

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

PROCEDURE NUMBER: 8-7-100.2

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TITLE: TEMPORARY EMPLOYMENT

POLICY
REFERENCE NUMBER: 8-7-100

DIVISION OF
RESPONSIBILITY: HUMAN RESOURCE SERVICES

DATE OF LAST REVISION: May 12, 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.

The South Carolina Technical College System (SCTCS) may employ individuals in temporary status to perform specific duties and responsibilities for a defined project, adjunct teaching assignment, peak workload period, and for replacement of employees on leave of absence.

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

- 1) The period of employment, on a full-time or part-time basis, may not exceed twelve (12) consecutive months.
- 2) Non Instructional temporary staff are not considered salaried employees and shall be paid at an hourly pay rate for actual hours worked during each pay period. Adjunct teaching faculty can be paid a flat rate/per course not to exceed actual hours worked during each pay period.
- 3) Temporary employees are not eligible for paid leave, nor other benefits normally associated with employees in FTE positions, except that they must be offered the option of joining the S. C. Retirement System or State Optional Retirement Program (ORP).
- 4) Temporary 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 institution's internal policy and/or procedure¹. Matters arising from alleged acts of discrimination because of race, color, religion, sex, national origin, age, and certain legally defined disabilities may be filed within the agency, the South Carolina Human Affairs Commission or the Equal Employment Opportunity Commission.
- 5) Temporary employees do not have the rights or protection of the State Board for Technical and Comprehensive Education (SBTCE) Reduction In Force Procedure, and are subject to termination in order to provide continued employment for an employee affected by an institutional RIF.
- 6) 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.

Technical colleges may develop an institutional policy statement explaining the college's philosophy for the use of the temporary employment status and a detailed procedure defining the college's temporary employment process.

¹ Informal complaints may be filed with an employee's Human Resource Officer. Each College and the System Office must develop its own process for handling informal complaints.