

*The college shall conform to all federal and state statute and regulation in the process of payment to employees of the college (ARS 15-1445).*

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Mohave Community College will:

1. Update the salary and pay schedules each year by reviewing the available and most recent local, regional, and national salary and pay studies for each employee classification.
2. Report the updated salary and pay schedules by employee classification for the next fiscal year to the Board.
3. Assure that new hires to be reported to the Board in the Human Resources Report for ratification by Board action are employed at the appropriate level and within the salary or hourly pay range provided in the salary and pay schedules.
4. Assure that the proposed budget for the next fiscal year includes salary or pay adjustments for all employees in conformance with the existing salary and pay schedules for the fiscal year since the Board's adoption of the budget also ratifies pay adjustments.

*Date of Adoption: Adoption of Manual*

*References: ARS 15-1445*

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During the initial hiring process, full-time faculty are placed on the salary scale according to their level of educational achievement and experience. Resident faculty who pursue advanced degrees may move up the salary scale upon achieving the requirements for the next pay grade by following the procedure outlined in this section.

Upon meeting the educational requirements for the next pay grade, the resident faculty member notifies human resources that they now qualify for salary advancement. Notification must be made by December 15 to receive advancement in January and by June 15 to receive advancement for August. Notification must be made in writing in the form of a letter or memo.

The faculty member must request official transcripts be sent to the Department of Human Resources documenting completion of the educational requirements. To be eligible for advancement in January, transcripts need to be received in human resources no later than January 15. To be eligible for advancement for August, transcripts must be received no later than July 15. It is the responsibility of the faculty member to ensure the necessary documentation is received in human resources in sufficient time to process the salary adjustment.

Human resources will review the transcripts and make a recommendation to the president regarding the faculty member's salary advancement to the next pay grade.

On approval of the salary advancement, salary adjustments will be made. In January, the adjustment will begin with the next available pay period. In July, the adjustment will begin upon the faculty member's return to work in August.

Requirements for each pay grade are indicated on the Faculty Salary Schedule which is available on the website or can be obtained from human resources.

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Upon transfer to a position classified at the same level, the employee's pay grade will not be changed. Upon transfer from a part-time position into a full-time position at the same level, the employee's pay grade will not be changed.

Upon transfer to a position classified at a higher level, the employee's pay rate will be the appropriate pay grade of the salary/pay schedule.

Upon transfer to a position classified at a lower level, the employee will be placed at the appropriate pay grade of the salary/pay scale. Any employee whose current rate of pay exceeds the maximum of the new salary/pay schedule will not receive a pay increase until such time as the salary/pay schedule is adjusted to exceed the current rate of pay..

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In accordance with the Fair Labor Standards Act regulations, exempt employees are those who qualify under the job duty and compensation requirements as defined for executive, administrative, professional or computer employees. Exempt employees are not eligible for overtime pay. Exempt employees may not have their pay reduced for:

- Variations in the quantity or quality of work performed
- Jury duty
- Attendance as a witness
- Temporary military leave
- Absences caused by the employer
- Absences caused by the operating requirements of the business

Under the principles of public accountability, exempt employees may have pay reduced or may be placed on unpaid leave for:

- Absences of full or part days for personal or health-related reasons:
  - Before the employee becomes eligible to participate in the employee leave plan (i.e., in the initial 90 days of employment)
  - When permission to use leave has not been sought or permission has been sought and denied
  - After the employee has exhausted the leave entitlement under the leave plan
  - When the employee receives compensation according to the employer's sick leave plan. (In this case, the employee would not see a reduction in pay but rather the employee's leave benefit would be reduced by the number of days absent for which compensation from the plan was received).
- Fees received by the employee for jury or witness duty or military leave. These fees may be applied to offset the pay otherwise due to the employee for the week.
- Unpaid disciplinary suspensions of one or more full days in accordance with the College's disciplinary policy
- Partial week employment during the first and last week of employment.

- Deductions for unpaid leave taken in accordance with a legitimate absence under the Family and Medical Leave Act.

Employees who believe their pay has been improperly reduced should contact the Payroll Department immediately to request an investigation. The employee will be asked to specify in writing, using the guidance above, the circumstances of the pay deduction and whether it has occurred on other occasions. Mohave Community College will review pay records and interview the supervisor or manager, as well as the payroll representatives handling the employee's pay, to determine if the allegation is correct. The resolution of the situation will be documented (including confirmation on the part of the employee that the situation has been resolved) and placed with the employee's pay records.

