

# SERVICE AGREEMENTS

## ADMINISTRATIVE GUIDE

A Service Agreement is used to compensate individuals for a variety of temporary work assignments. The primary purpose of the service agreement process is to compensate existing staff members for additional duties performed outside of their normal work hours. On occasion a service agreement opportunity is filled by a non-CPS employee; however, these are carefully reviewed to ensure that the appropriate hiring process has been selected.

Most commonly, service agreements are used to compensate staff for a variety of student focused out of school time activities including afterschool tutors, before school supervision, club advisors, VPA co-curricular activities, and sports coaches. In addition, staff members who facilitate professional development (workshop leaders), develop curriculum or meet outside of contractual hours are also compensated through the service agreement process. Hourly rates for these activities are specified in collective bargaining agreements.

### General Guidelines

- 1. Posting Requirement:** When the total compensation for the year equals **\$1,000 or more**, the service opportunity must be posted by the Human Resources Department for 10 days. An individual may not start work under a Service Agreement valued at \$1,000 or more until the posting period has been completed, a recommendation to hire made to the Human Resources Department, and the applicant has completed any necessary paperwork.
- 2. Background Checks:** A CORI background check is required for any non-CPS employee, and a fingerprinting based check may be required if the individual will have direct and unmonitored contact with children.
- 3. Length of Time:** Service agreements must begin and end within the same fiscal year if funded by your general budget. The district's fiscal year is July 1 through June 30. Grant funded service agreements may cross fiscal years, but must align with the grant period (for example many grants begin Sept 1<sup>st</sup> and end August 31<sup>st</sup>).
- 4. Work Hour Requirements for Existing Staff:** Existing CPS employees who receive compensation through a Service Agreement for additional duties must ensure that these additional duties are performed outside of regularly scheduled work hours. In addition, the work must be separate and distinct from the job duties and responsibilities that would be expected of the individual in the normal course of their regular work for the Cambridge Public Schools.
- 5. Compensation Rates for Existing Staff:** The amount of compensation under a service agreement will depend on several factors:
  - **Contractual Rates of Pay:** Compensation rates for certain duties are specified in the collective bargaining agreements for the Cambridge Educators Association Units A/B, D

and E and **must be used** when setting the compensation for these activities. These rates are required regardless of funding source (i.e. grant funded service agreements must adhere to same policies and procedures as those funded through the general fund). A list of common Additional Compensation and Professional Development Rates is available on the CPS website.

- **Fair Labor Standards Act (FLSA) Overtime Requirements:** Employees categorized as *non-exempt* are paid an overtime rate for time worked in excess of 40 hours per week. Staff in the following employee groups are non-exempt: clerks, custodians, technology support technicians, hourly aides, paraprofessionals and family liaisons.

**6. Compensation Rates for Non-CPS Staff:** A Service Agreement may be awarded to a Non CPS staff member when the position is temporary in nature (confined to the fiscal year in which the service agreement is awarded), the hours per week are less than 20, and job duties are not similar to those of permanent positions or established roles. Examples of positions that meet all of the criteria include child care for specific events, after school tutoring, home-based tutoring, sports coach, VPA co-curricular activity (e.g. choreographer), and individuals hired to manage a special project.

- **Services for Which There Are Contractual Rates:** When a non-CPS staff member is selected for a position compensated through a contractual rate or stipend specified in the CEA unit A/B contract (e.g. athletic coaches, Visual and Performing Arts co-curricular activities), the compensation should align with the contractual rates for those positions.
- **Services for Which There are NO Contractual Rates:** The Human Resources Department can provide you with historical and comparative compensation information that can assist you in developing a fair compensation rate for a non-CPS employee temporary opportunity.

**7. Retired Personnel:** There are strict guidelines pertaining to the number of hours an individual who is collecting a public pension (either through the Massachusetts Teachers' Retirement System, MTRS, or state/local retirement board) may work and a limit on total annual compensation. Before a retired staff member may be compensated through a service agreement, they will need to submit a completed post-retirement earnings calculation form. Information about post retirement earnings is available on the MTRS website as well as the Public Employee Retirement Administration Commission (PERAC) website.

**8. A Service Agreement Should Not Be Used When:**

- Hiring an individual to perform duties that are similar to those performed by permanent positions for which there are standard hiring procedures and salary schedules established. For example, individuals hired to assist teachers or the overall school with the supervision of students during the regular school day. These individuals should be hired as an instructional aide or cafeteria aide, depending on role and qualifications. Contact your budget analyst (contact information listed at the end of this section of the guide) if you are unsure whether a position falls in to this category.

