the position description and either advises the requestor of other options or issues a decision notice to document the approved statutory exemption criteria, position title, market salary analysis and approved salary range, background check requirements, and overtime eligibility status.
- 11) ES OEP Services e-mails the approved exemption decision notice to the department or dean's liaison.

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- 12) ES OEP Services approves the position exemption or change in PeopleSoft HRMS (if funding has been entered/approved).
- 13) Official records of the approved position description and decision notice are maintained by ES OEP Services.

### IV) Recruitment:

The hiring department must have an approved, funded position that is, or soon will be, vacant in order to start the search process. The department must ensure that the position description is up to date, that a salary review has been conducted within 12 months, and that all required approvals have been received before recruiting by following the process outlined in [Section III](#).

To recruit and fill an OEP position:

- 1) Department or dean's liaison enters a new row of data in PeopleSoft HRMS Manage Positions using recruit (REC) as the action reason.
- 2) The REC row is approved by ES OEP Services. Approval of the REC row in HRMS allows for position data to automatically feed overnight to Jobs at CU. This process is necessary to fill all OEP searches in order to effectively track and report on required demographic data.
- 3) Hiring department reviews the [Search Committee Guidelines](#) and [Search Checklist](#) and contacts ES OEP Services to discuss recruitment plans, options and next steps.
- 4) Hiring department establishes a search committee and chairperson and creates a [search plan](#) and draft [job posting](#).
- 5) Hiring department submits draft search plan and job posting to ES OEP Services for review and approval prior to advertising the position.
- 6) Department liaison enters job posting information in Jobs at CU and saves for ES OEP Services approval.
- 7) Search committee consults with ES OEP Services throughout the search process to review applications, interview candidates, ensure equal employment and affirmative action guidelines are followed, and recommend finalists to hiring/supervising authority. Refer to the [Search Committee Guidelines](#) for specific search steps.
- 8) Department finalizes [Search Summary Report](#) and submits to ES OEP Services to document recruitment process.

### V) Search Waivers:

Before requesting a search waiver, review the list of waiver reasons on the [Search Waiver Request Form](#). Ensure that the candidate involved understands that a search waiver request is not a guarantee of employment. Although the candidate is being invited to submit a resume for consideration to an open position, as with other search processes, there should not be an expectation of employment until receipt of a signed offer letter.

To start the search waiver request process:

- 1) The hiring department or dean's liaison discusses the proposed search waiver request with ES OEP Services for preliminary feedback, if needed.
- 2) Department or dean's liaison enters a new row of data in PeopleSoft HRMS Manage Positions using recruit (REC) as the action reason.
- 3) The REC row is approved by ES OEP Services. Approval of the REC row in HRMS allows for position data to automatically feed overnight to Jobs at CU. This process is

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- necessary to fill all OEP searches in order to effectively track and report on required demographic data.
- 4) Department liaison enters basic job information in Jobs at CU, noting “internal posting” and “to be filled by waiver”, and saves for ES OEP Services approval.
  - 5) ES OEP Services approves the job posting in Jobs at CU using the status of “waiver” and forwards the job posting quick link to the department liaison.
  - 6) Department liaison forwards the posting quick link to the candidate who completes the faculty/exempt professional application in Jobs at CU and attaches an updated resume.
  - 7) Hiring department completes [Search Waiver Request Form](#), noting the Jobs at CU posting number, and submits signed form to the Director of Employment Services (through the dean’s liaison for academic departments) for review and approval.
  - 8) Employment Services will contact the hiring department or dean’s office to discuss any issues or concerns with the requested search waiver. The final search waiver decision will be documented on the search waiver request form and faxed by ES OEP Services back to the department or dean’s liaison..
  - 9) If the search waiver is approved, the hiring department proceeds to [Section VI](#) for hiring and appointment process steps. If the search waiver is denied the hiring department may request additional information from the Director of Employment Services or may appeal to the appropriate campus officer whose decision is final.
  - 10) If the search waiver is denied, ES OEP Services will change the Jobs at CU posting status to “cancelled.” The hiring department then proceeds to [Section IV](#) to start an open recruitment process.
  - 11) ES OEP Services maintains official records of search waiver request forms and approvals.

