

## NOTICE OF PROPOSED REGULATION AMENDMENT

Date: October 30, 2020

**REGULATION TITLE:**  
Compensation

**REGULATION NO.:**  
UCF-3.044

**SUMMARY OF REGULATION AMENDMENT:** This regulation is amended to add language to specify that compensation for the President and university administrators will conform to Board of Governors regulation 9.006. BOG Regulation 9.006 explains compensation restrictions from public funds for university presidents and university administrators.

**AUTHORITY:** BOG Regulation 1.001

**NAME OF PERSONS WHO INITIATED PROPOSED REGULATION AMENDMENT:**

Regulations Administrator

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** The comments must identify the regulation you are commenting on.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:**

Regulations Administrator  
4365 Andromeda Loop N.  
Millican Hall, Suite 360  
Orlando, FL 32816-0015  
Phone: (407) 823-2482  
e-mail: [regulations@ucf.edu](mailto:regulations@ucf.edu)

### **UCF 3.044 Compensation.**

- (1) Except as provided by any applicable collective bargaining agreement, pay actions shall be administered consistent with the following provisions.
- (2) The university may establish and maintain salary ranges for A&P and USPS classifications. Pay shall not exceed the maximum of the salary range without the approval of the chief human resources officer or designee.
- (3) Base rate of pay is the pay provided to a non-exempt employee exclusive of any additives as provided for in Section (6)(h), below, or any perquisites such as cell phone (or cell phone allowance). Regular rate of pay is a non-exempt employee's base rate of pay

plus any other payment which qualifies as income. Regular rate of pay must be used in the calculation of overtime, per the Fair Labor Standards Act (FLSA). For an employee paid on a salary basis, the University calculates an hourly rate of pay by dividing the annual rate of pay by 2088 work hours. A factor of 26.1 is used for annualizing biweekly pay.

- (a) An employee must be in active pay status to receive a pay increase of any kind.
  - (b) Employees paid from contracts, grants, sponsored research, auxiliaries, or local funds shall be eligible for pay increases provided such increases are permitted and funded by the funding entity. The university shall strive to have contracts, grants, sponsored research, auxiliaries, and local funds permit and fund such pay increases. It is the responsibility of the departmental or college administrator to notify Human Resources prior to implementation if approval and funding cannot be secured.
  - (c) Retroactive pay actions are not normally approved and require the approval of the chief human resources officer or designee for A&P and USPS, or the provost or designee for faculty. A retroactive effective date for a pay action shall normally be the lesser of twelve months or the date the completed documentation was submitted to Human Resources.
  - (d) A pay increase may be provided for a temporary change in assignment on an acting basis, or for additional duties assigned; upon return to original responsibilities, the pay may be adjusted.
  - (e) An employee returning from unpaid leave shall receive any increases in the salary range for the classification or across-the-board pay increases granted during the period of unpaid leave, unless salary increase instructions provide otherwise. An employee may also be considered for other pay increases while on unpaid leave, to be implemented upon his or her return.
  - (f) When a non-exempt employee is called back and reports to work beyond the employee's scheduled hours of work for that day, the employee shall be credited with the greater of the actual time worked, including time to and from the employee's home to the assigned work location, or two hours.
- (4) The salary or wage selected at the time of original appointment shall be at a rate

within the applicable salary range for the classification, except that a trainee appointment for non-exempt employees shall be in accordance with the approved individual training schedule and may be below the minimum salary of the classification. Compensation for the university President and university administrators shall be in accordance with the applicable regulatory authority of the Board of Governors.

(5) Salary increases shall be in accordance with any applicable legislative authority and guidelines authorized by the president or designee. Salary increase calculations shall include base salary and stipends and/or other prevailing temporary compensation, unless the salary increase was already included in the stipend or other temporary compensation. The calculated amount shall remain after the removal of the stipend and/or temporary compensation.

- (a) Stipends and/or other prevailing temporary compensation are defined as:
  - 1. For Faculty: Per the information in United Faculty of Florida's collective bargaining agreement, temporary compensation or temporary salary adjustments (stipend) for faculty can include:
    - a. UCF Trustee Chair Professorship
    - b. Administrative Salary Stipends (temporary salary increase which is provided to an employee as compensation for performing a specific, titled administrative function)
  - 2. For A&P and USPS: Per UCF Special Pay Increase Guidelines, temporary compensation is a special pay increase provided to an employee who temporarily assumes the full or partial duties of another position
- (b) Shift Differential, On Call Pay, Field Training Officer Activities, and other Pay Additives are not stipends and/or other prevailing temporary compensation. For further information, see (6)(h) below

(6) Salary adjustments and other wage payments may be provided under the following circumstances:

- (a) Increased responsibilities.
- (b) Market conditions including counter-offers and retention adjustments.
- (c) Salary inequity, compression or inversion.

- (d) Increases to resolve a pay disparity, considering education, experience, or duties and responsibilities of other employees.
  - (e) Lump sum payments to recognize the successful completion of a special project or assignment which is in addition to the employee's regularly assigned duties, or a documented significant increase in productivity or productivity goal achievement, including a group incentive program. Such payments for employees must be approved by the president or designee, or the UCF Board of Trustees.
  - (f) Increases to recognize sustained superior performance.
  - (g) Approved career development or apprenticeship programs.
  - (h) Pay additives for non-exempt employees including those for lead worker pay, shift differential, on call-pay, field training officer activities, and other approved activities.
- (7) Other pay adjustment conditions.
- (a) An employee who is demoted shall receive pay commensurate with the responsibilities assigned.
  - (b) The following do not constitute disciplinary action: the removal of pay additives, stipends, or perquisites; the correction of overpayments; or reduction to the maximum of a salary range.
- (8) Each department shall be responsible for arranging the work schedule to minimize overtime, and the university shall establish procedures for overtime pay consistent with the FLSA.
- (9) Exempt Employee Dual Compensation.
- (a) The primary purpose of Dual Compensation is to pay a full-time employee for services that are performed outside of their primary job and for a different department. Services that are performed above and beyond the employee's normal primary job functions within the same department cannot be paid as Dual Compensation. Exception: Faculty overload is governed by Academic Administration and University Regulation UCF-3.0032, Additional Compensation for UCF Employees.
  - (b) Additional services or duties performed by exempt personnel during special

events may not be compensated using Dual Compensation. Also refer to UCF Policy 3-112, entitled “Additions to Salary of Exempt Employees for Special Events.”

(10) Perquisites or Sale of Goods and Services. The president or appropriate vice president shall approve providing perquisites to employees, the sale of goods and services to employees, and the payment of moving expenses associated with a current or prospective employee. The provision of such items shall be position or classification related and documented to demonstrate that the approval is in the best interest of the university. Approval is not required when sales to employees are similar to that ordinarily sold to the public or the benefit is considered de minimis. If specified subsectors of the public are offered discounts, such as but not limited to alumni, employees may be offered the same or similar provisions, without approval.

*Authority: BOG Regulation 1.001. History-New 9-4-12. Amended 12-5-14, 12-19-16, \_\_\_\_\_-20.*