- Hiring a temporary paraprofessional or clerical position due to a vacancy. The temporary position hiring process should be used. Please contact the HR department if this need arises.
- Creating a position of 20 hours or more per week that extends through the majority of the year. This position should be created, posted and hired as a regular position in order to ensure that any individual working in such a position receive appropriate benefits. If position funding is available for only one year, that should be noted in the job posting.
- The same position has been created for two or more years in a row, regardless of work schedule. In this situation, the HR and Finance departments will review to determine the most appropriate hiring process.
- Paying teachers or other staff for participating in professional development -these payments should be processed on a payment voucher. Note that workshop facilitator opportunities should be processed as a service agreement. More information about completing Payment Vouchers can be found in the Payroll section of the Guide.

## Submitting A Service Agreement Via CPS Service Agreement System

Service Agreements may be initiated by completing the appropriate Service Agreement form available in the **CPS Service Agreement System** (see instructions below). When you create a Service Agreement you will need to:

✓ Describe the work	✓ Establish the time frame
✓ Set the payment terms (hourly or flat stipend)	✓ Determine rate of pay
✓ Establish a total (“not to exceed”) amount	✓ Provide budget codes

If the service agreement total value for the length of the fiscal or school year is less than \$1,000, you may identify the individual who will perform the services at the same time that you are submitting the service agreement form. However, if the service agreement total value for the year is \$1,000 or more, the service opportunity must be posted for 10 days and applicants will apply on-line for the position.

Once you have submitted a Service Agreement, it follows an approvals workflow which includes review and approval by:

- **Budget Office**—Ensures that adequate funding is available in budget codes.
- **Human Resources Dept.** –Ensures that all posting, compensation and other hiring requirements are followed.



For those positions that must be posted for 10 days (those over \$1,000), once the 10 consecutive days have passed, you may submit your recommendation to HR for review. You will receive an email notification to let you know once you can post it.

Once a Service Agreement is in place, the Payroll office processes payment vouchers received, and alerts administrator if payments will exceed the Service Agreement amount.

### **Instructions for Submitting a Service Agreement**

Service Agreements are created in the CPS Service Agreement System. The CPS Service Agreement System is an electronic system that automatically routes forms through a review and approval process. To login to the system, please visit [https://secure1.cpsd.us/service\\_agreements/admin](https://secure1.cpsd.us/service_agreements/admin) and enter your CPS email address and password. You may access the **CPS Service Agreement System** on the CPS website, as well.

The value of the Service Agreement will dictate the procedures you follow when filling out a Service Agreement Form

- If the Service Agreement is for LESS than \$1,000 for the year, you will be asked to enter the name and address of the service provider directly after you submit the Service Agreement Form. If you need to post the service agreement to find a service provider, you can select “Unsure of Provider – Please Post”, and the service agreement will be posted.
- If the Service Agreement will be for more than \$1,000 for the year, you will be given the opportunity to select a candidate once the posting period has ended. The Human Resources Department will review and post the service opportunity. This is the first step in hiring for a service opportunity position. Once the service opportunity has been posted and the hiring manager notifies Human Resources of their selected applicant, Human Resources will enter the service provider’s information.
- If the selected Service Provider is not a current CPS employee, they will need to provide hiring paperwork to Human Resources before the Service Agreement can be finalized and approved.
- You must have sufficient funds in a temporary salary account to support the full cost of the Service Agreement. When you save the service agreement, on the side panel, you will see the balance for the budget codes that you entered. Contact the Budget Office if you need to transfer funds from another account within your budget.

## CPS Service Agreement System | Add Service Agreement



To submit a service agreement, please fill out the following information:

### Service Agreement Opportunity Information

Title of Service Opportunity:

Description of Service Opportunity:

Minimum Requirements / Job Qualifications:

### Terms and Agreement

Beginning Date:  End Date:

Total Amount of Service Agreement (not to exceed):  Payment Terms:

Payment Rate:

### Other Information

All staff must have valid CORI on file.  
AU CPS Administrator Name:  School or Department:

First Name of Person Approving Payment Vouchers (optional):  Last Name of Person Approving Payment Vouchers (optional):  CPS Email of Person Approving Payment Vouchers (optional):

### Funding Source

Account:  Fund:

Department ID#:  Project/Grant:

[Submit Service Agreement](#)

### Other Options

- Home
- Manage Service Agreements
- View Active Service Agreements
- View Inactive Service Agreements
- Manage Form Fields
- Reports
- Change Password
- Logout

### Budget Lookup Tool

Account:  Fund:

Department ID#:

[Search](#)

## CPS Service Agreement System | Assign Staff Member

Please select a current employee below or enter a new staff member to assign to "1"

Unsure of Provider: Please Post

### Current Employees

Show 10 entries Search:

Employee ID#	First Name	Last Name	Select
9999902	Melissa	Tester	<a href="#">Select</a>
0004566	Tester	Waters	<a href="#">Select</a>

Showing 1 to 2 of 2 entries Previous 1 2 of 4 Next

### Add a New Staff Member

First Name:  Last Name:

Email Address:

Please enter a valid email address

Address:

City:  State:

Zip Code:  Last 4 digit of your Social Security# (integers only):

[Save](#)

## Increasing The Value of a Service Agreement

The Payroll Office will not process a payment to a service provider if the full value of the service agreement has already been paid to that individual. An email notification will be sent to Administrators when a service agreement has a \$0 balance. In order to increase the value of an existing service agreement, you will need to submit an amendment through the CPS Service Agreement System.

## CPS Service Agreement System | Add Amendment

Please add the changed information below to amend this service agreement:

Total Amount of Contract:  
Current: \$100, Change to:

Payment Rate:  
Current: \$25, Change to:

Start Date:  
Current: 07/03/2021, Change to:

End Date:  
Current: 07/08/2021, Change to:

### Paying a Service Provider

Upon notification of final approval of a service agreement, the service provider will receive and email with a link to sign and agree to the terms electronically. Following the completion of the signed agreement, the pdf of the agreement will be available to print from the CPS Service Agreement System.

In order to receive compensation, the service provider must log in to [https://secure1.cpsd.us/service\\_agreements](https://secure1.cpsd.us/service_agreements) and submit a **CPS Payment Voucher** in the CPS Service Agreement System. In the case where payment is based on a time frame rather than hours worked (for instance, for Athletic Coaches who are paid by the season), an administrator can submit payment vouchers on the service provider's behalf. This will then be sent electronically to the principal/administrator for his/her approval. Upon approval, this voucher will be available to CPS Payroll Department for processing. You do not need to submit hard copy/spreadsheet payment vouchers for service agreements to the Payroll Department, they will process payments as they are approved in the system. Please note that payment vouchers that are not associated with a service agreement such as payments for teachers attending professional development will still need to be submitted to the Payroll Department directly. Each payment voucher must be filled out completely.

It is very important that payment vouchers are approved on a regular basis. This ensures that the service provider receives pay in a timely fashion and that your budget reflects the expenditures, which will improve your ability to manage your budget. Temporary salary funds may not be reserved and used in a future fiscal year. Thus, funds not paid to a service provider prior to June 30 may not be reserved for payments in the next fiscal year. This means that if an individual does the work in a prior fiscal year (before June 30), but submits a payment voucher for this work after July 1, your current year budget will be charged for the payment. This will reduce the funds you have available for service agreements in the current year.

## CPS Service Agreement System | Submit Payment Voucher

To submit a payment voucher for "Test of the System", please fill out the following information:

Start Date	End Date
<input type="text" value="mm/dd/yyyy"/>	<input type="text" value="mm/dd/yyyy"/>
Description of Services	
<input type="text"/>	
Total Stipend	
<input type="text"/>	
Supervisor's Phone / Ext	
<input type="text"/>	
Payment Voucher Submitted By:	
<input type="text" value="Lisa Waters"/>	
By signing below, I certify that the hours, rates, and services detailed above are a true and accurate record of authorized services.	
Draw Your Signature:	
<input type="text"/>	
<input type="button" value="Clear Signature"/>	
<input type="button" value="Submit"/>	

## Monitoring Your Temporary Salary Budget

When you initiate a Service Agreement, you must identify an available budget amount to fund the full amount of the contract. The funds must be budgeted in a temporary salary account (usually 51201). Before approving a Service Agreement, the Budget Office will check to make sure there is sufficient funding to support the Service Agreement. The Budget Office review will include checking to see what other Service Agreements have already been submitted using that budget code.