*Date of Adoption:*      *Adoption of Manual*

*References:*            *ARS 15-1445*  
                                 *ARS 23-352*  
                                 29 U.S.C. 213 et seq, The Fair Labor Standards Act  
                                 29 U.S.C. 2601, Family and Medical Leave

5.090-E

**EMPLOYEE COMPENSATION**  
**Overtime for Exempt Employees**

5.090-E

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Exempt employees do not track, earn or receive overtime compensation or comp time for extra hours worked. Exempt employees are expected to perform all duties assigned without regard to the number of hours on the job.

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*References: ARS 15-1445  
29 U.S.C. 213 et seq, Fair Labor Standards Act*

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In accordance with the Fair Labor Standards Act regulations, nonexempt employees are those who do not qualify for exempt status under the job duty and compensation requirements as defined for executive, administrative, professional or computer employees. Nonexempt employees are eligible for overtime pay and will be paid on an hourly basis. As such, accurately reporting time worked is the responsibility of every nonexempt employee and the employee's supervisor. Mohave Community College must keep an accurate record of time worked to calculate employee pay and benefits.

#### **Time Worked**

Time worked includes all time that an employee is required to be performing duties for the College. Time worked is used to determine regular and overtime pay required for nonexempt employees. The following provisions are included as time worked:

- ***Work away from premises or at home.*** If approved, work performed off the premises or job site or at home by a non-exempt employee will be counted as time worked. A nonexempt employee will not be permitted to perform work away from the premises, job site or at home unless approved in advance in writing by the department director.
- ***Break time.*** Rest periods of 15 minutes or less are counted as time worked.

#### **Time Not Worked**

Per the Fair Labor Standards Act (FLSA), the College does not count the following provisions as time worked:

- ***Paid leave.*** Approved paid absences, including sick leave, vacation leave, holiday leave, Family and Medical Leave Act (FMLA) leave, military leave, jury and witness duty, funeral/bereavement leave, and voting time off are not counted as time worked.
- ***Lunch or dinner periods.*** Uninterrupted time off for lunch or dinner is not counted as time worked.

#### **Timekeeping – Employee Responsibilities**

Nonexempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They must also record the beginning and ending time of any split shift or departure from work for personal reasons.

It is the employee's responsibility to review the time card to certify the accuracy of all time recorded. Altering, falsifying, tampering with time records or recording time on another employee's time card may result in disciplinary action, up to and including termination of employment.

**Timekeeping – Supervisor Responsibilities**

Time cards will be submitted electronically by supervisors responsible for payroll timekeeping for approval. Responsible supervisors must view, ensure that mandatory fields are filled in correctly to reflect accurate reporting of time categories, and approve each time card. Accurate reporting includes, but is not limited to:

1. Mandatory fields are filled in correctly
2. Hours are rounded to the nearest quarter hour
3. Pay period is correct
4. Dates of pay are correct
5. Date of supervisor signature corresponds to the due date of the timecard/time sheet
6. Date of employee signature must correspond to their last day worked within the pay period for time card

Any corrections after submission must be made by contacting the payroll office

Supervisors must be aware of timelines and deadlines for submission of payroll files including periods of time in which the college is closed and must anticipate for meetings, vacations or any absences that can occur causing to miss submission of payroll file. Supervisor signatures predated to allow for absences are not acceptable to auditors. Supervisors must have a designated substitute to fill in for any absences (same level of authority or higher) and payroll shall have on file a list of approved substitutes; however, the ultimate responsibility for payroll submission will be that of the supervisor.

Supervisors missing payroll dates will be subject to discipline.

