

College of Health, Education, and Social Transformation Overload/Supplemental Compensation Policy and Procedures

Overload/Supplemental Policies

Assignments – Teaching Load (ARP 6.61). A faculty member employed on the Las Cruces (Main) Campus budgeted exclusively from I&G funds will normally be responsible for the equivalent of teaching 12 credits per semester (24 per academic year). Faculty members may be expected to participate in scholarly and creative activities, professional service, or internal service to the university. Significant work of this kind reduces the faculty member's responsibility for formal instruction and is negotiated each calendar year with the department head and will be articulated in writing and signed by the faculty member and unit leader. Thus, the percentage breakdown of time allocated to each academic activity may vary among faculty members. The following are considerations for the allocation of effort variance (see ARP 6.61 Part 8):

1. The allocation will be based on the average time required for the satisfactory performance of the activity.
2. Courses such as thesis, dissertation, research, special problems, and independent study are not automatically considered equivalent to teaching typical graduate or undergraduate courses. When such activities are included in the teaching load, the department head or equivalent administrator and the affected faculty member shall collaboratively determine course equivalency consistent with the department teaching load policy.
3. In collaboration with faculty in their department or equivalent unit and subject to approval by the college dean or comparable administrator, the department head or equivalent administrator may adjust faculty teaching loads if those adjustments increase load equity and are at least revenue neutral. Adjustments to teaching loads within programs should result in or maintain load equity with *respect to the faculty's career path and not place an extra teaching burden on junior faculty preparing for tenure review. When a faculty member is assigned special duties above the normal load, arrangements will be negotiated between the faculty member and concerned administrators to determine the amount of additional compensation, if any, to be received.*
4. When considering individuals for tenure, promotion in rank, merit pay increases, research/service awards, and/or endowed chairs/professorships, departmental workload policy, and an applicant's teaching load history must be presented to reviewing bodies and individuals. The review process must consider an applicant's teaching load and potential impact on scholarly and creative activities and services.

Faculty members within the College of Health, Education, and Social Transformation (HEST) must meet the allocation of effort within their annual scope of work based on

ARP 6.61. However, under various circumstances, assigned or emerging activities require a change in allocation and effort during the calendar year. Assigned activities beyond the allocation of effort agreed upon by unit leaders and faculty members may result in additional compensation to the faculty member. These variances, “overloads” or “supplemental compensation” NMSU ARP 7.53, are authorized only to the extent necessary to meet the needs of the University (LEADS 2025), College, and Unit goals.

Supplemental Compensation (ARP 7.53): Supplemental compensation may be paid to faculty and staff acting in the capacity of a professional/faculty employee for an additional assignment performed during normal university working hours, providing that assignment is *(1) clearly outside the scope of that person’s regular teaching, research and service responsibilities; and (2) does not interfere with those responsibilities.* Such time will be counted against a faculty member’s allowed consulting time and must be approved in advance by all cognizant administrators, including the provost and senior vice president for academic affairs. Additional compensation is submitted for approval by the completion of an E-Hire Form. This compensation may be authorized in addition to regular salary for those employees exempt from overtime provisions of the Fair Labor Standards Act and is used to authorize payment for consulting, workshops, etc. Supplemental compensation will not be paid solely on the basis that the salary has been budgeted into the agreement. The following are supplemental employment guidelines that must be followed:

- A. Applicable only to faculty or those staff acting in the capacity of a professional/faculty employee.
- B. Applicable only to employees currently employed during the period when the supplemental compensation was earned.
- C. The pay rate should not exceed the employee’s current pay rate in the employee’s primary job assignment. Under those special circumstances where a request exceeds the employee’s pay rate, a special memo of justification approved by the Office of the Provost and Senior Vice President for Academic Affairs must be attached to the form. Hours worked (a) should not exceed a reasonable percentage of full-time hours (Any percentage greater than 50 percent must be justified in an attached memo); (b) must be documented appropriately per grant/contract requirements.
- D. Only in unusual cases may an exempt staff and faculty member be paid to work on a grant or contract, as consultants or otherwise, if that effort results in payment above 100 percent FTE unless specifically provided for, as supplemental compensation, in the agreement or approved in writing by the sponsoring agency. **For federal grants and contracts, approval will usually be granted only if two conditions exist:**
 - 1. The work is across departmental lines or involves a separate or remote location; and

