



# PPSM-2: Definition of Terms

<b>Responsible Officer:</b>	VP - Human Resources
<b>Responsible Office:</b>	HR - Human Resources
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<b>Scope:</b>	Professional & Support Staff, Managers & Senior Professionals, and Senior Management Group Members

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## I. POLICY SUMMARY

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This policy defines certain key terms used within the *Personnel Policies for Staff Members*.

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## II. DEFINITIONS

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Not applicable.

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## III. POLICY STATEMENT

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**Break in Service.** A break in service is any separation from employment status. In addition, a break in service occurs, effective the last day on pay status, whether or not a separation form is submitted, when an employee is off pay status for four complete, consecutive calendar months without an approved leave without pay, furlough, or temporary layoff.

A return to pay status from an approved leave without pay, furlough, temporary layoff, indefinite layoff during a period of right to recall and preference for reemployment, or on the next working day following a separation, is not a break in service.

**Class.** The term "class" refers to an established job title and is designated by a four-digit job code.

**Demotion.** The change of an employee from one position to another position which has a lower salary range maximum is termed a demotion.

**Domestic Partner.** A domestic partner means the individual designated as an employee's domestic partner under one of the following methods: (i) registration of the partnership with the State of California; (ii) establishment of a same-sex legal union, other than marriage, formed in another jurisdiction that is substantially equivalent to a State of California-registered domestic partnership; or (iii) filing of a Declaration of

Domestic Partnership form with the University. If an individual has not been designated as an employee's domestic partner by any of the foregoing methods, the following criteria are applicable in defining domestic partner: each individual is the other's sole domestic partner in a long-term, committed relationship with the intention to remain so indefinitely; neither individual is legally married, a partner in another domestic partnership, or related by blood to a degree of closeness that would prohibit legal marriage in the State of California; each individual is 18 years of age or older and capable of consenting to the relationship; the individuals share a common residence; and the individuals are financially interdependent.

**Exception to Policy.** An action that exceeds what is allowable under current policy or that is not expressly provided for under policy. Any such action must be treated as an exception.

**Executive Officer.** The University President, Chancellor, Laboratory Director, or Vice President–Agriculture and Natural Resources.

**Exempt Employee.** Exempt employees are defined as employees who, based on duties performed and manner of compensation, are exempt from the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions. Because of hourly pay practices, an employee appointed to a per diem position in an exempt title is treated as a non-exempt employee subject to FLSA minimum wage and overtime provisions.

Exempt employees are paid an established biweekly, monthly or annual salary and are expected to fulfill the duties of their positions regardless of hours worked. Exempt employees are not eligible to receive overtime compensation or compensatory time off, and are not required to adhere to strict time, record keeping, and attendance rules for pay purposes. Exempt titles are identified in Universitywide title and pay plans.

**Furlough.** The scheduled periods during which employees in partial-year career positions are not at work are designated as furloughs.

**Non-Exempt Employee.** Non-exempt employees are defined as employees who, based on duties performed and manner of compensation, are subject to all FLSA provisions. Because of hourly pay practices, an employee appointed to a per diem position is treated as a non-exempt employee subject to FLSA minimum wage and overtime provisions.

Non-exempt employees are required to account for time worked on an hourly and fractional hourly basis and are to be compensated for qualified overtime hours at the premium (time-and-one-half) rate. Non-exempt titles are identified in title and pay plans.

**Pay Status.** Pay status includes any period of time for which an employee receives pay for time worked, including compensatory time off, or for time on paid leave. Paid leave time includes sick leave, extended sick leave, vacations, administrative leave with pay, holidays, or military leave with pay.

**Probationary Employee.** A probationary employee is an employee in a career position who has not completed the probationary period.

**Promotion.** The change of an employee from one position to another position which has a higher salary range maximum is termed a promotion.

**Reclassification, Downward (PSS Salary Grades).** The movement of an employee's current position to a different class or salary grade having a lower salary range maximum is termed a downward reclassification.

**Reclassification, Lateral (PSS Salary Grades).** The movement of an employee's current position to a different class having the same salary range maximum is termed a lateral reclassification.

**Reclassification, Upward (PSS Salary Grades).** The movement of an employee's current position to a different class or salary grade having a higher salary range maximum is termed an upward reclassification.