### **VI) Hiring and Appointment Process:**

To hire an employee after a search or waiver process has been completed:

- 1) Hiring department or dean’s office makes a hiring decision.
- 2) Hiring department prepares the letter of offer using the [UCB OEP Offer Letter Template](#). The starting salary must be within the range approved at the start of the search. Any exceptions must be approved by the appropriate campus division officer.
- 3) Hiring department/dean’s liaison sends draft offer letter by e-mail to [HR-OFFER@colorado.edu](mailto:HR-OFFER@colorado.edu) for ES OEP Services review to ensure information is accurate and complete and to ensure legal and policy compliance.
- 4) ES OEP Services returns draft offer letter by e-mail to hiring department/dean’s liaison with preliminary approval or recommended changes.
- 5) Department liaison changes the finalist’s status in Jobs at CU to “recommend for hire” to initiate the background check process, if applicable.
- 6) Department hiring authority and dean/hiring authority’s supervisor sign finalized offer letter. Signed offer letter is forwarded to finalist for review and signature.
- 7) Finalist returns signed offer letter to hiring department. Offer letter is forwarded to dean’s liaison for departments in Academic Affairs.
- 8) Completed signed offer letter is sent to ES OEP Services for inclusion on the monthly delegation report to the chancellor.
- 9) Signed offer letter is forwarded by ES OEP Services to the employee’s personnel file in HR Records. Copies are forwarded to division budget offices as requested for inclusion on each merit roster.

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- 10) Department liaison enters appointment information in PeopleSoft HRMS Job Data and saves for ES OEP Services review and approval. The offer letter and background check must be completed before any appointment information in HRMS will be approved.
- 11) Once the offer letter has been signed and the background check has been completed, ES OEP Services changes the candidate's status in Jobs at CU to "hired" and the posting status to "filled."
- 12) In the event that an appointment is rejected by the chancellor as part of the monthly delegation report review, the appointment will be terminated with payment made for any work already completed.

### **VII) Offer Letters and Effective Dates:**

All offer letters for officer/exempt professional appointments must indicate that employment is conditional upon approval of the chancellor. To ensure legal compliance, hiring departments must use the [UCB OEP Offer Letter Template](#).

The offer letter must be signed by the appointee, hiring authority, and the dean (for Academic Affairs departments) prior to the appointment effective date. All officer/exempt professional offer letters are routed through ES OEP Services for inclusion on the chancellor's monthly delegation report. Once the delegation report has been signed by the chancellor, the final approval information will be forwarded by ES OEP Services to the division budget officers for inclusion on their respective merit rosters and to the Office of Faculty Affairs for officer appointments.

The appointment effective date on the offer letter can be any date during the month of the chancellor's delegation report (i.e., for the report signed by the chancellor on December 1, hires with a start date of November 1 or later are acceptable) provided that the fully signed offer letter is received by ES OEP Services on or before the 21<sup>st</sup> of that month for inclusion on the delegation report. Appointments starting earlier than the month of the Delegation Report require additional written justification routed directly from the dean or vice chancellor to the Chancellor's Office for approval. In the rare event that an appointment begins prior to the Chancellor's approval and then is rejected by the chancellor, the appointment will be terminated with payment made for work already completed. Appointments at the start of each regular semester will be timely if included on the reports with effective dates of October 1 and March 1.

### **VIII) Moving/Relocation Expenses:**

In some instances, with advanced budget approval and authorization from the appropriate campus officer, certain moving and/or relocation expenses may be reimbursed by UCB to an eligible employee. The details of the reimbursement, including specific expenses allowable, must be agreed to in writing as part of a signed offer letter or addendum.