2. The work performed by the employee is in addition to the regular departmental workload.

Course overloads are considered supplemental compensation and must meet the supplemental guidelines outlined in ARP 7.53. The following circumstances should be met to justify an overload within the College HEST:

1. The faculty's instructional load exceeds teaching expectations outlined in the faculty members' agreed-upon allocation of effort with the unit's academic lead.
2. The proposed overload course is required for a degree within the department/school.
3. There must be a demand for all of the faculty member's course overload that cannot be met through other existing sections. The overload course should exceed the minimum enrollment numbers outlined by the College of HEST enrollment policy (i.e., 15 for undergraduate; 10 master's; 5 specialist/doctoral).
4. The assigned overload course cannot be reasonably met through other unit resources such as part-time support or graduate teaching assistants.
5. The overload does not interfere with the other responsibilities of the faculty member (including research productivity and service commitments) as outlined in ARP 7.53.
6. The faculty member does not already have buyout time for research or administrative duties.
7. The faculty member does not have another active course overload during the same term.
8. The faculty member is meeting expectations in all areas of effort allocation on their most recent annual evaluation.

In making variances to faculty workload, unit administrators must offer overloads to a qualified faculty member to undertake the work assigned. Furthermore, favoritism and animus must be avoided in the overload decision-making process. Variances available for compensation must be publicly announced to qualified faculty members in the academic unit. This notification allows the respective faculty members to consult with their direct unit administrator, who must consider the allocation of effort expectations and confer with the direct report administrator regarding the equity of distribution of additional compensation opportunities. When more than one faculty member is equally qualified, overload opportunities should be rotated among those faculty members who are capable, willing, and available to adjust the allocation of effort accordingly.

Importantly, there are other concepts that unit leaders should consider when assigning overloads:

1. A course cannot be an overload assignment if the department head does not ask the faculty member to provide the instruction for the course. In other words, overloads **cannot** be viewed as a mechanism whereby faculty members elect to

increase their pay. This is not the intention of overloads. Instead, overloads should only be applied when there is no other option for providing "required" coursework for an overwhelming instructional demand.

2. Overloads reflect the entirety of one's effort allocation, not simply the demands of one particular class. In other words, we cannot justify an overload in cases where any of the faculty member's instructional assignments include classes that could potentially be taught by a TA or part-time faculty member or when the other courses include electives.
3. Starting in FY 24, all course overload rates will be standardized within the College of HEST at \$6,000. These overload rates will be reviewed every new fiscal year.

To ensure that faculty who accept overload assignments fully understand the extent of the commitment and any specific expectations regarding that commitment, faculty who are offered an overload will be expected to sign the HEST Supplement Hire, Course Overload, & Buyout Request Approval (SCOBRA) form detailing the work to be done in exchange for the overload compensation.

Overload/Supplemental Procedures

Unit leaders should follow the following procedures if an overload course assignment or supplemental pay is warranted for a faculty member (based on ARP 6.61 and ARP 7.53).

1. Publicly announce overload/supplemental opportunities to qualified faculty/staff members.
2. Unit leads and qualified faculty/staff members fill out the SCOBRA form (teaching and non-teaching) to establish the framework of the overload activity.
3. Unit lead submits the SCOBRA form to the Research Budget Office (RBO) SharePoint for review and processing.
4. RBO will review and submit the SCOBRA request to the Associate Dean for Academics for review and approval.
5. The Associate Dean for Academics will notify the unit leader and RBO Co-Directors of the overload/supplemental request decision.