**Employee Choice**

**Frequently Asked Questions**

**Compensation and Titling**

**Fair Labor Standards Act**

The US DOL has proposed a change to the Fair Labor Standard Act (FLSA) that will raise the minimum salary threshold to $970 weekly or $50,440 annually.

Q: Will Academic Staff that fall below the new minimum salary threshold be mandated to transition to hourly?

*Academic Staff that fall below any FLSA threshold will transition to academic staff hourly (non-exempt based on the salary test) and will be paid overtime for hours worked over 40 in a week.*

Q: Do FLSA salary thresholds apply equally to both University and Academic Staff?

*Yes. The FLSA applies to all positions regardless of classification.*

Q: How do changes to FLSA affect the decision-making process for employee choice?

*It doesn’t. If you choose to make the transition from University Staff to Academic Staff and you fall below the salary threshold, you will become AS Hourly.*

**Advancement and Salary Increases**

Q: If I re-class in an exempt title, does this mean that I am automatically transitioned to Academic Staff?

*No. A re-class of a non-exempt University Staff employee to one that is exempt from the FLSA will not automatically transition the employee to Academic Staff. Once the employee receives the exempt university staff title, the employee will be offered the choice to move to Academic Staff.*

Q: Do Academic Staff positions require a degree for those who are transferring?

*No, all exempt University Staff employees will have the option to move to Academic Staff. Their ability to later apply for different positions will be based on the requirements listed on the vacant position.*

Q: If an employee is interested in a promotion, are they required to switch from University to Academic Staff?

*If a title change occurs as a result of a logical and qualitative change in duties, the employee will be moved into an exempt university staff title. Once the employee receives the exempt university staff title, the employee will be offered the choice to move to academic staff.*

*Movement to a new title that is not the result of a logical and qualitative change in duties or is located outside of the employee’s department is done by recruitment. The employee will then have the choice to apply for the position if it is academic staff.*
Q: My salary as a University Staff employee is higher than the position salary range under the Academic Staff title. Will my salary go down as a result of a transition to AS?

*If a person is currently paid above the maximum of the Academic Staff pay range, they will not be eligible to move at their current rate of pay and would instead be subject to the maximum of the Academic Staff pay range (unless an extraordinary salary range can be established based on market factors).*

Q: If someone is placed in the associate or no-prefix level of an Academic Staff title series process, what is the process to move a higher position?

*Divisions will work with supervisors to determine if a person’s position should be placed in the associate, no-prefix, or senior level. As always, for those in the associate and no-prefix levels, the incumbent can request their position be reviewed for promotion.*

Q: Are employees still eligible for title and pay increases if they remain University Staff?

*Yes. As of July 1, 2015, University Staff and Academic Staff are eligible for the same types of pay increases based on change-in-duties, equity, market, and performance.*

Q: Are there advantages regarding pay increases as a University Staff or Academic Staff? Is one better than the other?

*No.*

Q: If I choose to stay a University Staff employee, do I still have the opportunity to advance?

*In your current position you are eligible for increases for change in duties, performance, market, equity, and possibly a change in title through reclassification. But if you are interested in applying for a job elsewhere on campus, you will need to move to Academic Staff if the duties of the vacancy are exempt from the FLSA.*

Q: Who determines what title and level my position is after the transition to Academic Staff?

*Your supervisor and divisional HR representatives determine what levels employees are placed in the title series.*

Q: Is the requirement of two years related experience for the associated prefix limited to university experience?

*Outside experience, as well as experience in a University Staff position, can be considered if it is related to the work being performed in the Academic Staff position.*

Q: Does seven years of experience in University Staff automatically mean that you will be brought on as senior prefix with the transition to Academic Staff?

*No, seven years of experience is the minimum requirement for appointment/promotion to the senior level of an Academic Staff title. Advancement is made in consultation with your supervisor and HR representative.*

Q: If a University Staff employee chooses to transition to Academic Staff and the position is mapped to a senior prefix title, is there a raise associated with the move? Will there be opportunities for pay increases?
Not automatically. Increases are tied to transition to AS only in order to meet the new minimum of the pay range. Acquisition of the senior prefix occurs only if the supervisor and Division HR determine the individual’s years of experience warrant the senior level.

