# TAB DESCRIPTION

### ACTION

# AMENDMENT TO BOARD POLICY

1 Section II.F.2. – Policies Regarding Non-classified Employees (Courtesy Vehicles) – Second Reading

# AMENDMENT TO BOARD POLICY

2 Section II.F.3. – Policies Regarding Non-classified Employees (Annual Leave) – First Reading Motion to approve

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# SUBJECT

Idaho State Board of Education Policy II.F. – Second Reading

# REFERENCE

June 2016	Board approved the second reading of amendment to
	Board policy II.F (related to coach and athletic director
	employment agreements)
August 2016	Board approved first reading of amendment to Board
	policy II.F (courtesy vehicle policy)

# APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section II.F. Section 49-2426, Idaho Code

## BACKGROUND/DISCUSSION

The proposed amendment is the result of extended discussions among the State Board of Education (Board) Athletics Committee, the Board's Deputy Attorney General and institutional legal counsel, and the State Risk Management office. Language has been added to the policy to emphasize state regulations with respect to state-owned or leased vehicles and the insurance requirements applicable when local dealerships provide courtesy vehicles to institution personnel who choose to make personal use of those vehicles.

#### IMPACT

The proposed amendment fills a gap in previous Board policy with respect to courtesy vehicles. The revised wording reiterates existing State policy that personal use by employees of agency-owned/leased vehicles—as well as institution-controlled courtesy vehicles which are insured through the State's Risk management program—is not permitted. The amendment also provides the minimum coverage limits, special endorsements, and "additional insured" requirements when employees obtain personal insurance for courtesy vehicles.

#### **ATTACHMENTS**

Attachment 1: Amendment to Board Policy Section II.F. – 2<sup>nd</sup> Reading Page 3

## STAFF COMMENTS AND RECOMMENDATIONS

The proposed amendments to Board Policy II.F.2.b.vi will help ensure compliance and consistency with respect to use of institution-owned vehicles, including dealerprovided courtesy vehicles for college/university employees. There were no changes to the proposed amendment after the first reading. Staff recommends approval.

# **BOARD ACTION**

I move to approve the second reading of the proposed amendment to Board Policy Section II.F.2.b.vi "Policies Regarding Non-classified Employees – Automobile Exclusion and Courtesy Vehicles" as provided in Attachment 1.

Moved by\_\_\_\_\_ Seconded by\_\_\_\_\_ Carried Yes\_\_\_\_ No\_\_\_\_

- 1. Employment Terms
  - a. All non-classified employees, except those set forth in Section II.F.1.b. below, serve at the pleasure of the chief executive officer, and may be dismissed at any time, with or without cause, and without notice, at the discretion of the chief executive officer.
  - b. Employment Contracts
    - i. An institution may provide employment contracts to its non-classified employees. If an institution chooses to offer employment contracts to its non-classified employees, the employment contract must include the period of the appointment, salary, pay periods, position title, employment status and such other information as the institution may elect to include in order to define the contract of employment. Non-classified employees have no continued expectation of employment beyond their current contract of employment.
    - ii. Non-classified employees, who serve pursuant to contracts of employment containing a stated salary are not guaranteed such salary in subsequent contracts or appointments, and such salary is subject to adjustment during the contract period due to financial exigency (as provided for in Section II.N of Board Policy) or through furlough or work hour adjustments (as provided for in Section II.B.2.c of Board Policy).
    - iii. Each employee must acknowledge receipt and acceptance of the terms of the employment contract by signing and returning a copy to the institution initiating the offer of appointment. Failure or refusal of the employee to sign and return a copy of the employment contract within the time specified in the contract is deemed to be a rejection of the offer of employment unless the parties have mutually agreed in writing to extend the time. Nothing in this paragraph prohibits the institution from extending another offer to the employee in the event the initial offer was not signed and returned in a timely manner. Any alteration by the employee of the offer is deemed a counteroffer requiring an affirmative act of acceptance by an officer authorized to enter into contracts of employment binding the institution.
    - iv. Each contract of employment shall include a statement to the following effect and intent: "The terms of employment set forth in this contract of employment are also subject to the Governing Policies and Procedures of the State Board of Education (or the Board of Regents of the University of Idaho, in the case of University of Idaho), and the policies and procedures of the institution." The contract shall also state that it may be terminated at any time for adequate cause, as defined in Section II.L. of Board Policy, or when the Board declares a state of financial exigency, as defined in Section

II.N. of Board Policy. The contract shall also state that it may be non-renewed pursuant to Section II.F.5. of Board Policy.