**Regrading (MSP Salary Grades).** An action to move an employee's current position to a different salary grade based on market analysis or job evaluation.

**Regular Rate.** The regular rate of pay applicable to non-exempt employees only is specifically defined in the provisions of the Fair Labor Standards Act and is integral to the formula used to calculate premium overtime pay. The regular rate of pay is derived by dividing the total remuneration in a workweek (excluding pay for sick leave, vacation leave, holidays, premium overtime, and other types of non-productive pay) by the total number of hours actually worked in that workweek. The regular rate of pay is an hourly rate, either actual or derived.

**Regular Status Employee.** A regular status employee is a career employee who is not required to serve a probationary period, or a career employee who has successfully completed a required probationary period and any extension thereof.

**Rehire.** Any return to pay status of a person following a break in service is a rehire. Prior University service is not included for purposes of staff personnel policy, retirement policy, or employee group health and insurance plans, unless specifically provided in the appropriate policy.

**Top Business Officer.** Executive Vice President–Chief Operating Officer for the Office of the President, Vice Chancellor–Administration, or the position responsible for the location's financial reporting and payroll as designated by the Executive Officer.

**Transfer.** The change of an employee from one position to another position which has the same salary range maximum is termed a transfer.

**Workweek.** A workweek for non-exempt employees is generally a fixed period of seven consecutive 24-hour periods.

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## **IV. COMPLIANCE / RESPONSIBILITIES**

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### **A. Implementation of the Policy**

The Vice President–Human Resources is the Responsible Officer for this policy and has the authority to implement the policy. The Responsible Officer may apply appropriate interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy. The Chancellor is authorized to establish and is responsible for local procedures necessary to implement the policy.

In accordance with [Personnel Policies for Staff Members 1 \(General Provisions\)](#), authorities and responsibilities delegated to the Chancellors in this policy are also delegated to the Executive Vice President–Chief Operating Officer, Vice President–Agriculture and Natural Resources, Principal Officers of the Regents, and the Lawrence Berkeley National Laboratory Director. Also in accordance with PPSM 1, the authorities granted in this policy may be redelegated except as otherwise indicated.

**B. Revisions to the Policy**

The President is the Policy Approver and has the authority to approve policy revisions upon recommendation by the Vice President–Human Resources.

The Vice President–Human Resources has the authority to initiate revisions to the policy, consistent with approval authorities and applicable *Bylaws* and *Standing Orders* of the Regents.

The Executive Vice President–Chief Operating Officer has the authority to ensure that policies are regularly reviewed, updated, and consistent with other governance policies.

**C. Approval of Actions**

Not applicable.

**D. Compliance with the Policy**

Not applicable.

**E. Noncompliance with the Policy**

Not applicable.

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**V. REQUIRED PROCEDURES**

Not applicable.

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**VI. RELATED INFORMATION**

- [Personnel Policies for Staff Members 1 \(General Provisions\)](#) (referenced in Section IV.A of this policy)

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**VII. FREQUENTLY ASKED QUESTIONS**

Not applicable.

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**VIII. REVISION HISTORY**

The following revisions were made in February 2016:

- Added definitions for: Exception to Policy; Executive Officer; Top Business Officer.
- Added biweekly to Exempt Employee definition.
- Removed definitions for: Active duty or call to active duty status; Covered servicemember; Covered military member; Next of kin; Outpatient status; Parent

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of a covered military member; Parent of a covered servicemember; Period of military conflict; Qualified Member; Serious injury or illness; Son or daughter of a covered military member; Son or daughter of a covered servicemember.

- Removed reference to Universitywide Title and Pay Plan from Class definition.
- Removed SMG from Regrading definition.

As a result of the issuance of this policy, the following document is rescinded as of the effective date of this policy and is no longer applicable:

- *Personnel Policies for Staff Members 2 (Definition of Terms)*, dated September 1, 2009

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

The following policies have been rescinded and are no longer applicable:

- *Personnel Policies for Staff Members 2 (Definition of Terms)*, dated January 29, 2007
- *Staff Personnel Policy 110 (Definitions)(In Alphabetical Sequence)*, dated May 1, 1994