

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

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**TITLE: TEMPORARY GRANT AND TIME-LIMITED
POSITIONS / EMPLOYMENT**

**POLICY
REFERENCE NUMBER: 8-2-108**

**DIVISION OF
RESPONSIBILITY: Human Resource Services**

DATE OF LAST REVISION: June 16, 2016

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 SC STATE
BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC
TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM
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WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR
ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF
THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

I. USE OF TEMPORARY GRANT/TIME-LIMITED POSITIONS

The System Office/colleges may choose to use temporary grant/time-limited positions when staffing approved on-going, renewable grants, contracts or projects at the discretion of the System/College President. Positions funded by approved non-renewable grants/projects may also be established as temporary grant/time-limited positions.

Once a college decides to utilize temporary grant positions with a grant, all future positions funded by the grant will be consistently staffed in this manner and any full time equivalent (FTE) positions that are vacated will be reestablished as temporary grant positions for the duration of the grant period.

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II. CHARACTERISTICS OF TEMPORARY GRANT/TIME-LIMITED POSITIONS

- A. A temporary grant position does not occupy an FTE position. In order to be categorized as a temporary grant position, the position must be funded in full by approved grant funds and may include state dollars only if they are required as a match to a grant. No other funds, in whole or in part, may be used to pay the salaries and/or benefits of employees occupying temporary grant positions.
- B. Time-limited project positions are non-FTE positions established to perform work directly associated with a time-limited project. In order to be categorized as a time-limited position the projects must be specific work products or services provided by one state agency to another state agency, local government, or other public or private entity over a specified time period as a contractual arrangement between the agencies. Time-limited positions may be funded by Federal, State or Other funds. Only funds authorized within the time-limited project may be used to pay the employee's salary and benefits.
- C. A temporary grant/time-limited position may not exist beyond the duration of the grant or time-limited project or any subsequent renewal of it. When the grant/project or any subsequent renewal ends, a temporary grant/time-limited employee will be terminated and his/her position will cease to exist.
- D. A position description is required for each temporary grant/time-limited position established. The appropriate job classification will be approved by the college's human resource office.
- E. Advertising and recruitment for employees to fill temporary grant/time-limited positions is the same as for FTE employees within established local college procedure.

III. ESTABLISHING A TEMPORARY GRANT/TIME-LIMITED POSITION

- A. Once the grant/project has been awarded, the college human resource office must submit all appropriate grant/project documentation to the System Office Human Resource Services (HRS) in order to establish a temporary grant/time-limited position:
 - 1. A copy of the approved grant, contract or project award which specifies the beginning and ending date of the award; and

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2. A copy of the position description for each position authorized by the award.

B. The System Office HRS will notify the state Executive Budget Office of Grant Services of the position(s) to be established. The Office of Grant Services will forward the request for temporary positions to the Department of Administration Division of State Human Resources (DSHR). DSHR will establish all temporary grant/time-limited positions and HRS will then notify the respective college of the establishment of the temporary grant/time-limited position(s).

IV. TEMPORARY GRANT/TIME-LIMITED POSITION RENEWAL

A. The local human resources office ensures through their college grant office that the grant/project has been renewed and that sufficient funding exists for the positions.

C. Once funding has been confirmed, the local human resources office submits a copy of the approved grant, contract or project award specifying the renewal period to HRS.

V. TERMS OF EMPLOYMENT FOR TEMPORARY GRANT/TIME-LIMITED EMPLOYEES

A. Employees filling temporary grant/time-limited positions must sign a Temporary Grant/Time-Limited Employment Appointment which specifies the terms and conditions of employment including entitlement to benefits, if any.

B. Temporary grant/time-limited employees are considered to be employed at will, whether or not the grant or project under which they are working has expired. This means that temporary grant/time-limited employees may be terminated at any time without cause, without grievance rights, and without any right to compensation beyond the date of termination.

