

HORRY-GEORGETOWN TECHNICAL COLLEGE

PROCEDURE

Number: 3.2.3.5
Related Policy: 3.2.3
Title: Temporary Employment
Responsibility: Vice President, Human Resources and Employee Relations

Original Approval Date: 08-01-1994
Last Cabinet Review: 06-09-2017
Last Revision: 06-09-2017

President

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY.

Horry-Georgetown Technical College (HGTC) may employ individuals in a temporary status to perform specific duties and responsibilities for defined projects or a period of time. Temporary employees are those who work full-time or part-time hours, which do not occupy a full-time equivalent (FTE) position and are not covered employees. Examples of temporary employees include, but are not limited to, adjunct faculty, seasonal staff and staff in temporary positions who work full or part-time hours.

All personnel employed in a temporary status are subject to the following provisions:

- A. The period of employment, on a full-time or part-time basis, may not exceed (12) consecutive months.
- B. Employees are eligible for retirement benefits under the SC Retirement System or State Optional Retirement Program (ORP).
- C. Health Insurance Eligibility—
 1. Employees are eligible for health coverage benefits unless one of the following apply:
 - a) Non-instructional staff and CCE (non-credit) adjunct employees who work less than 30 hours per week.

- b) Credit adjunct faculty as calculated by the Reasonable Method or Safe Harbor Method described below.
- c) Temporary employees who are employed in multiple positions that run concurrently who work or have service hours less than a combined total of 30 hours per week within guidelines.

D. The following two methods are to be used for determining adjunct eligibility.

1. Reasonable Method

Credit adjunct faculty who teach less than 75% of the college's FTE faculty full load are not eligible for benefits. This translates to a range of 11 to 13 credit hours or 14 to 17 contact hours.

2. Safe Harbor Method (Service Hours Calculation)

Allow 2.25 hours of service (representing a combination of teaching or classroom time and time performing related tasks such as class preparation and grading of examinations or papers) per week for each hour of teaching or classroom time (in other words, in addition to crediting an hour of service for each hour of teaching in the classroom, this method would credit an additional 1.25 hours for activities such as class preparation and grading) and/or an hour of service per week for each additional hour outside of the classroom the faculty member spends performing duties they are required to perform (such as required office hours or required attendance at faculty meetings).

- E. Non-instructional staff are not considered salaried employees and shall be paid at an hourly pay rate for actual hours worked during each pay period.
- F. Adjunct teaching faculty can be paid a flat rate/per course not to exceed actual hours worked during each pay period.
- G. Temporary employees are not eligible for paid leave nor other benefits normally associated with employees in FTE positions except as indicated above.
- H. Temporary employees are deemed as employed at-will and will not be considered for either probationary or covered status. They do not have the right to submit grievances or appeals to the State Employee Grievance Committee and can only make an informal complaint by accessing the institution's internal policy and/or procedure. Matters arising from alleged acts of discrimination because of race, color, religion, sex, national origin, age, and disability may be filed within the agency, the South Carolina Human Affairs Commission, or the Equal Employment Opportunity Commission.
- I. Temporary employees do not have the rights or protection of the HGTC Reduction in Force Procedure and are subject to termination in order to provide continued employment for an employee affected by an institutional RIF.

- J. Temporary positions are covered by the same employment laws as covered positions including Fair Hiring Practices, Nepotism, Fair Labor Standards Act, Family Medical Leave Act (FMLA), Patient Protection and Affordable Care Act (PPACA), etc.

Horry-Georgetown Technical College has adopted the following procedure for administering temporary employment:

I. Position Request and Approval

A Position Request for Temporary Staff must be completely processed and approved, every fiscal year, by the appropriate Vice President or President (if applicable) and Cabinet before any temporary classified employment is undertaken. All position requests will be reviewed mid-year and are subject to change.

The Position Supervisor will complete the Position Request for Temporary Staff form and attach a job description outlining the proposed job duties/responsibilities, along with a justification for the position requested. The Position Supervisor will submit all paperwork to their supervisor and/or appropriate Vice President or President, if applicable, for approval. The approved request will be submitted to Human Resources - Classification and Compensation Coordinator, where the appropriate classification and salary range will be determined for the position. The Position Supervisor and/or appropriate Vice President will be notified of the assigned classification/salary range. The position request will be presented to Cabinet and/or the President for final approval. All approved position requests will be provided back to Human Resources for processing.

Please note: If the position changes after the original submission, please submit a revised list of job duties to HR for review.

II. Temporary Classified Staff Recruitment

- A. Temporary staff positions may be advertised in the following situations:
 - 1. The position requested is a new position to the College
 - 2. The employment agreement with the employee currently in the position will not be renewed and a replacement will be hired.
- B. Human Resources will post the temporary staff positions on the College's webpage and any other approved sources of advertisement requested by the position supervisor.
- C. The position supervisor will submit a list of interview questions to the Employment Specialist in Human Resources for approval.

- D. Applicants will be reviewed by the supervisor and one other employee in the department, to be appointed by the Vice President of the department. The top candidates will be selected by the reviewers. The reviewers can then either:
1. Interview the top candidates and forward the recommended candidate(s) to the appropriate Vice President for a second interview; or
 2. Forward the top candidates' files to the appropriate Vice President to narrow it down to one or two candidates for an interview; or
 3. The Vice President of the division may have a different recommendation on how to proceed; please check with the Vice President on the appropriate departmental process.
- E. The position supervisor will schedule and conduct the interviews after the interview questions and top candidates have been approved.