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*References: ARS 15-1445  
29 U.S.C. 213, The Fair Labor Standards Act*



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More hours worked does not equal greater productivity. Quality and productivity suffer when employees work unreasonable hours. Supervisors should reserve the use of overtime for genuine scheduling emergencies. Departments that regularly incur overtime must re-evaluate their time management and project scheduling practices

#### **Definitions**

- FLSA– Fair Labor Standard Act, the federal law which governs minimum wage and overtime compensation.
- Exempt – employees are paid an agreed amount for performance of all duties assigned, regardless of the amount of time or effort required to complete the work, and do not record hours of work on a time record/sheet.
- Nonexempt – employees are paid for each hour worked and record each hour worked on the time record/sheet.
- Overtime – Any amount of time worked that increases the total compensable hours during the workweek above the weekly hours assigned in the term appointment.
- Workweek – For purposes of determining eligibility for overtime pay as mandated by applicable state and federal laws, the work week shall be deemed to commence at 12:01 a.m. on Sunday and end seven days later on Saturday at midnight. The full-time workday for employees is eight hours per day with a one-hour unpaid lunch period except for summer hours in which may vary based upon administrative directive.

#### **Approval of Overtime**

Overtime shall be used only after other alternatives have been exhausted, such as rescheduling priorities, reassigning work, re-balancing workloads, offsetting excess hours in one day with reduced hours in another day in the same workweek, and revising the work schedule so the work can be performed on the weekend as a regular part of the affected workweek.

Supervisors are responsible for obtaining authorization and scheduling overtime in advance; therefore, a nonexempt employee shall not work overtime unless the supervisor has secured authorization in advance. To obtain authorization, a supervisor must request approval of overtime from the chief Human Resources Officer using the appropriate form. The request must include the estimated number of hours of overtime

needed, the date range over which the overtime work will be performed and a rationale as to why the overtime is needed.

Employees are expected to work overtime when requested to do so.

### **Overtime Compensation**

Employees will be compensated at the regular rate of pay when the time actually worked during a workweek, including any overtime hours, is less than forty (40) hours.

Employees will be compensated at a rate of one and one-half times the employee's regular rate of pay for only those hours which an employee is required or is permitted to work in excess of forty (40) hours in a workweek. Personal time off, sick leave reserve, paid holidays and other absences, paid or otherwise, do not count toward the forty (40) hour workweek for determining the number of hours compensated at time and a half. An employee may not waive the right to compensation for overtime.

### **Unauthorized Overtime**

If an employee works overtime without supervisor's authorization, the college is responsible for compensating the employee. Employees who work unauthorized overtime and supervisors who assign unauthorized overtime may be subject to disciplinary action.

### **Compensatory Time Off in Lieu of Overtime Payment**

Supervisors may give compensatory time off (comp time) in lieu of overtime payment under the following circumstances:

- Cap at 80 hours, must be used within 13 pay periods (6 months) of earning.
- Any overtime over the 80 hours of comp time must be compensated with pay.
- Any compensatory time on the books at the time of separation from employment must be compensated with pay as per FLSA requirements.
- Both employee and supervisor must agree to compensatory time.
- Supervisors are expected to plan for and manage employee compensatory time.

For purposes of this—

- Compensatory time is applicable to non-exempt (hourly) employees only
- the term "overtime compensation" means the compensation required for hours worked physically worked in excess of 40 hours during a single work week

- the terms “compensatory time” and “compensatory time off” (comp time) mean hours during which an employee is not working, which are not counted as hours worked during the applicable workweek or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee’s regular rate.

**Funds for Overtime**

Supervisors will be responsible for insuring availability of overtime funds in their department budgets.

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*References: ARS 15-1445  
ARS 23-391  
29 U.S.C. 213, The Fair Labor Standards Act*

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### **Resident Faculty**

The instructional load for resident faculty in any given academic year (fall and spring semesters) is not less than 15 credit hours per semester, dependent upon teaching assignments. Normal load (30 credits for 9 month faculty, 36 credits for 12 month faculty) is established for each resident faculty member at the beginning of each academic year by the respective associate dean or program director. Normal load is annotated on the top half of MCC Form EDU 0003, in the Normal Load Information section, during the fall meeting with faculty. The associate dean of instruction or program director and the faculty member sign the form for the first time during this meeting to indicate the agreed upon normal load for the year.

An overload (up to 36 load hours per academic year) will be considered with approval from the Chief Academic Officer. Overloads above 36 load hours in an academic year will not be considered without significant rationale. If an overload condition exists, the associate dean of instruction or program director will complete the bottom half of MCC Form EDU 0003, Overload section, annotating only the overload course(s). This form will be signed by the associate dean of instruction or program director and each faculty member during their spring meeting. This form must be signed a second time by both parties regardless of load. Once signed, the form is to be routed for approval.

