

BOARD OF REGENTS
BRIEFING PAPER

Agenda Item Title: Proposed Procedures and Guidelines Manual Policy on Employment of Temporary Hourly Employees

Meeting Date: June 9-10, 2016

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

Institutions have a need to employ temporary hourly employees to cover short term needs on campus and to staff events centers where the work is erratic. There has been inconsistency in application of various personnel rules between institutions regarding this employment type. The NSHE institution Human Resource officers have drafted this policy to clarify and ensure uniformity of rules for temporary hourly across all institutions.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Requesting approval of the policy that clarifies temporary hourly employees are a distinct employee type within NSHE.

The Board is requested to approve the following:

- An amendment to Title 4, Chapter 6, new Section 4, as follows: *Temporary hourly employees of the Nevada System of Higher Education (NSHE) are excluded from classified service and therefore are not subject to the provision of Title 4, Chapter 6, Section 2.1.*
- The approval of a new Chapter 19 in the Procedures and Guidelines Manual to establish uniform guidelines on Temporary Hourly Employees.

4. IMPETUS (WHY NOW?):

Per the guiding principles of the iNtegrate2 project, this will bring common practice among campuses and result in a more efficient manner to process temporary hourly employees.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The proposed PGM, Chapter 19:
 - Clarifies the rules and use of temporary hourly employees for all of NSHE.
 - Establishes consistent job titles for temporary hourly employees across all institutions.
 - Standardizes rules and benefits for Hourly Temporary employees for NSHE.
- NSHE temporary hourly positions are very different than how state agencies utilize temporary employees. Typically, there are few temporary positions within state agencies. The state does not have the same need for a flexible workforce as does NSHE. NSHE utilizes temporary workers to staff Thomas and Mack and Lawlor Events centers. NSHE has a wide variety of positions that are needed on a temporary basis. This may include summer programs, short-term research projects, semester start-up, conferences, athletic events and peak seasons.
- In the design stage of Workday, it was discovered that practices for temporary hourly positions vary between institutions. Establishing NSHE policy for temporary hourly employees will ensure consistency across institutions and be best practice within the

new Workday system.

- The amendment to Title 4, Chapter 6, new Section 4, clarifies that temporary hourly employees are not in the classified service.

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None—the institution Human Resource officers have reached a consensus on this proposal.

7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Continue current practice of each campus having different rules and practices governing temporary hourly employees.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #_____ Chapter #_____ Section #_____
- Amends Current Board Policy: Adds a new Title #4 Chapter # 6 Section #4
- Amends Current Procedures & Guidelines Manual: Chapter #_____ Section #_____
- Other: Adds a new Chapter 19 to the Procedures & Guidelines Manual on Temporary Hourly Employees
- Fiscal Impact: Yes _____ No x
Explain:

POLICY PROPOSAL
TITLE 4, CHAPTER 6 – CLASSIFIED STAFF OF THE UNIVERSITY
New Section 4 – Temporary Hourly Employees

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 4. Temporary Hourly Employees

Temporary hourly employees of the Nevada System of Higher Education (NSHE) are excluded from classified service and therefore are not subject to the provision of Title 4, Chapter 6, Section 2.1.

PROCEDURES AND GUIDELINES MANUAL
Proposed New CHAPTER 19
Temporary Hourly Appointments

Additions appear in boldface italics; deletions are [~~stricken~~ and bracketed]

Section 1. Temporary Hourly Appointments

Temporary Hourly positions are at will appointments intended to meet short-term, temporary needs of an employer. Appointments may be established for up to a 12-month period, limited to the fiscal year July 1-June 30, not to exceed 1,039 hours except under the conditions specified in this chapter. Temporary Hourly appointments are part-time with variable hours.

