DHHS POLICIES AND PROCEDURES

Section V:	**Human Resources**
Title:	**Classification/Compensation**
Chapter:	**Temporary Workers**
Current Effective Date:	**May 7, 2015**
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Purpose

The purpose of temporary workers is to fill a workforce need for a limited period of time. Temporary workers, while not to be used to permanently expand the workforce beyond authorized levels, can provide valuable resources in times of need. To ensure consistency in the management of temporary workers and compliance with Office of State Human Resources Policy, the following Department policy was developed.

Policy

This policy applies to:

- Temporary Workers (Temporary Solutions)
- Other Temporary Staffing Vendors

It is the policy of the Department of Health and Human Services (DHHS) to establish and utilize temporary workers consistent with laws, policies, and best practices. DHHS Division of Human Resources has the responsibility to monitor and ensure compliance with policy; therefore, under no circumstances shall an individual be utilized as a temporary worker prior to receiving the appropriate approval as described in the following procedures.

The 2013 NC Executive Order #4: Temporary Employment Services established that departments should engage temporary workers through NC OSHR Temporary Solutions. Temporary Solutions will be the primary provider of temporary workers. Exceptions to use other approved temporary staffing vendors must be approved in advance. The Division/ Facility HR Office will refer requests for exceptions to the DHHS Central HR Office.

Definitions

Temporary Assignment - A temporary assignment is for a limited term, normally three (3) to six (6) months. The assignment shall not exceed eleven (11) consecutive months in any division/ facility/ office of DHHS unless certain exceptions are met as detailed in this document. Examples of staffing needs for a temporary appointment include but are not limited to: administrative roles; skilled trades-mechanics; electricians; masons; health care professionals, or educators. Temporary Workers with a temporary assignment are employees

of the temporary staffing vendor (not DHHS) and do not earn or accrue leave, total state service credit, retirement credit, severance pay or priority reemployment consideration.

Temporary Worker – Is a term to describe a workforce need over a specific period of time. Temporary worker may be further defined as either: worker obtained through Temporary Solutions, or from an approved temporary staffing vendor.

Temporary Solutions - Temporary Solutions was established by the North Carolina Office of State Human Resources (OSHR) to provide temporary staffing services for State Government agencies. Individual divisions/ facilities/ offices utilize the services of Temporary Solutions for temporary worker needs, except for approved exceptions. Temporary Solutions staff working thirty (30) hours or more per week on average will be eligible for health insurance coverage at the temporary worker's option.

Temporary Staffing Vendors – These vendors supply temporary workers to supplement the current DHHS workforce over a specific period of time in lieu of Temporary Solutions. Temporary workers supplied through a temporary staffing vendor are required to take a thirty-one (31) day break from any work for DHHS after eleven (11) consecutive months of service. Vendors should complete a Memorandum of Understanding (MOU) through the DHHS Office of Contracts, Grants and Compliance to be considered a temporary staffing vendor.

Temporary Rehired State Retirees and Non-State Retirees - Retirees from the State of North Carolina drawing retirement compensation from the Teachers' and State Employees' Retirement System are not eligible for re-employment with the state until six (6) months after initial retirement and are subject to an annual earnings limit as established by the North Carolina Department of State Treasurer. State Retirees and Non-State Retirees may sign a statement that they are not available for nor seeking permanent employment. With that acknowledgement, they may have a temporary assignment for more than eleven (11) consecutive months. http://www.oshr.nc.gov/Recruit/tempsolu/Employee%20Information.pdf Due to the Affordable Care Act, all Rehired State Retirees who return as a temporary worker are required to utilize Temporary Solutions as the source agency.

> **Note:** Temporary Rehired State Retirees who become Temporary Solutions staff are ineligible for the State Health Plan (SHP) coverage through the Retirement System and become eligible for the High Deductible Health Plan (HDHP) if reasonably expected to work thirty (30) hours or more per week or on average work thirty (30) hours per week or more upon commencement of work. For specific guidelines and requirements, please refer to: (http://www.oshr.nc.gov/Recruit/tempsolu/Health%20Plan%20Information.pdf

Retiree - is an individual drawing a retirement income and/or social security benefits.