Overload payment is based on the associate faculty salary schedule and will be calculated once a year, in the spring, after load for the academic year has been established. Upon approval by the Chief Academic Officer, the overload calculations will be transmitted to the payroll office for processing. A separate payroll will be processed for overloads and will be paid out two weeks after the final resident faculty pay of the academic year.

Overload courses will only be assigned to faculty who demonstrate successful teaching strategies, with an average course success rate from the previous semester equal to or above one standard deviation below the average college-wide success rate. Faculty members whose average success rate is below one standard deviation below the average college-wide success rate are ineligible for course overload assignments, until their success rate improves.

**5.090-H**

**EMPLOYEE COMPENSATION  
Faculty Overload**

**5.090-H**

**Associate Faculty Load**

The teaching load for associate faculty shall not exceed 9 hours per term of appointment. Associate faculty may not under any circumstances teach more than 18 hours in any academic year (fall, spring and summer semesters).

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The college shall adhere to state and federal statutes relative to the requirements for deductions to be made from any employee's paycheck.

#### **Mandatory Deductions**

The College is required by law to make certain deductions from employee's gross earnings, including income taxes and social security taxes. In addition, for certain benefit programs which require payments by participants, the College may specify payroll deduction as the only acceptable method of payment.

#### **Voluntary Deductions**

Clerical, administrative, and data processing expenses are associated with each payroll deduction made. In an effort to minimize such costs and assure optimal use of the College's data processing resources, voluntary payroll deductions will be made available to employees without charge only in circumstances which are regarded by the College as supportive of or beneficial to the College's goals and objectives, including fringe benefit programs for employees.

The college has authorized participation in tax-sheltered annuity programs for employees. An employee who has purchased a tax-sheltered plan with a legally-qualified insurance company may authorize the college to reduce his/her salary by an amount to be applied to the tax-sheltered annuity.

#### **External Payments to College Employees**

An employee may be granted leave to participate in a professional, patriotic, or civic duty without loss of salary. If, as in temporary military service or jury duty, compensation is received for these outside services which is less than that earned normally, the salary paid by the district will be the difference between the amount received and the regular salary, or the employee may turn over to the district remuneration received for the approved outside services.

#### **Stipend for College-Approved Activity**

When staff members are absent from the college to engage in a college-approved activity for which they receives a stipend, they will either remit the stipend to the district or a pay deduction will be made for the period of absence.

**Honorarium**

Whenever tasks are performed in accordance with the customary and usual responsibilities of the employee's job specifications, the employee is not permitted to accept an honorarium. College personnel are permitted to accept an honorarium for performance of specialized tasks for which they are uniquely qualified and which are performed during their personal time. Honoraria are not a condition of or an expectation of regular employment at Mohave Community College. Written approval from the vice President of instruction must be received by the employee before an honorarium may be accepted.

**Unapproved Absence of Employees**

Unapproved absence for personal reasons will result in loss of salary. Such absences include holidays other than those on the school calendar. Should employees be required involuntarily to appear in court and be reimbursed for such appearances, their pay for time missed will be the difference between their salaries and the compensation received.

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*References: ARS 15-1445  
ARS 23-352  
29 U.S.C. 213, The Fair Labor Standards Act*

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Mohave Community College provides pay through direct deposit and paper paychecks for all new and current full- and part-time faculty and staff and temporary employees. The college strongly encourages direct deposit of payroll payments for all employees due to increased security and efficiency.

#### **Paper Paychecks**

Paper paychecks will be mailed to the home address on file for the employee. It is the employee's responsibility to ensure the accuracy of the home address on file. In certain cases the final pay for a terminating employee will be provided by paper paycheck. Final paychecks will be sent to the home address on file via certified mail and will require a signature.

#### **Direct Deposit**

Under the direct deposit program, employee pay will be electronically deposited directly into one or more checking or savings accounts designated by each employee. Accounts must be established with banks or credit unions that support direct deposit and employees must provide required documentation of the account. An employee may set up multiple accounts at the same or different banking institutions for receipt of direct deposits.

*Date of Adoption: Adoption of Manual*

*References: ARS 15-1445  
ARS 23-351*