Section 2. Temporary Hourly Employment

1. Compensation

- a. Hourly wage: The hourly wage must adhere to the pay schedule and titles provided.***
- b. Overtime: Overtime is earned at a rate 1.5 times the hourly wage for time worked over 8 hours per day OR 40 hours per work week with a modified overtime agreement. Overtime must be requested and approved in advance and should be incurred sparingly.***
- c. Holidays: Ineligible for paid holidays or additional pay for time worked on holidays.***
- d. Payroll: Semi-monthly.***

2. Meal and Rest Periods

- a. Meal Period: A 30 minute unpaid meal break must be provided for any shift of six or more hours. The meal break should be taken in the middle of the work shift.***
- b. Rest Periods: Employees must be afforded 15 minute paid rest periods for each four hour period of work to be taken in the middle of the work period.***

3. Benefits

- a. Leave: Temporary hourly employees are ineligible to accrue leave.***
- b. Retirement:***
 - i. Temporary Hourly employees contribute to the FICA Alternative Retirement Plan (FARP).***
 - ii. If a Thousand Hour appointment exceeds 1,039 hours both the employee and employer are subject to retroactive retirement contributions to the Public Employees Retirement System (PERS). All hours worked up to 40 hours per work week are included in determining PERS eligibility; hours worked over 40 per work week are excluded.***

- c. **Medical Benefits:** NSHE adheres to the requirements of the Affordable Care Act (ACA). Temporary hourly employees are considered part-time variable hour employees. Hours will be measured during the first 10 months of employment to determine eligibility for medical benefits for the following 10 months, also known as stability period. The employee will be eligible for benefits during the stability period if they work at least 1,300 hours over the 10-month measurement period.
- d. **Breaks in service between Temporary Hourly and appointments to other employee types are not required.**
 - i. **Time worked in a Temporary Hourly position does not count toward seniority or leave accruals.**
 - ii. **Pay earned as a Temporary Hourly will not be considered to determine base pay for a different employee type.**
 - iii. **Time spent in a Temporary Hourly appointment counts toward PERS eligibility if a Temporary Hourly employee is hired into an intermittent classified appointment with similar duties. In all other cases, PERS contributions begin on the first day of the classified appointment.**

Section 3. At Will Employment

Temporary hourly employment is at will. Either party may terminate the employment relationship without cause or notice for lawful reasons.

Section 4. Temporary Hourly Titles and Description

1. **Temporary, Business – Temporary, Business positions perform specialty business functions such as accounting, purchasing, human resources, graphic design, publications editing, museum curation, etc.**
2. **Temporary, Clerical – Temporary, Clerical positions perform traditional clerical support duties for a department or executive. Duties may include, but are not limited to, reception, executive assistance, student registration, account reconciliation and basic budgeting, data entry, generation of correspondence and mailings, filing, library circulation, library shelving, book retrieval, etc.**
3. **Temporary, Education – Temporary, Education positions perform educational services to audiences outside of the traditional higher education environment such as a community educational program or pre-school setting.**
4. **Temporary, Events – Temporary, Events positions support all aspects of events and productions at University Events Centers which do not require a background check. Positions may support guest services, ticketing, housekeeping, or production.**

5. Temporary, Events 2 – *Temporary, Events 2 positions perform specialty services for a University Events Center requiring higher compensation than typical event support positions (ex. performers).*
6. Temporary, Events Background Check – *Temporary, Events positions support all aspects of events and productions at University Events Centers for which ensuring public safety requires a background check. Positions are most commonly associated with stage development or other production activities such as lighting and rigging.*
7. Temporary, Intern – *Temporary, Intern positions exist for enrolled college students seeking hands-on work experience in their field of study.*
8. Temporary, Interpreter – *Temporary, Interpreter positions perform language interpretation services on behalf of students, faculty or staff, in support of the learning and employment experience.*
9. Temporary, Maintenance – *Temporary, Maintenance positions maintain NSHE buildings, grounds, and equipment, including maintenance support for events.*
10. Temporary, Skilled Craft – *Temporary, Craft positions perform journey level skilled trades.*
11. Temporary, Research – *Temporary, Research positions are either directly involved in performing scientific research or supporting scientific research activities (e.g., maintaining a lab or maintaining research equipment). Positions may be assigned within a laboratory, field environment, or survey/statistical center.*
12. Temporary, Safety – *Temporary, Safety positions are responsible for ensuring the safety of the campus or general community 24/7, including ensuring safety for events. Examples include, but are not limited to, life guards, security guards, and reserve police officers.*
13. Temporary, Service – *Temporary, Service positions perform direct services to campus students, faculty and staff or program customers. Examples include, but are not limited to, shuttle services, food services, textbook or retail sales in support of academics, etc.*
14. Temporary, Tutor – *Temporary, Tutor positions provide direct services to students requiring academic support. Positions may provide tutoring service in a particular subject matter, proctor exams, take notes in classes, provide reading services, etc.*