

# GLOSSARY FOR ATHLETIC TRAINERS

**AGREEMENT SUPERSEDES:** Terms of the agreement supersede any conflicting terms in attachments and/or exhibits.

**COUNTERPARTS:** To sign a contract in counterparts means that each party to the contract will be signing different, but identical, copies of the contract.

**COVENANTS:** An agreement, contract or written promise between two individuals that frequently constitutes a pledge to do or refrain from doing something.

**ENTIRE AGREEMENT:** Contract constitutes the whole agreement between the parties; prevents the parties from relying on any preceding agreements, negotiations or discussions.

**EXEMPT VS. NONEXEMPT:** In accordance with Fair Labor Standards Act (FLSA), exempt employees, in general, are salaried and therefore not eligible (exempt from) overtime pay. Nonexempt, in general, is an hourly position that must comply with minimum wage and overtime laws by state. See link below for more information.

**FUNCTIONAL JOB DESCRIPTION:** Tool designed to analyze the physical demands of a job.

**GOVERNING LAW:** The laws of a mutually agreed upon jurisdiction will govern the interpretation and enforcement of the terms of the contract.

**INDEMNIFICATION:** Security against legal liability for one's actions; compensation for harm or loss.

**INDEPENDENT CONTRACTOR:** Self-employed individual who works for outside entities.

**KPI:** Key performance indicators; how we measure if we are being effective/successful.

**NONCOMPETE AGREEMENT:** Restricts employee's competition with the employer during or after termination.

**NONSOLICITATION AGREEMENT:** Employee agrees not to solicit employer's customers or other employees.

**PROFESSIONAL DEVELOPMENT:** Continuing education activities applicable to athletic training job duties/responsibilities.

**ROI:** Return on investment; how much value the employer gets out of the contract.

**SEVERABILITY:** This contract section states that if one part of the contract is found to be invalid, the rest of the contract remains valid.

**SUPERVISION:** Person/role to whom the AT reports. This includes a supervising physician and, ideally, an on-site administrator.

**SUPPLEMENTAL AGREEMENT:** A contract modification that is accomplished by the mutual action of the parties.

**TERM:** A negotiated and typically legally binding arrangement between parties as to a course of action.

**TERMINATION OF AGREEMENT:** To end the contract prior to it being fully performed by the parties.

## Sources:

FLSA: [www.dol.gov/agencies/whd/flsa](http://www.dol.gov/agencies/whd/flsa)

[www.thebalancesmb.com/what-terms-should-be-included-in-an-employment-contract-397911](http://www.thebalancesmb.com/what-terms-should-be-included-in-an-employment-contract-397911)

[www.dol.gov/general/topic/health-plans/cobra](http://www.dol.gov/general/topic/health-plans/cobra)

[corporate.findlaw.com/human-resources/what-goes-into-an-employment-contract-and-why.html](http://corporate.findlaw.com/human-resources/what-goes-into-an-employment-contract-and-why.html)