- v. No contract of employment with such an employee may exceed one (1) year without the prior express approval of the Board, with the exception of employment agreements for athletic directors and coaches as set forth in Section II.H. of Board Policy. Employment beyond the contract period may not be legally presumed. Renewal of an employment contract is subject solely to the discretion of the chief executive officer of the institution, and, where applicable, of the Board.
- 2. Compensation
  - a. Salary All non-classified employees shall receive a fixed salary. A payment in addition to the fixed salary for an employee on annual contract or agreement may be authorized by the chief executive officer for documented meritorious performance, to compensate a professional annual employee for short-term work assignments or additional duties beyond what is outlined in an employee's contract or agreement, or as incentive pay. Incentive pay may be paid for achievement of specific activities, goals or certifications as may be established by an institution in conjunction with certain programs or initiatives. All initial salaries for non-classified employees are established by the chief executive officer, subject to approval by the Board where applicable. The Board may make subsequent changes for any non-classified employee salary or may set annual salary guidelines and delegates to its executive director authority to review compliance with its annual guidelines. Any annual salary increase outside Board guidelines requires specific and prior Board approval before such increase may be effective or paid to the non-classified employee. With the exception of the chief executive officers, and other positions whose appointment is a reserved Board authority, approval of salaries shall be effective concurrently with Board approval of annual operating budgets for that fiscal year.
  - b. Salaries, Salary Increases and other Compensation related items
    - i. Salaries for new appointments to dean, associate/assistant dean, vice president, and president/vice president direct-report positions may not exceed the median rate for such position established by the College and University Professional Association for Human Resources (CUPA-HR), or its equivalent, without prior Board approval.
    - ii. Appointments to acting or interim positions shall be at base salary rates no greater than ten percent (10%) more than the appointees' salary rate immediately prior to accepting the interim appointment or ninety-five percent (95%) of the prior incumbent's rate, whichever is greater.

# Idaho State Board of Education **GOVERNING POLICIES AND PROCEDURES** SECTION: II. HUMAN RESOURCES POLICIES AND PROCEDURES SUBSECTION: F. Policies Regarding Non-classified Employees <u>June-October</u> 2016

- iii. Overtime Compensation Non-classified employees earning annual leave at the equivalent rate of two (2) days for each month or major fraction thereof of credited state service are not eligible for either cash compensation or compensatory time off for overtime work. Non-classified employees in positions that are defined as "non-exempt" under the Fair Labor Standards Act earn overtime at a rate of one and one-half (1½) hours for each overtime hour worked. Other non-classified employees may earn compensatory time off at the discretion of the chief executive officer at a rate not to exceed one (1) hour of compensatory time for each hour of overtime worked.
- iv. Credited State Service The basis for earning credited state service will be the actual hours paid not to exceed forty (40) per week.
- v. Pay Periods All non-classified employees are paid in accordance with a schedule established by the state controller.
- vi. Automobile Exclusion and Courtesy Vehicles Unless expressly authorized by the Board, With the exception of courtesy vehicles provided for use by local car dealerships, no non-classified employee will receive an automobile or automobile allowance as part of his or her compensation, unless expressly authorized by the Board. The use of institution-registered courtesy vehicles is subject to the following requirements:

(1) The institution will verify that all courtesy vehicle use is insured in accordance with the requirements of Idaho's Risk Management Program.

(2) Personal use is not allowed for courtesy vehicles which are controlled by the institution and insured through Risk Management.

(3) Personal and permissive use of a courtesy vehicle is excluded from coverage under the State of Idaho's Risk Management Program, unless the institution has verified that the employee has obtained insurance which meets the following requirements:

- a) Employee to provide a personal automobile policy with at least \$500,000 combined single limits
- b) <u>Personal automobile policy must include a non-owned</u> <u>automobile endorsement or clause</u>
- c) <u>The State of Idaho and the State Agency must be named as</u> additional insured on the employee's personal auto policy

#### 3. Annual Leave

a. Non-classified employees at the institutions, agencies earn annual leave at the equivalent rate of two (2) days per month or major fraction thereof of credited state service. Twelve-month employees employed at the entities named above may accrue leave up to a maximum of 240 hours. An employee who has accrued the maximum will not earn further leave until the employee's use of annual leave reduces the accrual below the maximum.