Full-time student – Undergraduate student taking at least twelve (12) semester hours or graduate student taking at least nine (9) semester hours are considered full-time students and are therefore exempt from the eleven (11) month maximum limit applicable to staff of

Temporary Solutions and other Temporary Staffing Vendors. The student must sign a statement acknowledging their status to be exempt.
http://www.oshr.nc.gov/Recruit/tempsolu/Employee%20Information.pdf

DHHS Office of Contracts, Grants and Compliance – Administers specific guidelines, requirements and procedures regarding Temporary Staffing Vendors. Any established agency specific NC State Term Contracts are not subject to this Temporary Worker Policy. These contracts have been bid and negotiated by the State or DHHS (e.g. nursing contracts, physicians and locum tenens). Please contact DHHS Office of Contracts, Grants and Compliance.

Roles and Responsibilities

Manager

The manager initiates the request for a temporary worker. The manager must adhere to the OSHR Selection policy regarding nepotism and Equal Employment Opportunity guidelines in selecting a temporary worker. Depending on the division/ facility/ office and work to be performed, a temporary worker may need access to various data systems (e.g. NCTracks, NC FAST, BEACON, NCAS and E-Procurement) which should be obtained directly with the appropriate source.

Division/ Facility/ Office

Each division/ facility/ office is responsible for ensuring all temporary workers are aware of and adhere to policies, procedures and division/ facility/ office specific standards (e.g. confidentiality, HIPAA, background check). This includes temporary workers returning from thirty-one (31) day break.

Division/ Facility HR Office

The Division/ Facility HR Office serves as the point of contact for information on requesting a temporary worker utilizing Temporary Solutions and approved Temporary Staffing Vendors. The Division/ Facility HR Office will:

- Ensure that the request has been completed with appropriate approvals.
- Monitor the temporary assignment duration.
- Maintain the DHHS Temporary Worker Tracking Log.
- Respond to requests for information on classification or pay issues.
- Reviews any requests for exceptions and/or waivers and forwards to DHHS central HR Office.

Temporary Solutions

Temporary Solutions is responsible for advertising, recruiting, screening and recommending candidates when a specific temporary worker has not been requested by the manager. Temporary Solutions also administers pay and tracks hours worked to identify Temporary Solutions' staff who qualify for the Affordable Care Act (ACA) health benefits.

DHHS Central HR Office
The DHHS Central HR Office serves as the policy administrator

- Collaborates with the DHHS Office of Contracts, Grants and Compliance to maintain a list of approved outside vendors.
- Sends the list to each Division/ Facility HR Office as updated.
- Reviews and/or approves waiver exceptions.
- Reviews use of temporary workers quarterly including use of Temporary Staffing Vendors.
- Reviews and approves requests for exceptions and/or waivers.

General Provisions

Break in Service

- Temporary Workers provided through Temporary Solutions and approved Temporary Staffing Vendors may not be engaged for more than eleven (11) consecutive months by DHHS before the individual takes a thirty-one (31) day break. State and Non-State Retirees and full-time students may be exempt from the thirty-one (31) day break. The break can be taken anytime during the eleven (11) months to accommodate the needs of the division/ facility/ office.
- Once a temporary worker fulfills the required break, a new Temporary Solutions Job Order Form must be resubmitted to Temporary Solutions if the division/ facility/ office chooses to reengage the temporary worker.
- Exempt Temporary Worker (i.e. retirees and students) - A new Temporary Services Job Order Form must be completed every eleven (11) months even for those who are exempt from the thirty-one (31) day break. This requirement is to ensure funding is available and confirms there remains a business need to reengage that individual.

Position and/or Assignment Changes

- Managers shall ensure any substantial changes in the duties and assignments of the temporary worker are communicated to the Division/ Facility HR Office.
- The Division/ Facility HR Office must review and approve any changes in the status or pay rate in advance of its effective date.

Timesheets
Temporary Solutions' staff are paid bi-weekly through BEACON Timekeeping System. All Temporary Solutions workers will be assigned an NCID account.