## Tracking Service Agreement Expenditures

- Keeping track of the Service Agreements that you have issued is important. The Service Agreement amount is ***not reserved or encumbered***. Thus, you are encouraged to review the list of Service Agreements you have submitted regularly in order to make sure that you don't exceed your budget. This list will be available in the CPS Service Agreement System.
- Expenditures for Service Agreements are reflected in your Budget Status report only when a payment voucher is submitted to and processed by the Payroll Department.
- It is helpful to encourage staff to submit payment vouchers in a timely manner so that the expense is recorded. Service Providers will receive email notifications to submit payments if they have not been received in a timely manner. A report on staff that has not submitted a payment voucher is available in the CPS Service Agreement System under Reports.
- You are strongly encouraged to keep track of vouchers submitted by the individual service provider. This is how you ensure that the work is accomplished AND that the service provider is not exceeding the amount of the Service Agreement. You can view payment vouchers under Manage Payment Vouchers screen in the CPS Service Agreement System.

## **Service Agreement Frequently Asked Questions**

### **Q: How is a Service Agreement initiated?**

**A:** Any administrator who wishes to create a Service Agreement may initiate the process by logging into the CPS Service Agreement System and clicking on the link entitled “Add New Service Agreement.”

### **Q: Which service opportunities must be posted before a hiring decision is made?**

**A:** Any Service Agreement that has a value of \$1,000 or more for the year must be posted prior to a hiring decision. The Human Resources Department will automatically post the position upon receipt of the form via the CPS Service Agreement System.

### **Q: What is the review and approval process for Service Agreements?**

**A:** Service Agreements are reviewed by the Budget Office, the Human Resources Department, and the Payroll Department.

### **Q: How is the Administrator notified of final approval?**

**A:** An email will be automatically sent to the administrator notifying him/her of final approval.

### **Q: How is the Service Provider notified of the approved Service Agreement?**

**A:** Upon notification of final approval of a service agreement, the service provider will receive an email with a link to sign and agree to the terms electronically. Following the completion of the signed agreement, the pdf of the agreement will be available to print from the CPS Service Agreement System.

### **Q: How are payments to the Service Provider processed?**

**A:** Payment vouchers submitted by the service provider for duties associated with the Service Agreement must be reviewed and approved by the Administrator. Administrators will receive notification when payment vouchers are submitted for approval. Each Administrator is responsible for keeping track of the total hours worked for each Service Agreement to ensure that the total compensation amount does not exceed the Service Agreement value.

### **Q: How are Service Agreements increased?**

**A:** In order to increase the value of an existing service agreement, you will need to submit an amendment through the CPS Service Agreement System.

## Glossary of Terms

**Service Agreement:** The Service Agreement is a contract between an administrator and the service provider for a specific work assignment, which will be accomplished during a specified timeframe at an agreed upon rate of pay. The time period is never more than one year, and must begin and end in the same fiscal year.

**Contractual Rate of Pay:** Compensation rates for certain duties are specified in the collective bargaining agreements for the Cambridge Educators Association Units A/B, D and E and **must be used** when setting the compensation for these activities. These rates are required regardless of funding source (i.e. grant funded service agreements must adhere to same policies and procedures as those funded through the general fund). A list of common Additional Compensation and Professional Development Rates is available on the CPS website.

**Encumbrance:** The obligated amount which is equal to the total cost of the goods purchased or the service contracted amount. Because Purchase Orders are not created for service agreements, the costs associated with service agreements are not encumbered, and are not reflected on budget status reports until a related payment vouchers is processed, and the person hired for the service agreement has received a payment.

**Overtime pay:** Employees categorized as *non-exempt* are paid an overtime rate for time worked in excess of 40 hours per week. Staff in the following employee groups are non-exempt: clerks, custodians, technology support technicians, hourly aides, paraprofessionals and family liaisons.

## **Contact Information**

To gain access or ask questions about the CPS Service Agreement System, please contact:

Ivy Washington  
Assistant Director, Budget & Financial Operations  
iwashington@cpsd.us  
617.349.6447

For technical questions, please contact:

Lisa Waters  
Digital & Creative Services Manager  
lwaters@cpsd.us

For questions about the hiring process and procedures, please contact:

Anne Marie Picanco  
Manager Human Resources  
apicanco@cpsd.us  
617.349.6443

For questions regarding funding and your temporary salary budget, please contact your budget analyst:

Patricia Rousseau  
Senior Budget Analyst  
prousseau@cpsd.us  
617.349.6446

Joshua Collins  
Senior Budget Analyst  
jcollins@cpsd.us  
617.349.4167