



MINNESOTA STATE

Human Resources

Shared Employee Agreement Guidelines

Shared Employee Agreements may only be used between Minnesota State Institutions. Do not use a Shared Employee Agreement when sharing an employee from another state agency; use MMB's Inter-Agency Agreement when sharing an employee from another state agency.

Communication between and within institutions is imperative for the proper administration of compensation and benefits. Prior to engaging an employee from another Minnesota State institution, the hiring manager and/or designee should consult with their local Campus HR Office. **An employee may not commence work via a Shared Employee Agreement until agreement has been reached, signed, and provided to all signatories at both the home and temporary institution.**

The temporary Campus HR Office should review the employee's status using SEMA4 Job Data Statewide and SCUPPS to determine whether a Shared Employee Agreement is allowable. Agreements must comply with the collective bargaining agreement. In the following circumstances a Shared Employee Agreement may be used:

- Ongoing non-faculty shared employee requested to do the same work at more than one institution
- Non-faculty employee requested for limited duration to assist institution in the same classification as that of home location
- Faculty requested for release to perform work for another institution on a limited or short term basis
- Faculty requested to speak at another institution on a one time basis at an individual event or a multi part series

NOTE: Shared Employee Agreements may be used for a faculty member working at the system office when it is important that the work is performed by an employee acting in the role of "faculty member." When sharing an employee between institutions the work, compensation, and benefits must be consistent with the employee's bargaining unit at the home institution.

If the above are not applicable, the recommendation is for the additional institution to hire the employee. This would include (but not be limited to) the following:

- ❖ Faculty proposed to perform work at an additional institution under a different bargaining unit agreement than the home institution should be hired at the additional institution. For example, should a two year institution wish to offer an assignment to a faculty member from a four year institution (or vice versa) the institution should hire the employee.
- ❖ Faculty proposed to perform work at an additional institution on an ongoing basis should be hired at the additional institution. For example, should an institution wish to offer an assignment to a faculty member for a multi-year grant based project the institution should hire the employee provided that the work does not interfere with the full performance of the faculty member's duties at the home institution.
- ❖ An employee proposed to perform work at an additional institution that is outside of the primary job classification at the home location should be hired at the additional institution provided that the work does not interfere with the full performance of the faculty member's duties at the home institution.



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NOTE: When an employee has appointments at multiple institutions Campus HR Offices must determine a primary institution to be responsible for employee status changes.

As part of the determination and development process for the Shared Employee Agreement, Campus HR Offices should review all employment related data and take appropriate action. The review should include the following:

If the employee has separated from a Minnesota State institution:

- Determine if the employee received an Early Separation Incentive or Board Early Separation Incentive, and obtain the necessary approvals under Board Policy 4.6 or Board Policy 4.11 Part 6 if applicable
- Confirm whether an employee on layoff is currently still in layoff status

Determine Bargaining Unit Eligibility and Employee Status:

- Review employee's current assignments at other Minnesota State Institutions to determine bargaining unit eligibility utilizing reference materials and bargaining agreement language
- Determine the impact of other assignments on the employee's salary placement
- Determine any assignment restrictions due to participation in Phased Retirement or Annuitant Employment Program, or status on sabbatical
- Review employee's FLSA status. If one or more positions is non-exempt, overtime may be necessary

Review Benefit Eligibility:

- Verify benefit eligibility per current bargaining agreement or under ACA and determine if the employee will experience a change in contribution level
- Verify retirement eligibility and determine if the employee will experience a change in retirement eligibility
- Verify paid leave eligibility per current bargaining agreement and determine if the employee will experience a change in eligibility

Complete Employee Onboarding Process

- Complete employee onboarding to include I-9 Employment Eligibility Verification for institution at which the employee will be employed
- Direct employee to maintain direct deposit and tax withholdings in Self-Service for all appointments
- Direct employee to maintain address, phone number, and other personal information in Employee Home
- Verify employee's completion of any mandatory trainings

The Shared Employee Agreement template provides the outline of necessary information. All sections of the template should be completed and agreed upon by both institutions prior to work beginning.



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Shared Employee Agreements are signed by the following parties at the home and temporary institution:

- Immediate Supervisor
- Division Administrator
- Chief Human Resources Officer

Following signatures by the above, the employee signs the document. Then the CHRO or designee at the temporary institution submits the final document to the business office and provides a signed copy to all signatories of the agreement.

IMPORTANT:

- ✓ An employee may not commence work via a Shared Employee Agreement until agreement has been reached, signed, and provided to all signatories at both the home and temporary institution.
- ✓ Employees shall submit time worked through the Home Location's Time and Leave Reporting System.
- ✓ The Home Location supervisor should confirm time worked with the Temporary Location supervisor prior to approval of the timecard.
- ✓ The Temporary Location shall pay Home Location applicable compensation for all contractual and/or FLSA hours worked and/or overtime, up to a maximum of the total hours worked at the Temporary Location during the pay week/pay period.
- ✓ Non-exempt employees may be required to record hours of work for the Temporary Location for work performed under this agreement.
- ✓ Should an assignment not be completed in the current fiscal year work completed must be compensated and a new agreement created to complete the work in the following fiscal year.
- ✓ Each Minnesota State institution is encouraged to establish a local business process to address responsibilities for Shared Employee Agreements to meet the needs for the following parties:
 - Business Office
 - Campus HR Office
 - Immediate Supervisor(s)