III. Temporary Classified Staff Employment:

The Position Supervisor will direct the recommended employee to complete a Temporary Employment Packet, in its entirety. The completed packet should be submitted to Human Resources for processing on or before the employees first day of employment to comply with the mandated E-Verification of employment eligibility.

The Employment Packet for Temporary Classified Employees can be located and/or printed by visiting the Human Resources webpage at www.hgtc.edu/hr .The following information is included in the employment packet:

- A. Horry-Georgetown Technical College employment application www.hgtc.edu/hr
- B. Transcript Request Form
- C. Form W-4 (current year)
- D. South Carolina Retirement System Selections Memo and Non-Election Form; an enrollment form can be obtained by contacting Human Resources.
- E. Default on Student Loans Form
- F. Disclaimer Form
- G. I-9 Employment Eligibility Verification Form and Documents
- H. A copy of your social security card must be submitted for payroll purposes and submission to SCRS.
- I. Employee Data Sheet

J. Parking Decal – Request from Public Safety by providing your H Number, a copy of your vehicle registration and driver's license.

K. An authorization form for a background check

IV. Temporary Staff Recommendation:

A. New Employee(s)

Upon approval of the Position Request for Temporary Staff form and selection of the temporary employee, the Position Supervisor will submit a Temporary Staff Recommendation form, checking the box marked New Employee, to the Human Resources Department— Compensation and Classification Coordinator.

Upon receipt of the Recommendation Form, the Classification/Compensation Coordinator will conduct a salary analysis of the temporary employee's education, work and/or teaching experience and in conjunction with the position supervisor, and/or applicable Vice President or President, if applicable, determine the appropriate hourly rate. Human Resources will then communicate the hourly rate to the position supervisor. In following, the Temporary Employment Specialist will prepare a Letter of Appointment and forward to the Position Supervisor, Vice President and/or President, if applicable, to obtain all applicable signatures and return to Human Resources for processing.

Upon receipt and verification of the completed Letter of Appointment, and the completed Temporary Employment Packet, Human Resources will forward all necessary paperwork to payroll for processing and a copy of the agreement will be submitted to the Position Supervisor for their records.

B. Returning Employee(s)

Upon approval of the Position Request for Temporary Staff form and selection of the returning temporary employee, the Position Supervisor will submit a Recommendation for Hire Form to the Human Resources Department – Classification and Compensation Coordinator, checking the box marked Returning Employee.

If the employee is returning without a rate increase, the appropriate pay rate will be inserted and the form will be forwarded to the Temporary Employment Specialist.

If the employee is returning with a request rate increase, an updated job description and justification for the requested increase must be attached to the Recommendation for Hire Form. The Classification and Compensation Coordinator will conduct a salary analysis of the

temporary employee's education, work and/or teaching experience and in conjunction with the position supervisor, and/or applicable Vice President or President, if applicable, determine if the hourly rate should be increased. Human Resources will then communicate the hourly rate to the position supervisor. In following, Human Resources - Temporary

Employment Specialist will generate a Letter of Appointment and forward to the applicable Position Supervisor, Vice President and/ or President when applicable, to obtain all applicable signatures and return back to Human Resources for processing.

Upon receipt and verification of the completed Letter of Appointment, Human Resources will forward all necessary paperwork to payroll for processing and a copy of the agreement will be submitted to the Position Supervisor for their records.

C. Temporary Employee(s)

Non-Instructional temporary classified employees are not considered salaried employees and should be paid an hourly rate for actual hours worked during each pay period. If a temporary classified employee works in excess of 40 hours per week, they must be paid at one and one-half times their hourly salary. Therefore, prior approval must be obtained from the Position Supervisor prior to the temporary employee working in excess of 40 hours.

Temporary classified employees are deemed as employed at will and will not be considered for either probationary or FTE status. They do not have the right to submit grievances or appeals to the State Employee Grievance Committee and can only make an informal complaint by accessing the College's internal Informal Complaint Process⁽⁸⁾. Employees are our most valuable resource and our policy is that equal employment opportunities be provided to all temporary classified employees regardless of race, color, religion, sex, national origin, age, and certain legally defined disabilities. Matters arising from alleged acts of discrimination because of race, color, religion, sex, national origin, age and legally defined disabilities may be filed with the College, the South Carolina Human Affairs Commission or the Equal Employment Opportunity Commission.

Temporary employees do not have the rights or protection of the State Board for Technical and Comprehensive Education (SBTCE) and/or Horry-Georgetown Technical College (HGTC) Reduction in Force Procedure, and are subject to termination in order to provide continued employment for an employee affected by an Institutional RIF.

Temporary employees are not eligible for paid leave, nor other benefits associated with FTE positions, except that they must be offered the option of joining the SC Retirement System or Optional Retirement Program (ORP).

Temporary positions are covered by the same employment laws as covered positions such as Fair Hiring Practices, Nepotism, Fair Labor Standards Act, Family Medical Leave Act (FMLA), etc.

⁽⁸⁾ *Informal Complaints may be filed with an employee's Human Resources Officer.*