



OVERLOAD PAYMENTS, SUMMER SESSION/SERVICE PAYMENTS, AND TEMPORARY BASE ADJUSTMENTS, FOR FACULTY, ACADEMIC STAFF AND LIMITED APPOINTEES

AUTHORITY: [UW System Unclassified Personnel Guideline #4](#) (11/29/2004)
[UW System Academic Planning Statement-4](#) (2/1//2000)
[Wisconsin Statutes Section 16.417 \(2\) \(a\)](#)
[UW System Financial and Administrative Policy F18](#) (4/29/2003)
[UW System Financial and Administrative Policy F29](#) (12/1/2004)
[Office of Management and Budget, Circular A-21](#) (05/10/2004)

1. GENERAL POLICY

The salary received by unclassified employees (i.e., full-time faculty, academic staff and limited appointees) is considered to be full compensation for university activity during the period of appointment. Professionals with unclassified appointments (generally exempt from the provisions of the Fair Labor Standards Act (FLSA) are expected to expend the total effort necessary to complete their assignments without additional compensation. Thus, such employees may not receive compensation for an overload activity from any funds administered within the University System, regardless of source, except through procedures and within standards provided in this policy.

There are instances in which asking an employee to do more than his/her appointment requires is the only viable alternative and compensation is appropriate. There may also be other situations in which the individual is asked to assume, on a temporary basis, different duties and responsibilities within the full-time appointment period such that the base salary for performing those functions needs to be examined. The purpose of this policy is to define the circumstances in which such payments may be provided, and to describe the associated statutory limitations on such payments.

In general, options such as adjustments in the employee's other duties in order to release time to meet new responsibilities or a purchase-of-load arrangement in which funds are transferred into an employee's department or unit as a purchase of institutional time from the department or unit should be considered before overload or summer session/service payments are granted.

2. OVERLOAD PAYMENTS: GENERAL POLICY

Overload payments may be made where:

- a. With the consent of the employee, substantial additional work requirements are added to the duties of a full-time employee and the need for the performance of the additional work is unusual, short-term or nonrecurring in nature;¹ or
- b. A full-time employee of one UW System institution accepts an institution-approved part-time appointment to perform services at another UW System institution, in addition to his/her full-time position.²

¹ An example is a faculty member who teaches a course scheduled during the academic year that results in a teaching load that exceeds the institution's regular expected teaching load for the academic year.

² Examples include a full-time lecturer who accepts an appointment to teach a weekend course at another institution during the appointment period; or a staff member who continues to work full-time at his/her home institution while filling a position at another institution during recruitment.



3. OVERLOAD PAYMENTS: GENERAL PAYMENT LIMITATIONS

- a. Approvals for all overload payments must be obtained from chair/director, the Division Head and Area Leader (or designee) *prior* to the starting date of the overload service. Exceptions will be made only for the most extraordinary circumstances (such as sudden illness, death, or other circumstances that could not have been anticipated). The attached Request for Overload Payment form must be used whenever a request is made.
- b. Overload payments are subject to the limitation of [s. 16.417\(2\)\(a\), Wis. Stats.](#), which provides: “No individual other than an elective state official who is employed or retained in a full-time position or capacity with an agency or authority may hold any other position or be retained in any other capacity with an agency or authority from which the individual receives, directly or indirectly, more than \$12,000 from the agency or authority as compensation for the individual's services during the same year.”
- c. The statutory limit is calculated on a calendar year basis. In determining whether the \$12,000 limit has been met, the controlling factor is the period the wage is earned (i.e., when the work is performed) and not when the wage is paid.
- d. Amounts earned by an employee in excess of the limitation of [s. 16.417\(2\)\(a\), Wis. Stats.](#), are subject to forfeiture.
- e. Federal cost principles do not permit charging more than 100% of an individual's base salary to federal awards and/or nonfederal funds that are used as cost sharing on a federal award. Individuals on federal funding will not be eligible for overload payments no matter the source of additional funding. The only exception to this restriction is where the arrangement has been specifically provided for in the award or approved in writing by the sponsoring federal agency.
- f. Summer session/service payments for academic year employees for teaching, research and/or any other University service is not included in the \$12,000 annual cap. (See Section 8 of this policy.)
- g. Temporary base salary adjustments (See Section 9 of this policy.) are not considered overload payments.

4. OVERLOAD PAYMENTS: SPECIAL REQUIREMENTS AND LIMITATIONS IN SPECIFIC SITUATIONS

For additional information regarding topics in this section see [UW System Academic Planning Statement-4](#) “UW System Policy on Academic Year Definition and Assorted Derivatives”.

- a. *Courses taught during the academic year.* Employees may receive overload payments for teaching courses scheduled during the academic year when the addition of the course(s) results in a teaching load that exceeds the employee's contractual teaching load for the entire academic year.
- b. *Inter-institutional instructional consulting or technical service on an overload basis.* Sharing of expertise among various UW System units is considered part of what is expected of employees as part of their full-time employment. However, where the need for this inter-institutional service is in addition to a full-time appointment at the “home” institution and is short-term in nature, compensation on an overload basis may be appropriate.
- c. *Off-campus credit instruction.* When taught by full-time faculty members during their appointment period, off-campus courses generally should be considered part of an individual's full-time teaching load. In order to maintain flexibility in the use of instructional funds or to adapt off-campus offerings to rapidly changing needs, however, overload payments may be requested by Outreach and Adult Access, subject to the approval of the chair of the faculty member's budget unit, the appropriate Dean, and the Provost and Vice Chancellor for Academic Affairs (or designee).

