What do we expect to cover in this session?

- Trends of employment
- The rules and regulations for part-time employees
- The positives and negatives of part-time, full-time and other types of employment
- Managing part-time staff
Part-time vs. Full-time

• Before Obamacare, there was no standardized or legally accepted definition of full- or part-time. Under the new act, which takes effect on January 1, 2014, a worker is considered full-time if he or she works at least 30 hours per week.

Part-time vs. Full-time Ages 25-54
Part-time vs. Full-time

- The Fair Labor Standards Act (FLSA) does not define full-time employment or part-time employment. This is a matter generally to be determined by the employer. Whether an employee is considered full-time or part-time does not change the application of the FLSA.

Overtime for part-timers
What about Overtime?

• For covered, nonexempt employees, the Fair Labor Standards Act (FLSA) requires overtime pay to be at least one and one-half times an employee's regular rate of pay after 40 hours of work in a workweek.

How about double time?

• The FLSA has no requirement for double time pay. This is a matter of agreement between an employer and employee.
Part-time Worker’s Compensation

Part-timers the way the courts see it....

- New Jersey courts have lumped part time workers into three categories:
  - a) The worker who only wants to work part time hours, and would continue working part time hours had the employee not been injured.
  - b) The part time worker who is only working part time hours, but would work full time if available; and
  - c) The part time worker who works other jobs at the time of the work injury.
Part-time worker’s compensation

- I have two jobs, one full time and the other part time job. I was injured on the part time job, and because of the injury I am also unable to work at the full time job. Can I collect workers’ compensation benefits from my full time job?
- No. Since you were injured on your part time job, any workers compensation benefits will be based on that employment.

Part-time vs. Contractor Worker’s Compensation

- If you are injured at work and your employer denies payment of Workers’ Compensation benefits stating that you are an independent contractor and thus not eligible for Workers’ Compensation, your employer may very well be wrong. In New Jersey, employment status is favored over independent contractor status. The courts liberally construe the law in order to cover as many workers as possible under the Workers’ Compensation Act. Issues such as issuance of a 1099 rather than W-2 are not determinative. Courts will look at the real relationship between the parties.
Are part-time employees eligible for disability benefits?

- Yes, wages earned by individuals employed on a part-time basis can be used to establish eligibility. Of course, to qualify for benefits, the individual would have to be unable to perform the duties of the part-time employment and be under the care of a licensed physician.

Pros & Cons of Hiring of Part-time Employees

**POSITIVES**
- Reduced compensation
- Limited benefits if any
- Inexperienced workforce

**NEGATIVES**
- Lack of loyalty
- High turnover
- Lack of consistency and production
- Higher training and retraining costs
Pros & Cons of Hiring of Full-time Employees

**POSITIVES**
- Greater productivity
- Employee loyalty
- Better trained
- Team mentality

**NEGATIVES**
- Higher compensation
- Expensive benefits
- Smaller workforce
- Lack flexibility

Part-time workers

- Many part-time workers are seeking full-time
- The post-recession market resulted in employers getting work accomplished without paying higher costs
- Rising medical costs and medical legislation are keeping employees part-time longer.
Seasonal workers

Seasonal Employees

• How many hours per day or per week can an employee work?
• The FLSA does not limit the number of hours per day or per week that employees aged 16 years and older can be required to work. Overtime compensation requirements can apply for hours worked over 40 in a work week.
Understanding your part-time employee....

- Are they seeking full time work?
- Are they seeking to remain part-time because they need the flexibility.....Child care, adult care, education conflicts?
- Are you just providing a stepping stone?
- Are you willing to invest resources?
- Are they part of the team or simply filling in?

What are your intentions as an employer? .....Be clear and honest.

- Is there an opportunity to hire the person full-time?
- Is there a need?
- Is there money?
How do you learn about your part-time employee intentions

• Full time employees tend to communicate much more, because they have the additional time to do so. Therefore, you need to go out of way to communicate with your part-timers

• Try to allow you part time workers to socialize as your full-time employees

As an employer you need to know....

• Often part time workers have additional stress in their lives.
• School, child care concerns, health care
• Often lower incomes, lack a sense of being included
• Possibly working multiple jobs
Support them as you do others

- **Treat them as valued employees:** They are not second class citizens. Remember to include them in special events such as employee meetings and celebrations.
- **Give them adequate workspace and resources:** They need to be just as productive during their work hours as anyone else, and feel like they are a part of the team.
- **Pay them a wage comparable to your full time employees:** You should pay your part time workers a comparable prorated wage to a full time worker.

Treat them the same

- Provide them opportunities for advancement
- Offer training and invest
- Provide them the face time
- The part time work force is here to stay
Servicing the public and pleasing our bosses

• In Local Government we service almost 9 million people but we also have 9 million bosses

• The Government manager is only as good as its workforce....... So we need to work as a team ....

Success is based on working together.....

• It does not matter if you’re the part – timer and come in for a couple hours a day and have limited responsibility....
Success is based on working together.....

• It does not matter if you are not a regular full-time worker but asked to come in and work seasonally to keep us going during vacation schedules....

Success is based on working together.....

• It is about managing all your employees, using their talents to better improve the organization... everyone will benefit by a successful working group...
Good Luck...

• Use all your talented staff as a cohesive group and you’ll be ridiculously successful