Review the guidelines on the [Procurement Service Center](#) (PSC) website for how to buy moving services. Only the authorized vendors listed through the PSC can be contracted to provide a move, and all moves must be prearranged according to these guidelines. Payments are made directly to the moving service vendors by the PSC, and the amounts paid are not reported on the employee's W-2. Also review sections 1.1.6, 1.1.7, and 1.3.6 of the [PBS Procedures Guide](#) for additional process information.

Steps to follow for inclusion of moving expenses:

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- 1) Hiring department or dean's office consults with appropriate campus officer to determine employee's eligibility for moving expenses and maximum allowable reimbursement. A \$10,000 maximum reimbursement is common, but the actual amount will vary depending on the type of position, specific recruiting needs, and available budget. Final approval on the amount of reimbursement resides with the appropriate campus officer.
- 2) Hiring department documents allowable moving and relocation allowance and procedural requirements in letter of offer. See sample text in [UCB OEP Offer Letter Template](#).
- 3) Employee submits MVN and MVT worksheets (available on the [PBS forms website](#)) to the hiring department within 60 days of the date the move occurred, along with original receipts to substantiate the moving expenses (credit card receipts are not acceptable). Employee should consult with a personal tax advisor for any specific personal tax questions.
- 4) Hiring department collects and reviews for accuracy the completed MVN and MVT worksheets and the employee's original receipts to provide substantiation of the expense reimbursements.
- 5) Hiring department determines appropriate amounts to be reimbursed to the employee and processes these amounts through HRMS Time Collection using the MVN or MVT earnings codes.

### **IX) Appointment Changes and Addenda:**

When an employee begins a new exempt professional appointment, an offer letter is required. When a change is made to an employee's existing exempt professional appointment, an addendum to the original offer letter is used instead to make corrections or add information to the original offer letter.

An addendum is not needed when making changes to an offer letter before it has been finalized and fully signed. Corrections can be made on the letter itself and initialed.

An addendum should be used when a correction is needed to a finalized, already accepted offer letter (such as a change in start date) or when there is a change in an offer that does not redefine the position (such as a permanent change in percent of time.)

When an addendum is used, it should clearly state who the addendum is for; it should also indicate what changes are being made with a clear indication of what the old offer letter said and what the new state of affairs is for each area that is being altered and any subsequent change in salary. See [UCB OEP Addendum Template](#).

Addenda do not need to be used when someone is resigning a position. A resignation is an action taken by the individual, not the employer. The employee's letter of resignation will suffice for notification of the end of their appointment. Please note that involuntary terminations, such as reductions in force or terminations for cause, require chancellor approval.

Also, an addendum should not be used when a position is being significantly redesigned. In this case, a new offer letter should be drafted (such as for formal job title changes and promotions.) Note that all pay increases (merit increases) require budget authorization, supporting market documentation, internal equity justification and must be approved by the appropriate campus division officer.

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Similar to the offer letter process, all draft addenda must be submitted to [HR-OFFER@colorado.edu](mailto:HR-OFFER@colorado.edu) for ES OEP Services review to ensure information is accurate and complete and to ensure legal and policy compliance. All officer/exempt professional addenda are routed through ES OEP Services for inclusion on the chancellor's monthly delegation report. The same effective date and submission deadlines for offer letters apply to addenda. See [Section VII](#).

To make a change to an officer/exempt professional employee's existing appointment (such as an ongoing percent time change, pay rate change, temporary additional pay, interim/acting appointments, etc.):

