

HORRY-GEORGETOWN TECHNICAL COLLEGE

PROCEDURE

Number: 3.1.11.1
Related Policy: 3.1.11
Title: Temporary Grant Positions/Employment
Responsibility: Vice President, Human Resources and Employee Relations

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Last Revision: 06-16-2016

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.

I. Use of Temporary Grant/Time-Limited Positions

The College will utilize temporary grant/time-limited positions when staffing approved ongoing, renewable grants or contracts. Positions funded by approved non-renewable grants may also be established as temporary grant/time-limited positions. All future positions funded fully by federal or state grant money will be consistently staffed in this manner and, any expansion in staffing to existing grants will be handled in a similar manner. In addition, current grant funded Full-time equivalent (FTE) positions that are vacated will be reestablished as temporary grant/time-limited positions for the duration of the grant period.

II. Characteristics of Temporary Grant/Time-Limited Positions

- A. A temporary grant position does not occupy a 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 Federal 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, temporary grant/time-limited employees will be terminated and his/her positions will cease to exist.
- D. A position description is required for each temporary grant/time-limited position established. The appropriate job description will be developed by the position supervisor and Vice President. The appropriate classification will then be recommended by the Human Resources Department for processing.
- 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. The College's grant office processes the approval of the grant through the Office of Grant Services, and submits all appropriate documentation such as GS-5, GS-7, or FPR, and the budget documentation.
- B. Once the grant/project has been awarded; the Vice President, Human Resources and Employee Relations will complete the Human Resources Division Request for Temporary Grant Action form and submit all appropriate documentation to the System Office Human Resources (HRS) in order to establish a temporary grant/time-limited position:
 - 1. A copy of the approved grant or contract award which specifies the beginning and ending date of the award; and
 - 2. A copy of the position description for each position authorized by the award.
- C. Upon receipt of the information listed above, the System Office HRSD will review and concur to assure appropriateness of the recommended class title based on the duties described in the position description.
- D. 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 (HRDDSHR). HRDDSHR will establish all temporary grant/time-limited positions and HRS will then notify the respective college when the positions have been established. The System Office HRS will then notify the College of the establishment of the temporary grant/time-limited position(s).

- E. After notification, the College may fill the position within established College procedures.

IV. Temporary Grant/Time-Limited Positions Renewal

- A. Ensure through the College's grant office that the grant/project has been renewed and that sufficient funding exists for the positions.
- B. Once funding has been confirmed, the Human Resources Department submits the request for temporary grant form in accordance with Section III, above. (Check renewal on characteristics of temporary grant position.)
- C. If the grant renewal allows funding for a new position, two copies of a newly created position description is to be included in the documentation submitted to the System Office 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 his/her employment including his/her 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. Any unused annual leave earned under the temporary grant employment status will be paid out in those cases where the grant provided funding for benefits. Any unused sick leave/Faculty Non-Work Days will be forfeited.
- C. Temporary grant/time-limited employees will not be entitled to any compensation beyond the date of termination other than for such part of the grant that has been performed.
- D. Temporary grant/time-limited employees may be eligible for the same benefits available to employees filling covered positions with the exception of permanent or probationary employment status, if funding for benefits is provided in the grant. Benefits may include, but are not limited to, eligibility for health and dental insurance, annual and sick leave, faculty staff development activities and State retirement (TGP/time-limited employees are ineligible for Optional Retirement Programs(ORP)) benefits, which are to be administered within established College guidelines. Bonus leave earnings are an agency option based on availability of grant funds.
- 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 and Faculty Non-Work Days, 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 sources. Transfers from one grant or time-limited position to another must be consistently applied for each grant/time-limited project

- F. Temporary grant/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 employee filling FTE positions.
- G. Service in a temporary grant/time-limited position may, at the discretion of the College President, be counted toward the completion of the required probationary period for a FTE position.

VI. Compensation

The Executive Director/System President has delegated authority for selected pay actions to the College President. All proposed pay actions shall comply with the College and/or System Office HRS to ensure that requested pay actions are sufficiently justified, documented, and in compliance with all applicable procedures. All delegated pay actions are subject to audit by the System Office. The Executive Director/System President reserves the right to withdraw delegation authority from an individual college based upon non-compliance with State Board for Technical and Comprehensive Education (SBTCE) system 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

The College President 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.

B. Salary Increases

Temporary grant/time-limited employees' eligibility to receive increases in accordance with the College's pay plan and is dependent on availability of grant/project funds. The College President may approve other salary increases up to the maximum of the salary range based on available funding. All other salary increases 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.

VII. Changing from a FTE position to Temporary Grant/Time-Limited Status

A. An employee in a 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 a FTE position must be paid for unused annual leave/Faculty Non-Work Days 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 a 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

*Employee participating in the Teacher and Employee Retention Incentive (TERI)

VIII. Changing from Temporary Grant/Time-Limited Status to a FTE Position

A. A temporary grant/time-limited employee may apply for and be considered for employment in a 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 his/her same rate of pay when offering employment to a FTE position. Salary recommendation for FTE employment situations will be determined in accordance with applicable College policies and procedures.

- B. Six (6) months of continuous satisfactory service worked as a temporary grant/time-limited employee may, at the discretion of the College President, count towards either the attainment of covered status or the accrual of service for bonus leave purposes. 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, any unused annual leave/Faculty Non-Work Days earned under temporary grant/project status will be paid out before the employee enters a FTE position. Any sick leave accrued and/or any compensatory time earned will be forfeited.

VIII. Termination of Temporary Grant/Time-Limited Employees at End of Grant

- A. Written notification will be given to the affected employees by the College prior to the ending date of the grant. 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.

HORRY-GEORGETOWN TECHNICAL COLLEGE TEMPORARY GRANT/TIME-LIMITED EMPLOYMENT APPOINTMENT AGREEMENT

SECTION I: ELIGIBILITY FOR BENEFIT(S) (completed by the College's Human Resource Officer in conjunction with the Grant Director)

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)

Grant Director: _____ Date: _____

HR Officer's Signature: _____ Date: _____

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

I understand that Horry-Georgetown Technical 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 any time 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 when the grant or any subsequent renewal ends, as a temporary grant/time-limited employee, I will be terminated and shall not be entitled to grievance rights or to any compensation beyond the date of termination.

I understand that as a temporary grant/time-limited employee that my performance will be evaluated in keeping with College and State policies and procedures governing the processes. I understand that as a temporary grant/time-limited employee I forfeit my permanent state status, will experience a break in service and forfeit reduction-in-force rights.

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, any sick leave/faculty non-workdays accrued and/or any compensatory time earned will be forfeited. Neither the College nor the State of South Carolina is obligated to further employ me upon termination of these funds.

I understand that if the grant or project which is funding my position does not provide for benefits, I am not eligible to enroll in the health or dental plans, South Carolina Retirement System, Optional Retirement Program, or any other benefits, which require an employer contribution.

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 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 or 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 currently have 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.

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 Employee)

I have read and understand the above conditions and the attached Horry-Georgetown Technical College Temporary Grant 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: _____ SSN: _____
Title of Position: _____ Date Position Ends (if Known): _____
Employee Signature: _____ Date: _____