Like all employees, increases can be made in consultation with your supervisor and HR representative based on a change-in-duties, equity, market, and performance subject to the maximum of the pay range.

Q: If you’re moved into a senior prefix and have zero years of experience in that title, how do you move into distinguished? Is previous experience factored in?

For more information on the process for, and factors considered in, acquiring a distinguished prefix, go to: [http://acstaff.wisc.edu/governance/personnel-related-committees/distinguished-prefix-review-committee](http://acstaff.wisc.edu/governance/personnel-related-committees/distinguished-prefix-review-committee)

Q: Have University Staff exempt titles changed?

There are no changes to the University Staff exempt titles. For the complete list, refer to the [University Staff Titles and Compensation Listing](http://hrdesign.wisc.edu/transitional-titling/).

Q: Is there still compensatory time?

Yes. University staff employees can still earn compensatory time. Academic Staff are not eligible to earn compensatory time, so this may be a factor in a person’s decision to move via Employee Choice.

Q: There were conversations at the beginning of the process about aligning University Staff and Academic Staff benefits. Is this still part of the conversation?

This will be reviewed in the job title and compensation study.

Q: What is the current status of the job title and compensation study? How long will it take?

The Job title and compensation study kicked off in mid-April. We will solicit extensive campus input throughout the study life-cycle. We expect the study to take approximately two years.

Q: Will I be provided information on what my title and status will be before I make my final decision to move to Academic Staff?

If you are interested in receiving this information, contact your division HR staff and they will complete a “Transfer via Employee Choice” form for you to review.

Q: Do you stay exempt if you don’t move?

Yes. University Staff exempt employees who choose not to move will remain exempt and will continue to earn vacation and creditable service as they always have.

**Workforce Relations**

**Layoffs:**

Q: If layoffs are affecting my unit, are my University Staff years taken into consideration in addition to my years as an Academic Staff employee?
Years of service will be determined by the employee’s relevant professional experience in addition to their Academic Staff years of service. This includes any Academic Staff years worked (if applicable) as long as there was not a three-year break between AS and US appointments.

Q: Can a University Staff employee mitigate potential layoffs this by moving to Academic Staff?

No. Employee category will not impact these decisions.

Leave:

Q: If an employee decides to make the transition from University Staff to Academic Staff, will the required years of service for accumulated leave reserve account (ALRA or banked leave) start over?

No, the required years to bank do not start over. However, the employee would now be eligible to bank leave in the fiscal year following the start of their 11th year. If the employee is already eligible to bank leave, that leave transfers with the employee but the employee will not be able to continue to bank leave unless they have already passed the start of their 11th year. So, in some cases, this means there will be a pause in the ability to bank leave.

Q: Can an employee still access time banked as a University Staff employee after the transition to Academic Staff?

All banked time remains. University Staff that have transitioned to Academic Staff can access all banked leave.

Q: Does accumulated sick leave transition with the employee?

Yes, accumulated sick leave carries over with no cap.

Q: How is sick time calculated if an employee transitions to Academic Staff but leaves within the first year? What happens to sick leave when an employee leaves (retires, laid off, resigns, etc.)?

Employees who move to Academic Staff through employee choice are provided with an initial entitlement of 176 hours of sick leave. If an employee leaves prior to having “earned” the full entitlement, they would be not have to repay the leave which had been used, but not earned. However, the employee would not be able to “bank” the “unearned” sick leave hours upon retirement.

When an employee retires they may be able to use that sick leave balance “earned” toward paying for health insurance. Sick leave is not paid out.

Q: If I transition to Academic Staff, is my leave under FMLA based on a calendar or fiscal year?

Employees who move via employee choice will follow the fiscal year for FMLA leave.

Q: How are worked hours reported? What is the expectation for AS hours?