C. Temporary grant/time-limited employees may be eligible for the same benefits available to employees filling FTE positions with the exception of covered or probationary employment status. Benefits may include, but are not limited to, eligibility for health and dental insurance, annual and sick leave, and state retirement benefits, which are to be administered within established state guidelines.

D. Temporary grant/time-limited employees may be eligible for leave benefits if funding is provided in the grant/project. Bonus leave earnings are an agency option based on

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the availability of grant/project funds. All annual leave, if any, must be taken during the period of temporary grant/time-limited employment unless the funds to pay for unused annual leave are specifically provided in the grant/project.

- E. Temporary grant/time-limited employees who have been selected for a position under a different grant or project must terminate from one position before being hired into the second position. The employee's salary and benefits must be determined in the same manner as for any new employee. Annual and sick leave, if applicable, may be transferred from one grant to another or from one time-limited project to another provided the receiving grant or time-limited project has the available funds to accept the liability of the employee leave balances from the previous grant or time-limited project and the transfer is acceptable to the grant or time-limited project source. Transfers from one grant or time-limited position to another must be consistently applied for each grant/time-limited project.
- F. Temporary grant and time-limited employees are considered to be employed at will and are not covered by the state Employee Performance Management System (EPMS)/Faculty Performance Management System (FPMS) however these employees will have their performance evaluated in keeping with policies and procedures governing the processes used for similarly situated employees filling FTE positions.

VI. COMPENSATION

All proposed pay actions shall be reviewed by System Office/college human resources staff to ensure that requested pay actions are sufficiently justified, documented, and in compliance with all applicable procedures.

The South Carolina Constitution prohibits any retroactive payment of salary increases. Therefore, approval of requested pay actions must be accomplished prior to the desired effective date of the action.

A. Salary Determination for Temporary Grant/Time-Limited Employees

System/College Presidents or designee may approve the establishment of a beginning salary up to the maximum of the salary range based on available funding. Salaries for employees in temporary grant/time-limited positions shall be determined through an assessment of the individual's education and experience in the related field and consideration of internal salary equity.

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B. Salary Increases

Temporary grant/time-limited employees' eligibility to receive increases should be in accordance with the college's pay plan and is dependent on availability of grant/project funds. All other salary increases for temporary grant/time-limited employees will be determined in the same manner as for employees filling FTE positions, provided funds are available in the grant/project.

VII. CHANGING FROM A FTE POSITION TO TEMPORARY GRANT/TIME-LIMITED STATUS

A. An employee in an FTE position may be hired into a temporary grant/time-limited position, provided the following conditions are met:

1. The change from FTE employment status to temporary grant/time-limited status must be voluntary;
2. Prior to entering temporary grant/time-limited status, the employee in an FTE position must be paid for unused annual leave earned in the FTE position; and
3. The employee must sign the Temporary Grant/Time-Limited Employment Appointment to attest to his or her understanding and acceptance of the terms and conditions of employment in temporary grant/time-limited status.

B. An employee in an FTE position who voluntarily accepts a temporary grant/time-limited position will:

1. forfeit grievance rights
2. forfeit covered state service status
3. experience a break in service*
4. forfeit all sick leave
5. forfeit reduction-in-force rights

* Employees participating in the TERI Program will not experience a break in service when moving from an FTE position to a temporary grant/time-limited position within 15 calendar days since a TERI employee can continue employment with any employer participating in the SC Retirement Systems during the program period.

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VIII. CHANGING FROM TEMPORARY GRANT/TIME-LIMITED STATUS TO AN FTE POSITION

- A. A temporary grant/time-limited employee may apply for and be considered for employment in an FTE position in the same manner as any other applicant. There is no guarantee or obligation to compensate a temporary grant/time-limited employee at the same rate of pay when offering employment to an FTE position. Salary recommendation for FTE employment situations will be determined in accordance with applicable SBTCE guidelines and local college policies and procedures.
- B. The System/College President and/or designee may decide whether six (6) months of continuous satisfactory service in a temporary grant/time-limited position may be counted toward the attainment of covered status. Discretion should be exercised in a manner to ensure that all similarly situated employees are treated consistently and equitably.
- C. If the grant/project provides funding for benefits, all unused annual leave earned must be taken during the period of temporary grant/time-limited employment unless the funds to pay for unused annual leave are specifically provided for in the grant/project in which case, the annual leave will be paid out before the employee enters an FTE position. Any sick leave accrued and/or any compensatory time earned will be forfeited.