Non-classified employees in positions which are covered under the Fair Labor Standards Act earn annual leave in accordance with and subject to the maximum leave accruals in Section 67-5334, Idaho Code.

- b. Non-classified employees appointed to less than full-time positions earn annual leave on a proportional basis dependent upon the terms and conditions of employment.
  - d) Professional Leave At the discretion of the chief executive officer, non-classified employees may be granted professional leave with or without compensation under conditions and terms as established by the chief executive officer.
  - e) Pursuant to section 59-1606(3), Idaho Code, when a classified employee's position is changed to non-classified, or when a classified employee is moved into a non-classified position, and that employee, due to the employee's years of service, has an annual leave balance in excess of 240 hours, then the institution may pay the employee as supplemental pay the balance that is in excess of 240 hours.
- 4. Performance Evaluation

Each institution or agency must establish policies and procedures for the performance evaluation of non-classified employees, and are responsible for implementing those policies in evaluating the work performance of employees. The purposes of employee evaluations are to identify areas of strength and weakness, to improve employee work performance, and to provide a basis on which the chief executive officers and the Board may make decisions concerning retention, promotion, and merit salary increases. All non-classified employees must be evaluated annually. Any written recommendations that result from a performance evaluation must be signed by the appropriate supervisor, a copy provided to the employee and a copy placed in the official personnel file of the employee. Evaluation ratings that result in findings of inadequate performance of duties or failure to perform duties constitute adequate cause as set forth in Section II.L. of Board Policy.

#### 5. Non-Renewal of Non-classified Contract Employees

- a. Notice of the decision of the chief executive officer to not renew a contract of employment must be given in writing to the non-classified employee at least sixty (60) calendar days before the end of the existing period of appointment for annual appointments. For appointments of less than one year, the written notice must be at least thirty (30) days prior to the end of the existing period of appointment. Reasons for non-renewal need not be stated. Non-renewal without cause is the legal right of the Board. If any reasons for non-renewal are provided to the employee for information, it does not convert the non-renewal to dismissal for cause and does not establish or shift any burden of proof. Failure to give timely notice of non-renewal because of mechanical, clerical, mailing, or similar error is not deemed to renew the contract of employment for another full term, but the existing term of employment must be extended to the number of days necessary to allow sixty (60) (or thirty days where applicable) calendar days' notice to the employee.
- b. Except as set forth in this paragraph, non-renewal is not grievable within the institution nor is it appealable to the Board. However, if an employee presents bona fide allegations and evidence to the chief executive officer of the institution that the non-renewal of the contract of employment was the result of discrimination prohibited by applicable law, the employee is entitled to use the internal discrimination grievance procedure set forth in Section II.M. to test the allegation. If the chief executive officer is the subject of the allegations, the employee may present the bona fide allegations and evidence to the Executive Director. The normal internal grievance procedure for discrimination must be used unless changed by mutual consent of the parties. The ultimate burden of proof rests with the employee. The institution is required to offer evidence of its reasons for nonrenewal only if the employee has made a prima facie showing that the recommendation of non-renewal was made for reasons prohibited by applicable law. Unless mutually agreed to by the parties in writing, the use of the discrimination grievance procedure will not delay the effective date of non-renewal. Following the discrimination grievance procedures, if any, the decision of the institution, is final, subject to Section II.F.5.c., below.
- c. If, and only if, the chief executive officer is the subject of the alleged discrimination prohibited by applicable law, the non-classified contract employee may petition the Board to review the final action of the institution. Any petition for review must be filed at the Office of the State Board of Education within fifteen (15) calendar days after the employee receives notice of final action. The Board may agree to review the final action, setting out whatever procedure and conditions for review it deems appropriate, or it may choose not to review the final action. The fact that a review petition has been filed will not stay the effectiveness of the final action, nor will the grant of a petition for review, unless specifically provided by the Board. Board review is not a matter of right. An employee need not petition for Board review in

# Idaho State Board of Education GOVERNING POLICIES AND PROCEDURES SECTION: II. HUMAN RESOURCES POLICIES AND PROCEDURES SUBSECTION: F. Policies Regarding Non-classified Employees June-October 2016

order to have exhausted administrative remedies for purposes of judicial review. Nothing in this section should be construed as any prohibition against filing a complaint with any appropriate state or federal entity, including but not limited to the Equal Employment Opportunity Commission (EEOC) or the Idaho Human Rights Commission (IHRC).