- Temporary Staff enter time worked into BEACON system through Employee Self Service (ESS). Temporary Workers record time on a daily basis.
- Managers review and approve time using the BEACON system through Manager Self Service (MSS). Managers review and approve time on a weekly basis. The supervisory of the temporary worker should be a current manager

with MSS access. If this security designation is not in place, contact the Division/ Facility HR Office for an exception or solution.

- Information regarding the timekeeping process can be found on the Temporary Solutions website at: http://www.oshr.nc.gov/Recruit/tempsolu/forms.htm

Temporary Staffing Vendors' staff follow the respective vendors' process for recording time worked.

Affordable Care Act (ACA)
Temporary Solutions staff working thirty (30) hours or more per week on average will be eligible for health care insurance coverage at the temporary worker's option through the ACA. http://www.oshr.nc.gov/Recruit/tempsolu/healthins.htm DHHS will receive a separate bill for the cost of Temporary Solutions' staff health coverage. This cost will be charged to the division/ facility/ office engaging the temporary worker.

Short-Term IT Staffing Vendors
Information Technology Services (ITS) has established contracts with specific vendors to supply IT temporary workers and therefore are not subject to this policy. The DHHS Central HR Office will request a quarterly report of IT temporary workers in Divisions/ Facilities/ Offices via ITS or the applicable DHHS IT Liaison.

References
Forms and Links:

- NC Executive Order #4 on Temporary Employment Services
  http://www.governor.state.nc.us/sites/default/files/orders-and-proclamations/20130228/McCroryEO4.pdf
- OSHR Temporary Solutions link to Job Order Form, Pay Schedules, Information Sheets, Timekeeping, brochures, etc. can be found at:
  http://www.oshr.nc.gov/Recruit/tempsolu/forms.htm
- DHHS Temporary Worker Tracking Form
  http://www.ncdhhs.gov/humanresources/forms/classification/C254-TempWorkerTracking.xls
- Memorandum of Understanding (MOU) template for outside staffing vendors
  http://www.ncdhhs.gov/humanresources/forms/classification/C256-TempStaffingAgencyMOUFinal.pdf
- Short-Term IT Vendors: http://www.itstaff.state.nc.us/ConvenienceContracts/SuppStaff/
- DHHS Temporary Staffing Vendor Job Order Form
  http://www.ncdhhs.gov/humanresources/forms/classification/C255-TempStaffVendorJobOrderForm.xls

Temporary Worker Procedures

Request for Temporary Worker Procedures:

Preferred Option: Temporary Solutions

1. Manager – Initiates and completes the request form and secures funding approval from the Division/ Facility Budget Office.
2. Division/ Facility HR Office serves as the point of contact:

- Determines which temporary source is best suited in collaboration with management (i.e. Temporary Solutions or an approved Temporary Staffing Vendor).
- If the request meets the criteria for Temporary Solutions and funding verification has been completed, the Division/ Facility HR Office contacts Temporary Solutions for placement following their established on-line job order entry process.

3. Temporary Solutions will assign the request to a placement counselor.
   - If a particular candidate was requested by the manager, the placement counselor will contact the candidate with applicable information necessary to register with Temporary Solutions.
   - If no specific candidate was requested, Temporary Solutions will notify the Division/ Facility HR Office when a candidate(s) has been identified (Note: The manager may choose to interview the proposed candidate(s) or accept a candidate provided by Temporary Solutions).
   - The Division/ Facility HR Office serves as the point of contact communicating with the manager, Temporary Solutions and the Division/ Facility Business Office.
4. The Manager and Division/ Facility HR Office will follow the established Temporary Solutions staffing process found at: http://www.oshr.nc.gov/Recruit/tempsolu/employers.htm
5. The Division/ Facility HR Office updates the DHHS Temporary Worker Tracking Form.
6. The Manager monitors the temporary worker's quality of work, personal conduct and length of assignment and notifies Temporary Solutions about any concerns in order that Temporary Solutions may initiate appropriate action.
7. Temporary Worker enters time worked into the BEACON system through Employee Self Service (ESS). Temporary Workers record time on a daily basis.
   Managers review and approve time using the BEACON system through Manager Self Service (MSS). Managers review and approve time on a weekly basis. Information regarding the timekeeping process can be found on the Temporary Solutions website at: http://www.oshr.nc.gov/Recruit/tempsolu/forms.htm

