

**STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION**

**PROCEDURE**

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**TITLE: TEMPORARY GRANT POSITIONS /  
EMPLOYMENT**

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

**DIVISION OF  
RESPONSIBILITY: HUMAN RESOURCE SERVICES**

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**DATE OF LAST REVISION: April 14, 2011**

**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  
RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN  
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 Positions**

Colleges may choose to use temporary grant positions when staffing approved on-going, renewable grants or contracts at the discretion of the technical college president. Positions funded by approved non-renewable grants may also be established as temporary grant positions.

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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. Additionally, any expansion in staffing to the existing grant will be handled in a similar manner. Also, current full time equivalent (FTE) positions that are vacated will be reestablished as temporary grant positions for the duration of the grant period.

### **II. Characteristics of Temporary Grant 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 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. A temporary grant position may not exist beyond the duration of the grant or any subsequent renewal of it. When the grant or any subsequent renewal ends, a temporary grant employee will be terminated and his/her position will cease to exist.
- C. A position description is required for each temporary grant position established. The appropriate job classification will be recommended by the college's Human Resource Officer for review and concurrence by the System Office.
- D. Advertising and recruitment for employees to fill temporary grant positions is the same as for FTE employees within established local college procedure.

### **III. Establishing a Temporary Grant Position**

- A. Once the grant has been awarded, the college Human Resource Officer must complete the Office of Human Resources Request for Temporary Grant Action form and submit all appropriate documentation to the System Office Human Resource Services (HRS) in order to establish a temporary grant position:
  - 1. A copy of the approved grant or contract award which specifies the beginning and ending date of the award; and
  - 2. Two copies of the position description for each position type authorized by the award.

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- B. The System Office HRS will notify the State Budget and Control Board's 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 State Budget and Control Board's Office of Human Resources (OHR). OHR will establish all temporary grant positions and the System Office HRS will then notify the respective college of the establishment of the temporary grant position(s).
- C. After notification the respective college may fill the position within established college procedures.

#### **IV. Temporary Grant Position Renewal**

- A. The local Human Resources Office ensures through their college grant office that the grant has been renewed and that sufficient funding exists for the positions.
- B. Once funding has been confirmed, the local Human Resources Office submits the request for temporary grant form in accordance with Section III, above. (Check renewal on characteristics of temporary grant position.)

#### **V. Terms of Employment for Temporary Grant Employees**

- A. Employees filling temporary grant positions must sign a Temporary Grant Employment Appointment which specifies the terms and conditions of his/her employment including his/her entitlement to benefits, if any.
- B. Temporary grant employees are considered to be employed at will, whether or not the grant under which they are working has expired. This means that temporary grant 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 will be forfeited.
- C. Temporary grant 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.

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- D. Temporary grant employees may be eligible for the same benefits available to employees filling FTE positions with the exception of covered 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, and State retirement 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 employees who have been selected for a position under a different grant 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, are not transferable from one grant to another.
- F. Temporary grant employees will have his/her performance evaluated in keeping with policies and procedures governing the processes used for similarly situated employees filling FTE positions.
- G. The Executive Director/System President delegates the authority to the college presidents to decide whether service in a temporary grant position may be counted toward the completion of the required probationary period for a FTE position.

## **VI. Compensation**

The Executive Director/System President delegates authority for pay actions to the technical college presidents. All proposed pay actions shall be reviewed by technical college human resources staff and/or the 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.

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### A. Salary Determination for Temporary Grant Employees

College presidents 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 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 employees' eligibility to receive general base pay or legislative merit increases is in accordance with the college's pay plan and is dependent on availability of grant funds. All other salary increases for temporary grant employees will be determined in the same manner as for employees filling FTE positions, provided funds are available in the grant.

## VII. Changing from a FTE position to Temporary Grant Status

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

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

B. An employee in a FTE position who voluntarily accepts a temporary grant 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

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- \* Employees participating in the TERI Program will not experience a break in service when moving from an FTE position to a temporary grant 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.

### **VIII. Changing from Temporary Grant Status to a FTE Position**

- A. A temporary grant 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 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 SBTCE guidelines and local college policies and procedures.
- B. The Executive Director/System President delegates the authority to the college presidents to decide whether continuous satisfactory service worked as a temporary grant employee may count toward 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 provides funding for benefits, any unused annual leave earned under temporary grant 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.

### **IX. Termination of Temporary Grant Employees at End of Grant**

- A. Written notification should 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 ending date.
- B. Reduction-in-Force plans are not required for the termination of the temporary grant employees at the conclusion of the grant.

## ADDENDUM

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### TEMPORARY GRANT 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. Sick Leave (in keeping with State Human Resources Regulation 19-710 and all applicable college policies and procedures)
- C. Compensatory Time (in keeping with State Human Resources Regulation 19-707.02 and all applicable college policies and procedures)
- D. Other Leave With Pay (in keeping with State Human Resources Regulation 19-712 and all applicable college policies and procedures)
- E. State Health, Dental, or Group Life Insurance Programs
- F. South Carolina Retirement System or Optional Retirement Program

HR Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

I understand that \_\_\_\_\_ Technical College is employing me in a Temporary Grant 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. Neither the Technical College nor the State of South Carolina is obligated to further employ me upon termination of these funds.

I understand that if the grant 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 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 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.

## ADDENDUM

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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 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: \_\_\_\_\_

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