An historic UW System standard that no more than one-third of the staffing of off-campus credit instruction should be provided through overload or ad hoc arrangements is no longer feasible or desirable. This policy exempts the Division of Outreach and Adult Access from that constraint. The use of overload payments and ad hoc arrangements for off-campus credit instruction shall be monitored by the



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Associate Provost for Outreach and Adult Degree Programs and reported to the Provost and Vice Chancellor for Academic Affairs by February 1 of each year for the previous calendar year.

- d. *Non-credit continuing education and public service programs.* The University of Wisconsin System commits itself to respond to the continuing education and public service needs of Wisconsin residents. To the extent that these needs can be anticipated for any regular budget period, budget arrangements should be developed to structure such assignments as part of the regular load of full-time faculty members. If these assignments have not been anticipated, or cannot be accommodated in the regular load, overload payments may be authorized according to the policy and limits established in accord with this policy document.

5. OVERLOAD PAYMENTS: SPECIAL CONSIDERATIONS FOR ACADEMIC STAFF

The rare instances and extraordinary circumstances under which an overload payment for an academic staff may be appropriate and approved can be recognized according to the following principles:

- a. The extra work is not due to a vacancy in the department.
- b. The supervisor, division head, and area leadership have explored options and concluded that this is an option of last resort.
- c. It is established that an employee cannot reasonably be expected to do the work in question during the normal work week.
- d. The task requires specialized expertise that is not otherwise available.
- e. The exigency is not part of a regular, predictable workload, but rather is unforeseen and extraordinary.
- f. The magnitude of the work cannot be accommodated by flexible work schedules.
- g. The overload is formally approved by signature of the Area Leader after consultation with the Institutional Officers and before the work for overload pay is undertaken.

6. OVERLOAD PAYMENTS: MONITORING

The Controller, in cooperation with the appropriate Area Leader (or designee) shall be responsible for monitoring overload payments and shall provide the UWS Office of Academic Affairs, upon request, a list of persons receiving overload payments.

7. OVERLOAD PAYMENTS: CALCULATION

Overload payments must be reasonable in terms of the original base salary and the time spent, effort involved, and level of skills required for the additional assignment. Calculation of overload payments shall be made pursuant to the methodology set forth in [Salary and Fringe Benefits Calculations for Unclassified Staff \(F29\)](#) and [Inter-Institutional Financial Transactions \(F18\)](#).

8. SUMMER SESSION/SERVICE PAYMENTS

[UW System policies](#) state that compensation received in the summer period may not, in aggregate, exceed 2/9ths of the academic year salary of the person appointed unless an explicit exception is granted by the Chancellor or designee, regardless of source of funds. At UWGB, this requires that any unclassified employee on an academic year appointment must obtain prior approval from the Division Head for payments, in aggregate, of 2/9ths or less during a given summer period and from the Area Leader (or designee) for summer payments, in aggregate, resulting in compensation in excess of 2/9ths of academic year salary. The following conditions apply for summer payments in excess of 2/9ths:

- a. Faculty and academic staff are eligible to receive a maximum of 3/9ths summer salary in any given summer.
- b. The combination of all summer session/service and overload payments in any one summer may not exceed 3/9ths of the employee's academic year salary.



- c. Unclassified employees receiving 3/9ths summer service payments commit 100% of their time during the entire three month period. This precludes the possibility of summer vacation time.
- d. Requests for summer session/service payments for work done during the academic year are not allowed.
- e. In determining whether a payment qualifies as a summer session/service payment, the controlling factor is the period the wage is earned (i.e., when the work is performed) and not when the wage is paid.

9. TEMPORARY BASE ADJUSTMENTS (TBA)

Temporary base salary adjustments should be utilized in cases where a full-time employee is appointed in an acting or interim capacity, or to assume temporary administrative responsibilities at a specified percentage of his/her full-time position with concomitant release from usual and customary responsibilities. Examples include appointing an assistant director to serve as an acting or interim director during the recruitment process, or a faculty member assuming a half-time temporary appointment as an associate vice chancellor.

These adjustments do not constitute overload payments. The level of the base salary adjustment appropriate for the new assignment is determined pursuant to [UWS UPG 4.04](#) (7). The basic distinction between cases justifying overloads and temporary base adjustments is that an overload applies in cases where the staff member continues with all of his/her existing duties in addition to the new responsibilities undertaken, whereas a temporary base adjustment is appropriate in cases where the new responsibilities taken on are offset by partial or full release of existing duties. Requests for approval of temporary base adjustments must be submitted by the Division Head to the Area Leader, with appropriate justification, prior to the start of the new assignment and preferably as part of the budget submission process.

These policies and procedures (and attached forms) are approved by the Chancellor:

[Approved via email March 24, 2011]

Thomas K. Harden, Chancellor

Date