6. Tenure

Non-classified employees are generally not entitled to tenure. Certain, very limited, exceptions to this general rule are found in Subsection G.6 of these personnel policies and procedures.

### SUBJECT

Idaho State Board of Education Policy II.F.2 and 3. – First Reading

### REFERENCE

June 2016	The Idaho State Board of Education (Board) approved the second reading of amendment to Board policy II.F
	(pertaining to coach and athletic director employment agreements)
August 2016	Board approved first reading of amendment to Board policy II.F (courtesy vehicle policy)

## APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education (Board) Governing Policies & Procedures, Sections II.A. and II.F., subsections 2 and 3. Sections 59-1607, 67-5303(j), 67-5329 and 67-5334, Idaho Code

### BACKGROUND/DISCUSSION

In March 2014, President Obama directed the US Department of Labor (DOL) to review and update overtime eligibility standards under the Fair Labor Standards Act (FLSA) through the federal rulemaking process. The DOL published its final rule on May 23, 2016, with an implementation date of December 1, 2016 (Final Rule). The Final Rule updates the salary level required for the executive, administrative, and professional overtime exemptions from \$455 per week (\$23,660 per year) to \$913 per week (\$47,476 per year). As a result of implementation of the Final Rule, a number of non-classified professional staff at the institutions and agencies under the Board's governance who have been "overtime exempt" (i.e., not eligible for overtime) will now become overtime-eligible.

The Board is authorized, pursuant to Section 67-5303(j), Idaho Code, to designate certain positions as non-classified positions. Under Board Policy II.A., the Board has delegated primary responsibility for personnel management at the institutions to the chief executive officers within the extent allowed by Board policy and state law.

Section 59-1606, Idaho Code, authorizes the Board to set the vacation leave policies for its non-classified employees. Board Policy II.F. Policies Regarding Non-classified Employees sets out the requirements for individuals employed as non-classified employees at the agencies and institutions under the Board's governance, with the exception of policies for those employees who are in classifications that are called out specifically in other Board policies, such as Board Policy II.G. (Faculty) and II.H. (Coaching Personnel).

Board Policy II.F. specifies that non-classified employees who are not overtime eligible accrue annual leave (vacation time) at a rate of two (2) days per month. Board Policy II.F. also specifies that non-classified employees who are overtime eligible earn annual leave in accordance with the provisions of Section 67-5334,

Idaho Code. Section 67-5334, Idaho Code sets the rate of vacation accrual for classified and non-classified state employees. The rate of vacation accrual varies depending on whether an employee is classified or non-classified and the employee's length of service with the state, from approximately one (1) day to one point seventy five (1.75) days per month. Vacation accrual rates also impact the maximum amount of vacation that may be accumulated. State employees earning vacation time at the rate of two (2) days per month may not accumulate more than 240 hours of leave, while employees earning leave at the lower rates of accrual may accumulate between 192 hours to 336 hours depending on the length of time employed with the state.

Institutions and agencies under the Board are grappling with how to deal with the increased overtime-exempt threshold. Current employees affected by the change have been identified by the institutions and agencies. Institutions and agencies have the option of limiting payment of overtime by restricting employees' working hours to 40 hours per week, where possible. Raising salaries above the \$47,476 annual threshold is also an option, for those positions that also meet the "duties" test.

As detailed above, the new overtime eligibility impact extends beyond the actual impact of the payment of overtime to issues involving vacation accrual. Once implemented, the Final Rule will result in existing non-classified staff becoming overtime-eligible. Once overtime eligible, under existing Board Policy II.F., vacation time accruals would be reduced from two (2) days per month to a lesser amount.

In addition to the issue of vacation time accrual, it was discovered that the current Board policy regarding overtime compensation (Board Policy II.F.2.b.iii.) is not consistent with state law. Sections 59-1607 and 67-5329, Idaho Code, prohibit classified and non-classified officers and employees who are included in the definition of section 67-5303(j) from earning either overtime compensation or compensatory time. Until such time as state law can be amended it is necessary to remove the conflicting language from Board Policy II.F.2 (Compensation).