You are expected to work at least 40 hour per week as a full-time Academic Staff employee. Academic Staff fill out a leave report at the end of each month to identify what leave time (if any) they have used.

Q: Do half/full day leave benefits change when transitioning from University Staff to Academic Staff?

Leave for Academic Staff is reported as follows:
<table>
<thead>
<tr>
<th>Hours Missed</th>
<th>Leave Reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to &lt; 2 hours</td>
<td>0 hours</td>
</tr>
<tr>
<td>2 hours to 6 hours</td>
<td>4 hours</td>
</tr>
<tr>
<td>&gt; 6 hours</td>
<td>8 hours</td>
</tr>
</tbody>
</table>

Q: If the employee was to stay University Staff, does the accrual schedule for vacation stay the same?

Yes

Q: Where are employee leave balances found?

*Your division HR representatives can give you that information. Other options include checking your most recent paycheck or logging on to myUW.*

Q: How do you deal with Limited Appointee who has a Classified backup?

*A Limited appointee with a classified backup appointment is treated the same as an appointee with an Academic Staff backup appointment. If the employee took a leave of absence from their Classified position to accept a limited appointment, the employee would return to the unit they took the leave of absence from upon removal from the Limited appointment. If the employee resigns from the Limited appointment, their backup would be in the Limited appointment unit.*

*There is a small group of current limited appointees who hold a classified backup. This group will be offered the option to convert their back-up to a fixed-renewable academic staff back-up position. OHR will follow up with this group separately. Since these employees currently have the benefits of a limited appointee, this is not part of the employee choice decision-making process.*

**Benefits**

Q: If a University Staff employee is on the 30-day elimination period for income continuation insurance (ICI) and they choose to transition to Academic Staff, could the premium cost increase? If the employee decides to stay University Staff could the premium increase?

*a.* Yes. *ICI premiums for Academic Staff are based on the elimination period they choose, and their monthly income. This may be higher than what is paid as a University Staff employee. University Staff ICI premiums may go up in the future based on negotiations between the Wisconsin Department of Employee Trust Funds (ETF) and the ICI vendor and/or their use of sick leave (and thus the ICI category into which they fall). We recommend that employees review the premiums for Academic Staff in the ICI booklet: [http://etf.wi.gov/publications/et2106.pdf](http://etf.wi.gov/publications/et2106.pdf). If an employee decides to stay University Staff there is a chance their premiums may go up in the future based on negotiations between ETF and the ICI vendor and/or their use of sick leave (and thus the ICI Category into which they fall).*

Q: If the employee chooses to make the transition, will the 176 hours of sick leave be taken into consideration to determine the ICI elimination period options offered?

*No, the 176 hours of sick leave granted through the initial Academic Staff entitlement is not taken into consideration for employees that currently do not have the ICI plan. Employees that do have ICI should consider the initial entitlement of sick leave when deciding on the choice of elimination period they may need.*
Q: Is ICI administered the same way for Academic Staff as it is for University Staff? Must sick leave be exhausted prior to ICI payments are paid?

Yes, the ICI program is administered the same for University Staff and Academic Staff. Employees must exhaust their sick leave up to the maximum of 1,040 hours (i.e., sick leave balances larger than 1,040 need not be completely exhausted before ICI benefits kick-in).

Q: If the employee terminates after making the transition from US to AS (retires, laid off, resigns, etc.), can the three highest years be a combination of calendar year and fiscal year as long as they do not intersect?

Yes. Currently the three highest years are used to determine the formula for employee’s retirement benefit. An employee can have their three highest years be a mix of calendar year earnings and or fiscal year earnings as long as they do not intersect. (Example: An employee chooses to move to Academic Staff as of 7/1/2016. This employee then ends employment in the fall of 2018. In this example, the employee’s three highest years may be in the 2015 calendar year, the 2016-17 fiscal year and the 2017-2018 fiscal year.)

Q: Is there an online resource that can be accessed as an employee to see individual creditable years of service calculations?

