

IPERS Employer Bulletin 2013-1

DATE: April 30, 2013
TO: College and University Reporting Officials
FROM: Donna M. Mueller, CEO
SUBJECT: IPERS Coverage for Adjunct Instructors

Clarification on IPERS Coverage for Adjunct Instructors

Recently, IPERS has received many questions about IPERS coverage for adjunct instructors, particularly when an adjunct is also employed elsewhere within the college or university. This bulletin clarifies when an adjunct instructor's wages should be IPERS-covered.

Iowa Law's Definition of an Adjunct

Iowa law defines adjunct instructors as temporary employees. As such, adjunct instructors do **not** qualify for IPERS benefits. However, if the adjunct is offered a continuing contract that requires the teaching load to exceed one-half time for two full semesters or three full quarters per calendar year, the instructor is no longer considered temporary, and now qualifies for required IPERS coverage as referenced in the following Iowa code information.

Iowa Code 97B.1A

b. "Employee" does not mean the following individuals:

(3) Employees hired for temporary employment of less than six consecutive months or one thousand forty hours in a calendar year. An employee who works for an employer for six or more consecutive months or who works for an employer for more than one thousand forty hours in a calendar year is not a temporary employee under this subparagraph. Adjunct instructors are temporary employees for the purposes of this chapter. As used in this section, unless the context otherwise requires, "*adjunct instructors*" means *instructors employed by a community college or a university governed by the state board of regents without a continuing contract, whose teaching load does not exceed one-half time for two full semesters or three full quarters per calendar year.* (Emphasis added.)

The Administrative Rules' Definition of Half-Time

An administrative rule allows each community college or university to determine what constitutes a teaching load of half-time. (Typically, students are considered full-time when 12–15 credit hours are taken.) For IPERS' purposes, both credit hours and noncredit contact hours must be considered when making the determination. Any hours related to teaching periods of less than a regular semester or quarter should not be considered. Please send IPERS your college or university's definitions of a full-time teaching load and a half-time teaching load for credit and non-credit classes by June 30, 2013. (See Iowa Administrative Rule listed below.)

Iowa Administrative Rule 495 – 5.2(97B)

Coverage treatment for specific employee classifications.

5.2(34) Adjunct instructors employed by a community college or university shall not be covered. Adjunct instructors are persons employed by a community college or university without a continuing contract and whose teaching load does not exceed one-half time for two full semesters or three full quarters for the calendar year. The determination of whether a teaching load exceeds one-half time shall be based on the number of credit hours or noncredit contact hours that the community college or university considers to be a full-time teaching load for a regular full semester or quarter. An adjunct instructor whose teaching load exceeds the foregoing limitations shall be covered.

In determining whether an adjunct instructor is a covered employee, no credit shall be granted for teaching periods of shorter duration than a regular semester or regular quarter (such as summer semesters), regardless of the number of credit or contact hours assigned to that period.

If there is no formal severance, an adjunct instructor who becomes a covered employee shall remain a covered employee until that person completes four consecutive calendar quarters in which no services are performed for that covered employer after the last covered calendar quarter. Notwithstanding the foregoing sentence, no service credit will be granted to any adjunct instructor who has become a covered employee under this rule for any calendar quarter in which no covered wages are reported unless the adjunct instructor is on an approved leave of absence that qualifies for service credit under Iowa Code section 97B.1A(20).

Frequently Asked Questions

- Q: We have an instructor who has IPERS coverage for her regular teaching duties. If that instructor also teaches what we consider an adjunct class, will the compensation for this class be covered by IPERS?**
- A:** Yes, since the instructor is already covered for regular teaching duties, the compensation for the adjunct class would also be IPERS-covered.

Q: We employ a maintenance worker who is IPERS-covered. If the worker teaches what we consider an adjunct class, will the compensation for this class be covered by IPERS?

A: Only the compensation as a maintenance worker would be IPERS-covered, unless the person does not meet the law's definition of an adjunct for the adjunct class. (See above for the law's definition.)

Q: We employ individuals to teach ad-hoc-credited classes and one or more noncredit classes. Will they ever become covered by IPERS?

A: Only when they no longer meet the law's definition of an adjunct. (See above for the law's definition.)

Q: How should we define a full-time or half-time teaching load?

A: Typically, 12-15 credit hours per semester constitute a full-time load. For example, if your college or university uses 14 credit hours as a full-time teaching load, then an employee teaching 7 hours or less would qualify as an adjunct instructor.

Q: We had an adjunct instructor qualify for coverage but now the adjunct instructor is back to teaching less than half-time. Should her wages still be IPERS-covered?

A: Yes. If there is no formal severance, an adjunct instructor who becomes a covered employee will remain a covered employee until the person is not employed by your college/university for four consecutive calendar quarters.

Q: Are we only required to send you our requirements for an adjunct instructor?

A: We need to know the hours required by the college or university to be considered a full-time instructor and a half-time instructor for both credit and non-credit hours. These requirements should be sent to IPERS by June 30, 2013.

Q: If we have been doing this incorrectly, what changes do we need to make?

A: Everyone needs to be in compliance starting July 1, 2013 and going forward. However; if an employee requests retroactive adjustments be made to their account, you must complete the required wage adjustment for that employee.

If You Have Further Questions

Contact the Employer Relations Bureau at 1-877-473-7799 (8 a.m.-4:30 p.m., Monday-Friday) or employerrelations@ipers.org and refer to IPERS Employer Bulletin 2013-1.