The proposed amendments to Board Policy II.F. amend subsection 2.b. bringing it into alignment with existing state law and updating subsection 3.a. to allow those individuals who are non-classified and currently earning leave at a rate of two (2) days per month to continue to earn leave at that rate as long as they remain in their current position.

#### IMPACT

At this time there has not been an analysis completed on the estimated fiscal impact to the total compensation package received by impacted employees. The institutions and agencies under the Board's governance are subject to the federal overtime eligibility requirements. The fiscal impact of having more staff who are overtime eligible may be controlled by limiting employees from working hours in excess of 40 hours per week when such limitations do not impact the overall ability of the institution or agency to function, or by increasing annual salary levels.

The impact of grandfathering in the vacation leave accrual rates for newly overtime eligible staff is also difficult to quantify. The choice of leaving the policy "as is" would result in a financial savings to the institutions and agencies by reducing their costs for vacation leave accrual if employees who had been earning 2 days a month saw their vacation accrual rate decrease. Amending the policy to allow individuals impacted by the overtime eligibility requirement changes to continue to earn leave at a rate of two (2) days per month could have an impact on agency and institution staff morale. In one instance you would have individuals who previously were not eligible to earn overtime now eligible to earn overtime and accruing leave at a rate of two (2) days per month. These individuals would may feel adversely impacted if their vacation accrual rate is reduced. Allowing them to continue to accrue leave at the rate of two (2) days per month avoids any adverse impact to these employees. On the other hand, if the policy amendment is made, there will be other non-classified employees who are not eligible to earn overtime or individuals new to the same or similar positions who are only allowed to earn earn leave at the lesser classified employee rates.

Board staff will have numbers for the institution and agency employees under the Board's governance that are currently in non-classified position and not overtime eligible that will become overtime eligible effective December 1, 2016 available at the October Board meeting. Current estimates are in the hundreds.

## **ATTACHMENTS**

Attachment 1 - Amendment to Board Policy Section II.F.3 – 1st ReadingPage 5Attachment 2 – Estimated Number of EmployeesPage

## STAFF COMMENTS AND RECOMMENDATIONS

The proposed amendments to Board Policy II.F.3. will minimize the negative impact of the Final Rule on non-classified employees who will become overtimeeligible (but may or may not be permitted to work overtime) and who would be required to accrue leave at a lesser rate. If the policy was not amended, actual reduction in accrual rates for these employees would be dependent on the individual's length of employment with the State of Idaho. The reduction in accrual would be between one (1) day per month to one-half (1/2) day per month.

The ability to accrue leave at the impacted employee's current higher rate would be limited to their time in the specific position. If the employee were to move to a new position that was non-classified and not overtime eligible they would accrue leave based on the specific position at the rate of two (2) days per month. If the employee were to move to another position that was classified or non-classified and overtime eligible their leave accrual rate would be reduced to the rate of the specific position. The proposed amendment would not increase the current costs by the institutions for the leave accrued by the affected individuals—they would continue to accrue leave at a rate based on two (2) days per month for full time employees. The proposed amendment would result in the institutions and agencies forgoing any leave accrual savings which might have been seen by application of the lower leave accrual rate to newly overtime eligible non-classified employees.

This proposed amendment deals with a complicated issue. Staff will provide a brief overview of the impact of the Final Rule and some examples of how newly overtime-eligible professional staff members would be differentially impacted under different workplace scenarios.

If the first reading of the proposed amendment is approved, it is anticipated that a second reading would take place during a special Board meeting in late November, in order for the policy to be in place by December 1, 2016. Financial and/or Human Resources staff of the institutions and agencies may be available to answer questions regarding the impact of the proposed changes to their specific institutions.

#### **BOARD ACTION**

I move to approve the first reading of the proposed amendment to Board Policy Section II.F.3 Policies Regarding Non-classified Employees – Annual Leave, subsections 2 and 3, as provided in Attachment 1.