IX. TERMINATION OF TEMPORARY GRANT/TIME-LIMITED EMPLOYEES AT END OF GRANT/PROJECT

- A. Written notification should be given to the affected employees by the college prior to the ending date of the grant or project. The termination effective date should be the last day worked, but not later than the grant or project ending date.
- B. Reduction-in-Force plans are not required for the termination of the temporary grant/time-limited employees at the conclusion of the grant or project.

ADDENDUM

TEMPORARY GRANT/TIME-LIMITED EMPLOYMENT APPOINTMENT

SECTION I: ELIGIBILITY FOR BENEFIT(S) (completed by the College's Human Resource Officer)

Please check the benefit(s) to which this employee will be entitled as provided for in the grant or contract:

- A. Annual Leave (in keeping with State Human Resources Regulation 19-709 and all applicable college policies and procedures)
- B. Faculty Non-Work Days (in keeping with all applicable college policies and procedures)
- C. Sick Leave (in keeping with State Human Resources Regulation 19-710 and all applicable college policies and procedures)
- D. Compensatory Time (in keeping with State Human Resources Regulation 19-707.02 and all applicable college policies and procedures)
- E. Other Leave With Pay (in keeping with State Human Resources Regulation 19-712 and all applicable college policies and procedures).
- F. Insurance plans offered through the state's Public Employee Benefit Authority (PEBA).
- G. Retirement plans offered through the state's Public Employee Benefit Authority (PEBA)

HR Officer's Signature: _____ Date: _____

SECTION II: TERMS/CONDITIONS OF EMPLOYMENT (completed by the Temporary Grant/Time-Limited Employee)

I understand that _____ College is employing me in a Temporary Grant/Time-Limited position, and my employment in this position is at will which means my employment may be terminated at anytime with or without cause. I further understand that any disciplinary actions up to and including termination, are not subject to administrative appeal.

I understand that all annual leave, if any, must be taken during the period of my employment unless the funds to pay for unused annual leave are specifically provided in the grant/project. Neither the System Office/College nor the State of South Carolina is obligated to further employ me upon termination of these funds.

I understand that as a temporary grant/time-limited employee, I am not required to have withholdings made from my paycheck for retirement. If the grant/project that I am being employed under offers this benefit, I may choose to participate. **If I currently have funds on deposit with the South Carolina Retirement System and the grant/project provides this benefit, I am required to participate.**

- I Do Not** want to be a member of the South Carolina Retirement System. I do not have active funds on deposit with the SC Retirement System.
- I want** to be a member of the South Carolina Retirement System. I understand that once enrolled, a percent of my salary, as designated by the S.C. Retirement Systems, will be deducted for retirement, and that I must continue to participate as long as I am employed with a covered employer.
- I want** to enroll in Optional Retirement Program where eligible.

ADDENDUM

I understand that I must complete a S.C. Retirement System enrollment form before my enrollment can become effective. I further understand that I must contact the college's Human Resources Office to obtain additional information about the Retirement System, and if necessary, complete an enrollment form.

Retired: _____ Retired member of the South Carolina Retirement system and currently receiving benefits.
_____ Retired member of the Police Officers Retirement System and currently receiving benefits.

SECTION III: ACCEPTANCE AND SIGNATURE (completed by the Temporary Grant/Time-Limited Employee)

I have read and understand the above conditions and the attached Temporary Grant/Time-Limited Positions/Employment policy and procedure with respect to my employment. My signature below indicates my voluntary acceptance of the terms and conditions of employment.

Employee Name: _____ Employee ID# _____

Title of Position: _____ Date Position Ends (if known): _____

Employee Signature: _____ Date: _____

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