This information can be found in the “ETF Annual Statement of Benefits” in MyUW. Specifically, under benefit information --> statements. This document is updated every spring (usually by the end of April) with information updated as of January 1 of that year.

Q: Does sick time influence what ICI elimination periods are offered for employees transitioning from University Staff to Academic Staff?

Sick time only influences what ICI elimination periods are offered if the employee transitioning is not currently enrolled in the ICI benefit as a University Staff employee. Those employees should review the “counseling checklist” for limitations for employees that currently do not have the ICI benefits.

For employees currently enrolled in ICI as US, there is no limitation on elimination-period options.

Q: What is the timeframe for switching ICI elimination periods for employees choosing to transition from University Staff to Academic Staff?

Employees making the transition from University Staff to Academic Staff must fill out a new application with the choice of elimination period within 30 days of making the switch. In the future, the employee will be able to increase the elimination period at any time. If an employee wishes to decrease the elimination period (e.g., 180 days to 125 days) in the future they must go through Evidence of Insurability [http://etf.wi.gov/publications/et2308.pdf] to do so.

Q: Are there additional tax-sheltered annuity (TSA) plans or retirement programs Academic Staff are eligible for?

No. The tax-sheltered annuity and Wisconsin deferred compensation supplemental retirement plans are offered to all eligible UW employees.

Q: Why is the University Insurance Association (UIA) mandatory for Academic staff? Can someone opt out of this? Are University Staff eligible for the UIA?
Per UW System Administration, the University Insurance Association and the UIA Board were established in 1939 to promote the welfare of the public employees of UW engaged in teaching, research, or administration by providing life insurance to its members. The life insurance is meant to supplement retirement benefits that may provide inadequate protection to the families of employees who die before retirement or after a short period of service.

The UIA Life Insurance policy is a mandatory insurance policy for all faculty, academic staff and limited appointees who meet the minimum monthly salary for eligibility ($2,567/month in 2015-2016). There is no way to opt out of this if you meet the minimum monthly salary requirement. University Staff are not eligible for the UIA Life Insurance policy.

Q: What is WRS creditable service and what are the differences in how it is earned by University Staff and Academic Staff?

WRS creditable service years are based on hours employees are paid in a given calendar or fiscal year (July-June). If you are University Staff (i.e., general category) you need to work and be paid for at least 1,904 hours during a calendar year in order to earn one full year of WRS creditable service. If you are paid for fewer hours, your creditable year will be prorated. If you are Academic Staff (i.e., teacher category) you need to work, and be paid for, at least 1,320 hours in a fiscal year to earn one full year of creditable service. Employees cannot earn more than one year of creditable service during a year even if they worked and were paid for more hours in that year.

Payroll

Q: Does an employee’s salary change when the salary transitions from monthly to bi-monthly? Will the checks be the same each month?

An employee’s annual salary does not change when they transition from bi-monthly to monthly (e.g., from University Staff to Academic Staff). Only the number of checks received in a year changes (from 26 to 12 pay periods a year).

Q: How are garnishments, like child support, affected with the changes in payroll frequency caused by the transition from University Staff to Academic Staff?

Garnishments will now be taken out of one check per month rather than two. Employees whose wages are being garnished need to email Ag1@uwsa.edu (UW Service Center) and notify the Service Center of the change to monthly payroll and include the dates of the last biweekly check and first monthly check.

Misc

Q: Which is better, University Staff or Academic Staff?

The choice is individual based on your unique circumstances and priorities.

Q: When does Employee Choice end?
The option to change from University Staff to Academic Staff does not currently have an ending date. However, this may be re-evaluated during the job title and compensation study.

Q: Is there a benefit to moving from US to AS sooner than later?

   We encourage you to speak with your division HR representative to best determine when and if deciding to transition to Academic Staff is a good fit. These decisions are highly individualized based on what is most important to the employee.

Q: How do you treat project positions?

   Exempt University Staff with project positions (also known as fixed-term terminal positions) do not have the option to move to Academic Staff via employee choice. Their current positions will remain as University Staff exempt through the end date of their appointments.

Q: