

Definitions

ESD Employee Classification Categories

All employees are designated as either (1) nonexempt or exempt, (2) certificated or classified, (3) full-time or part time and (4) regular, temporary, variable or substitute. Employees' employment status and benefit eligibility is determined in part according to the employees' classifications. The classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and the ESD.

Exempt or Nonexempt for Wage and Hour Laws:

Nonexempt employees: Employees whose work is covered by the Fair Labor Standards Act (FLSA). Nonexempt employees are paid for every hour worked and receive overtime or compensatory time for hours worked in excess of 40 hours a week.

Exempt employees: Employees whose work is executive, professional or administrative as defined by the FLSA, or that otherwise meets FLSA exempt employee standards and criteria. Exempt employees are paid an annual salary and do not receive overtime or compensatory time for hour worked in excess of 40 hours a week.

Position Types:

Certificated Employee: Employees that have a certificate, and that are serving in positions requiring teaching, educational staff associate (ESA), or administrative certificates and who are hired annually by means of a certificated employment contract.

Classified Employee: Employees that are not certificated employees.

Duration and Status:

Full-Time Employee: Classified employees who are assigned to work not less than 2080 hours annually or certificated employees who are assigned to work not less than 1350 hours annually, unless otherwise specified on a salary schedule. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefits program.

Part-Time Employee: Employees who work less than full-time as defined above.

Regular Employee: Employees who are not temporary, variable or substitute employees.

Temporary Employee: Employees engaged for specific duties for a limited time period, typically less than one year.

Variable Employee: Employees engaged to work in an ongoing position with hours that vary.

Substitute Employee: Employees assigned to work on an on-call basis in the place of an absent employee or assigned to a position for which they do not hold the required certificate and endorsement but are otherwise qualified for.

Temporary and substitute employees are not eligible for employee benefits other than those mandated for all employees. The Superintendent may make an individual exception to the policy of not providing benefits to temporary or substitute employees at his/her sole discretion without creating precedence.

Definitions:

Employee means any individual directly employed by the ESD, any individual who volunteers for the ESD, and any individual who performs services for the ESD pursuant to a contract, except when used in policies that grant benefits to employees, in which case it means individuals directly employed by the ESD.

Students are individuals who are enrolled in or served by ESD 112, ages birth through 21.

Superintendent means the ESD 112 Superintendent or his/her designee.

Legal References: RCW 28A.310. 200 – ESD board – Powers and duties – Rules.
WAC 162-16 – EMPLOYMENT.

Adoption Date: **4-10-75**

Revised Dates: **1-20-77; 2-23-77; 1-23-79; 1-24-84; 4-24-84; 11-26-85; 3-29-88; 3-26-91; 9-26-95; 3-26-13; 4-28-15; 1-1-17; 9-25-17; 2-27-18; 9-23-24**

Renumbered: **300 to 5001 1-1-17, 5001 to 1001 9-25-17**