- 1) Hiring department or dean's office discusses the proposed appointment change with appropriate campus officer ensuring that sufficient funding is available.
- 2) Hiring department or dean's liaison contacts ES OEP Services to discuss the proposed change and identify the appropriate documentation required, i.e., new offer letter, offer letter addendum, or other document.
- 3) Hiring department prepares the required documentation, typically an offer letter addendum for appointment changes, using the [UCB OEP Addendum Template](#).
- 4) Hiring department/dean's liaison sends draft addendum by e-mail to [HR-OFFER@colorado.edu](mailto:HR-OFFER@colorado.edu) for ES OEP Services review and approval to ensure information is accurate and complete and to ensure legal and policy compliance.
- 5) ES OEP Services returns draft addendum by e-mail to hiring department/dean's liaison with initial approval or recommended changes.
- 6) Once approval of the draft addendum has been received, department hiring authority and dean/hiring authority's supervisor sign finalized addendum. Signed addendum is forwarded to employee for review and signature.
- 7) Employee returns signed addendum to hiring department. Addendum is forwarded to dean's liaison for departments in Academic Affairs.
- 8) Completed signed addendum is sent to ES OEP Services for inclusion on the monthly delegation report to the chancellor. Copies are forwarded to division budget offices as requested for inclusion on each merit roster.
- 9) Signed addendum is forwarded by ES OEP Services to the employee's personnel file in HR Records.
- 10) Once the addendum has been approved, the department liaison enters the appointment information in PeopleSoft HRMS Job Data and saves for ES OEP Services review and approval.

### **X) Salaries:**

Salary levels for officer/exempt professionals reflect the university's policy of providing base salaries comparable to those paid by institutions of similar enrollment, organization, and financial support to persons in positions of comparable responsibility, per [Regent Policy 11-F](#). Salary allocations also take into account difference in the scope of responsibilities of university personnel and typical positions of similar title in other institutions. Where relevant, comparisons are made with salaries in government and business.

#### Initial Salaries:

- 1) ES OEP Services establishes a market based pay range for each position prior to start of the search process.

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- 2) The hiring department or dean's office consults with ES OEP Services as needed when negotiating starting salary for a new employee or upon promotion or transfer of a current employee. Starting salary should be consistent with market conditions, education and experience of the individual, and of individuals in comparable positions.
- 3) A recommended starting salary outside of the approved market pay range given at the beginning of the search process requires advanced consultation with ES OEP Services and approval from the appropriate campus division officer before a formal offer is made to the candidate.

### Other Salary Changes:

Salary changes and increases for current officer/exempt professional employees are governed by [Regent Article 11-A](#) and [Regent Policy 11-F](#) including annual merit increases and other base and non-base salary changes. Most officer/exempt professional salary changes occur during the annual process for OEP merit increases which is managed by the respective campus division officers. Salary changes occurring outside of the annual merit process, such as non-base (temporary) salary changes or salary changes upon promotion/title change require either a new offer letter or an offer letter addendum for approval. For those actions, review the information in [Regent Policy 11-F](#) and then refer to [Section VIII](#) for process steps on appointment changes and addenda.

### **XI) Interim/Acting Appointments:**

Per [Regent Policy 11-F](#), initial salaries for employees serving in an interim capacity will be recommended by the hiring authority consistent with market conditions, education and experience, the person's salary history, and comparable positions. An increase or stipend for serving in an acting or interim role is not required. Upon completion of service in the acting or interim capacity, the employee's salary will return to the former standard appointment salary including any changes resulting from the annual compensation process.

For interim/acting appointment responsibilities, including those with no change in compensation, an addendum to the offer letter is used to document the specific details of the interim/acting appointment. See [Section VIII](#) on appointment changes and addenda, as well as sample language in the [UCB OEP Addendum Template](#).

### **XII) Overload Teaching Appointments:**

Requests for additional teaching appointments for exempt professional positions are handled through the [Office of Faculty Affairs](#). Exempt professional employees are limited to an overload of one course (3 credit hours) per semester, performed on a temporary basis. These temporary overload teaching appointments are paid at the honorarium rate (set by each college/school dean's office) based on the number of credit hours of the course.

### **XIII) Recognition/Incentive Awards:**

A recognition or incentive award may be granted to recognize extraordinary performance or exceptional work by exempt professional employees. Recognition/incentive awards are non-base building awards and allowed only with a previously approved and established award program. Departments must develop and communicate, **prior to use and on an ongoing basis**, a plan outlining their award program. Such plans should be developed with the input of employees and managers and must be approved by the appropriate campus division officer and Employment Services. Employment Services must review the department award program **prior**

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to campus division officer approval to ensure compliance with state personnel rules and [PSC Procedural Statement: Recognition & Training Activities](#).

