

Policy Number: 1220

Policy Name: Wage Employment

Responsibility for Maintenance: Director of Human Resources

Effective Date: July 1, 2018

Last Updated: August 15, 2023

I. Reason for Policy

Richard Bland College has a continuing need for temporary employees. Wage employment covers seasonal or temporarily excessive workloads, interim replacements, and short-term projects or jobs that do not require classified or faculty employees. This policy defines wage employment and outlines job conditions and hour restrictions for these employees.

II. Applicability of the Policy

Wage employees and anyone who hires wage employees are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

III. Definitions

- A. **Wage Employees:** Wage employees are employees who perform similar work as classified staff but are paid an hourly rate and paid only for actual hours worked (rather than a fixed semi-monthly salary), and who are considered temporary and “at will.” Their employment status is part-time and they are limited to working 29 hours or less per week on average or 1,500 hours over the Manpower Control Act (MCA) Standard Measurement Period (to ensure compliance with the “29-hour limit”).
- B. **Manpower Control Act (MCA) Standard Measurement Period:** The 12-month period of May 1 through April 30 of the following year during which certain non-benefited employees cannot work more than 29 hours per week on average or 1500 hours per measurement period (the “29-hour limit”).
- C. **Wage Employee:** This term refers to both hourly and student workers who are paid by the hour.

IV. Policy

A. Recruitment

- 1. Equal employment opportunity policies apply to wage employment. The extent of wage employment in a department will depend on funding availability and justification for establishing such a position(s).
- 2. Departments may make decentralized recruitment and hiring decisions regarding wage employees; however, the position must be advertised through the RBC recruitment management system.

B. Classification and Compensation

- 1. Wage employees are considered non-exempt under the federal Fair Labor Standards Act (FLSA), and they are paid for hours physically worked (both regular and approved overtime).

2. Wage employees are required to submit hours worked via Cardinal for approval by their supervisors by the deadlines set by the Office of Human Resources to ensure prompt payment.
3. Wage employees must obtain prior approval to work and be paid for overtime, if eligible, or to adjust work hours, as applicable, for FLSA compliance.
4. Generally, wage employees' classifications are within the Career Group Roles of the state's Classified Compensation System and are compensated similarly to classified staff performing comparable duties within applicable pay practices and considering applicable pay factors.
5. Wage employees must possess the same qualifications as those required for similar classified positions.
6. Regardless of funding source, total hours worked by wage employees at RBC are limited to 1500 hours or 29 hours or less per week, on average, over the Standard Measurement Period, including regular and overtime hours, and any other hours worked in an overload job.
7. If the workload permits, departments are encouraged to schedule wage employees at 29 hours per week or less to allow for continuous employment.
8. Supervisors are responsible for monitoring and ensuring compliance with the 29-hour rule.
9. If hours worked in a single week exceed 29, supervisors must ensure that hours worked in other weeks are limited so that work hours average 29 or less per week over the Standard Measurement Period.

C. Benefits

1. Wage employees may participate in the College's tax-deferred annuity and the state's deferred compensation programs and are covered under the Virginia Workers' Compensation Act. However, they are not eligible for participation in the state's health benefits program, life insurance, or employer-funded retirement or cash match programs.
2. Wage employees can apply for full-time positions, and they are eligible for College service awards. However, if hired into classified or faculty positions, wage service does not count toward any form of continuous state service for benefits or retirement purposes. If hired into a full-time position, they may purchase prior service credit, which can be credited to the Virginia Retirement System ("VRS") for retirement purposes only. The purchase of prior service credit counts toward the five years needed to become vested in VRS.
3. The provisions of the Virginia Personnel Act do not cover wage employees. Wage employees do not have access to the Employee Grievance Procedure because their employment is considered temporary and they serve at the will of

the College. Wage employees may file employment complaints with the RBC Office of Human Resources.

4. Wage employees may participate in the College's tuition waiver program. To become eligible, wage employees must have worked a minimum of 1,000 hours in the prior year.

D. New Employee Orientation

1. Wage employees will be scheduled for New Employee Orientation and are strongly encouraged to attend this orientation program.

E. Discipline and Separation

1. Voluntary Separation: Normally, wage employees are expected to provide at least two weeks' advance written notice to their supervisor when they intend to separate employment with RBC. If the employee is moving from one RBC department to another, a different notice period may be negotiated to continue services with minimal disruption.
2. Failure to give adequate notice may adversely affect eligibility for re-employment with the College.
3. Discipline and Involuntary Separation: Although wage employees are not covered by the Virginia Personnel Act, it is recommended though not required that they be given due process and progressive discipline to encourage satisfactory performance.
4. Counseling memorandums should be used in place of written notices to document performance issues. In the case of employment termination, a letter should be addressed to the employee listing the reason(s) for the action(s) and the effective date. The employee also may be given the option to resign.

V. Related Policy & Documents

- A. RBC Guidelines for Compliance with the Man Power Control Act
- B. RBC Policy: Student Employment
- C. [RBC Policy 1060: Background Investigations](#)
- D. RBC Policy: Tuition Waiver & Reimbursement
- E. [DHRM Policy 2.05, Equal Employment Opportunity](#)
- F. [DHRM Policy 2.20, Types of Employment](#)
- G. [Virginia Personnel Act](#)

VI. Contacts

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