Option 2: Temporary Staffing Vendors

1. Manager-completes the DHHS Temporary Staffing Vendor Job Order Form or utilizes the Temporary Staffing Vendor's form if the business need does not support utilizing Temporary Solutions.
   - Manager attaches a justification for an exception to use an approved Temporary Staffing Vendor as opposed to the preferred provider (i.e. Temporary Solutions).
   - Manager attaches or references the approved MOU from the Approved Temporary Staffing Vendor list. Note: If the vendor has not established an approved MOU, they need to contact the DHHS Office of Contracts, Grants and Compliance.
2. Division/ Facility HR Office seeks an exception approval from the DHHS Central HR Office.

3. DHHS Central HR Office reviews and responds back to the Division/ Facility HR Office regarding the exception.
4. Division/ Facility HR Office completes the DHHS Temporary Worker Tracking Report.
5. Manager monitors the temporary worker's quality of work, personal conduct and length of assignment and notifies the Temporary Staffing Vendor about any concerns in order that the Temporary Staffing Vendor may initiate appropriate action.
6. The temporary worker is responsible for recording time worked, securing the Manager's signature and delivering the timesheet as per the Temporary Staffing Vendor's process.

Notes:

Expediting for critical needs through Temporary Staffing Vendors

To expedite certain critical activities, a division/ facility/ office may request a waiver to omit certain steps in the Temporary Staffing Vendor process. This written agreement will utilize a particular vendor for specific classification(s). The justification should be based on the program's need to provide essential service delivery (e.g. direct care). Under the agreement, the administration of the temporary worker process can occur at the service delivery or program level as opposed to the Division/ Facility HR Office and so long as the Temporary Worker Tracking Log is updated on a weekly basis. The MOU should be submitted by program management to the Division/ Facility HR Office for consideration. The request is then forwarded to the DHHS Central HR Office for final approval.

Extension to the eleven (11) month break for Temporary Staffing Vendors

To address the continuity of critical activities regarding direct care temporary workers approaching their eleven (11) month break, a division/ facility/ office may request an extension of the temporary worker's assignment for an additional month. This extension must be approved by the Division/ Facility HR Office. To extend beyond the twelve (12) months, written authorization approved by the Division/ Facility Director must be submitted to the DHHS HR Director, along with a copy to the Division/ Facility HR Office, for approval by the DHHS HR Director or designee.

If neither Temporary Solutions nor the Temporary Staffing Vendor option is feasible for engaging a temporary worker, the request is forwarded to DHHS Office of Procurement and Contracts Services for review to determine another acquisition method.

Separating Temporary Worker Procedures:

Temporary Solutions

1. Manager notifies the Division/ Facility HR Office no later than the conclusion of the temporary worker's final day via email.
2. Division/ Facility HR Office notifies Temporary Solutions within twenty-four (24) hours of the temporary worker's last day worked via Temporary Solutions' established process.
   Temporary Worker completes the final timesheet via Beacon ESS system. Manager reviews and approves via Beacon MSS system.
3. Division/ Facility HR Office updates Temporary Worker Tracking Report.
4. During a 31-day break, temporary worker must be separated in the Beacon System by Temporary Solutions even if management intends to reengage the temporary worker at the conclusion of the break.

Temporary Vendors

1. Manager follows the approved Temporary Staffing Vendor's separation process.
2. Division/ Facility HR Office updates the DHHS Temporary Worker Tracking Report.

Hourly Rate Billing

1. Temporary Solutions will send invoices bi-weekly to the designated Division/ Facility Business Office noted on the Temporary Solutions Job Order Form.
2. The Division/ Facility Business Office will obtain copies of the temporary workers' timesheets using the Beacon Timekeeping System to reconcile against the invoices.
3. The reconciled invoice and timesheet are submitted with the appropriate funding codes and authorized signatures to the DHHS Office of the Controller for payment.
4. The DHHS Controller's Office verifies and processes payment for the invoice.

*For questions or clarification on any of the information contained in this policy, please contact the policy owner or designated contact point: **Human Resources**. For general questions about department-wide policies and procedures, contact the **DHHS Policy Coordinator**.*