Generally, recognition/incentive award programs include the following elements: duration of the program, the purpose or goal of the program, recognition categories, a description of who is eligible to receive recognition under the program, a description of the recognition award criteria (i.e., the criteria that employees will be measured by), a description of the selection method including how awards will be determined, and types of cash and/or non-cash awards available including award limits and/or ranges. Incorporating these elements into an award program provides for consistency in application which is critical to its success.

- 1) The hiring authority or college/school dean's office submits the recognition/incentive award program document to Employment Services for review to ensure compliance with applicable personnel laws/policies and the [PSC Procedural Statement: Recognition and Training Activities](#).
- 2) Employment Services will notify the requesting department and division liaison once the review is completed. At that point, the requesting department submits the award program to the appropriate campus division officer for approval. For units within Academic Affairs, see the "[Recognition Awards Policy for Exempt Professional Employees in Academic Affairs units and Faculty](#)." Recognition/incentive award programs for grant-funded positions must also be reviewed by the Vice Chancellor for Research / Dean of the Graduate School.
- 3) Once final approval has been received, the award program may be implemented and shared with employees.

Recognition/incentive awards are one-time, non-base building awards and are not intended to increase an employee's regular, base building salary. Cash incentive awards should be processed using the [Additional Pay Form](#) available from the PBS website. Use the Awards-Taxable (AWR) earnings code and enter payment in the HRMS Time Collection.

Non-cash awards are not paid through HRMS Time Collection but may be subject to tax and other reporting requirements. Please refer to the PBS Procedures Guide under [Awards \(for Special Recognition or Achievement\)](#) for additional information on tax reporting requirements. Also, additional information on University fiscal processes and requirements for employee awards and recognition gifts is available from the Procurement Service Center (PSC) website in the [PSC Procedural Statement: Recognition and Training Activities](#).

### **XIV) Overtime:**

The federal Fair Labor Standards Act (FLSA) regulations set forth the criteria and requirements for determining if a position, based on its specific job duties and level of responsibility, qualifies for exemption from overtime and/or minimum wage requirements. This designation under the FLSA is different from the determination (based on Colorado law) of whether a position is governed by the Colorado state personnel system (classified) or exempt from the state personnel system (officer/exempt professional). These are two separate exemption designations based on two different sets of regulations.

For exempt professional positions, the overtime status of exempt or non-exempt is determined by ES OEP Services for each position at the time the position description is reviewed and approved

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for exemption from the state personnel system. Most exempt professional positions are exempt from overtime, however this determination is made on a position-by-position basis and depends upon the work assigned to the position, not the job title. The final overtime designation decision is documented on the official decision notice that is returned to the requesting department.

For positions which are designated as non-exempt, i.e. overtime eligible, the FLSA requires that these overtime eligible employees receive one and one-half times their regular hourly rate, in the form of pay or compensatory time, for all hours worked in excess of 40 in a work week. Eligible employees can not waive their rights to overtime under the FLSA, nor can they agree to volunteer to perform similar duties for which they are normally paid.

Positions designated as exempt under the FLSA are not eligible for overtime compensation. Employees exempt under the FLSA are paid for performing a job regardless of the number of hours worked; therefore, they do not receive additional compensation for working more than 40 hours in a work week.

### **XV) Leave Administration:**

Leave policies for officer/exempt professional positions are governed by [Regent Policy 11-H](#). In addition, specific campus policies and resource documents on OEP leave are available on the [HR website](#) or through the HR Office of [Labor Relations](#), including the “[UCB Guidelines for Managing OEP Leave](#)” and guidance on [Family Medical Leave](#) and [Leave Sharing](#).

### **XVI) Performance Management:**

Performance management is extremely important in managing a successful workforce, and an employee's performance evaluation and rating is the basis for merit-based salary increases. Merit-based salary increases are managed by each campus division officer. Officer/exempt professionals must be evaluated annually, per [Regent Policy 11-F](#). Contact the HR Office of [Labor Relations](#) for specific information on Boulder campus performance management processes and forms.