Moved by\_\_\_\_\_ Seconded by\_\_\_\_\_ Carried Yes\_\_\_\_ No\_\_\_\_

# Idaho State Board of Education **GOVERNING POLICIES AND PROCEDURES** SECTION: II. HUMAN RESOURCES POLICIES AND PROCEDURES SUBSECTION: F. Policies Regarding Non-classified Employees <u>June Dec</u>

June December 2016

(Break in Continuity of Sections)

#### 2. Compensation

Salary – All non-classified employees shall receive a fixed salary. A payment in addition a. to the fixed salary for an employee on annual contract or agreement may be authorized by the chief executive officer for documented meritorious performance, to compensate a professional annual employee for short-term work assignments or additional duties beyond what is outlined in an employee's contract or agreement, or as incentive pay. Incentive pay may be paid for achievement of specific activities, goals or certifications as may be established by an institution in conjunction with certain programs or initiatives. All initial salaries for non-classified employees are established by the chief executive officer, subject to approval by the Board where applicable. The Board may make subsequent changes for any non-classified employee salary or may set annual salary guidelines and delegates to its executive director authority to review compliance with its annual guidelines. Any annual salary increase outside Board guidelines requires specific and prior Board approval before such increase may be effective or paid to the non-classified employee. With the exception of the chief executive officers, and other positions whose appointment is a reserved Board authority, approval of salaries shall be effective concurrently with Board approval of annual operating budgets for that fiscal year.

- b. Salaries, Salary Increases and other Compensation related items
  - i. Salaries for new appointments to dean, associate/assistant dean, vice president, and president/vice president direct-report positions may not exceed the median rate for such position established by the College and University Professional Association for Human Resources (CUPA-HR), or its equivalent, without prior Board approval.
  - ii. Appointments to acting or interim positions shall be at base salary rates no greater than ten percent (10%) more than the appointees' salary rate immediately prior to accepting the interim appointment or ninety-five percent (95%) of the prior incumbent's rate, whichever is greater.
  - iii. Overtime Compensation Non-classified employees earning annual leave at the equivalent rate of two (2) days for each month or major fraction thereof of credited state service are not eligible for either cash compensation or compensatory time off for overtime work. Non-classified employees in positions that are defined as "non-exempt"overtime eligible under the Fair Labor Standards Act (FLSA) earn overtime cash compensation or compensatory time off at a rate of one and one-half (1½) hours for each overtime hour worked. Other non-classified employees may earn compensatory time off at the discretion of the chief executive officer at a rate not to exceed one (1) hour of compensatory time for each hour of overtime worked.
  - iv. Credited State Service The basis for earning credited state service will be the actual hours paid not to exceed forty (40) per week.

- v. Pay Periods All non-classified employees are paid in accordance with a schedule established by the state controller.
- vi. Automobile Exclusion Unless expressly authorized by the Board, no non-classified employee will receive an automobile or automobile allowance as part of his or her compensation.
- 3. Annual Leave

a. Non-classified employees at the institutions, agencies earn annual leave at the equivalent rate of two (2) days per month or major fraction thereof of credited state service. Twelve-month employees employed at the entities named above may accrue leave up to a maximum of 240 hours. An employee who has accrued the maximum will not earn further leave until the employee's use of annual leave reduces the accrual below the maximum.

Notwithstanding the preceding paragraph, Nnon-classified employees in positions which are coveredare overtime eligible under the Fair Labor Standards ActFLSA \_earn annual leave in accordance with and subject to the maximum leave accruals in Section 67-5334, Idaho Code (Personnel System). Non-classified employees in positions which are not overtime eligible under the FLSA as of November 30, 2016, but become overtime eligible under the federal Department of Labor's final rule updating the FLSA's overtime regulations which goes into effect on December 1, 2016, shall continue to accrue vacation leave as set forth in the preceding paragraph, provided the employee remains in the same position.

b. Non-classified employees appointed to less than full-time positions earn annual leave on a proportional basis dependent upon the terms and conditions of employment.

- c. Professional Leave At the discretion of the chief executive officer, non-classified employees may be granted professional leave with or without compensation under conditions and terms as established by the chief executive officer.
- d. Pursuant to section 59-1606(3), Idaho Code, when a classified employee's position is changed to non-classified, or when a classified employee is moved into a non-classified position, and that employee, due to the employee's years of service, has an annual leave balance in excess of 240 hours, then the institution may pay the employee as supplemental pay the balance that is in excess of 240 hours.

(Break in Continuity of Sections)

Estimated number of current non-classified employees impacted by change in overtime eligibility:

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	Impacted
Boise State University	370
Eastern Idaho Technical College	19
Idaho State University	135
Lewis-Clark State College	57
University of Idaho	138
Total	719
Office of the State Board of Education	2
Career Technical Education	2
Vocational Rehabilitation	34
Idaho Public Television	0
Total	38

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