

Metro | *Policies and procedures*

Subject Non-Represented Temporary and Variable Hour Employee Policy
Section Human Resources
Approved by Marissa Madrigal, Chief Operating Officer

POLICY

Metro hires non-represented temporary and variable hour employees to meet short-term, event driven or seasonal workload needs that are vital to the organization.

Applicable to

All non-represented employees who are hired to work in temporary or variable hour assignments, and applicants who are not currently employed by Metro.

Represented temporary and/or variable hour employees are covered by the provisions of the applicable collective bargaining agreement.

Definitions

Temporary: Temporary employees are hired to staff vacant, budgeted positions due to an employee's absence, to fulfill unbudgeted additional staffing needs as they arise or to fulfill seasonal needs. Temporary employees may not work more than 1040 hours per year, measured from the original hire date. For the purposes of this policy, interns paid by Metro are treated like temporary employees, except that interns may exceed 1040 hours in a twelve month period.

Variable Hour: Variable hour employees are hired and scheduled for work as needed and to staff and support events at Metro and MERC facilities/venues. Variable hour employees include non-represented, part-time MERC employees. Variable hour employees' work schedules will be determined by business needs and may result in a period of routine and ongoing scheduling or more sporadic scheduling. Non-represented variable hour employees have no guarantee of a minimum or maximum number of work hours, nor are they limited to a certain number of work hours per year.

Regular Employee: An employee who is appointed to fill a budgeted position, has passed a probationary period, and who is not temporary or variable hour.

Competitive recruitment: A recruitment for which a candidate submitted an application through an open recruitment process (either internal or external), interviewed for a position, and was selected for the position.

Guidelines

1. Temporary positions are not intended to undermine the competitive recruitment process, to replace regular employees, or to diminish regular employees' wages, hours or other conditions of work. Temporary employees are typically hired to ensure coverage of on-going business needs during a temporary vacancy of that position or during temporary employee absences; to provide additional staffing during peak seasons such as summer; or to perform necessary tasks or projects for which regular staffing is not available or suitable.
2. Temporary and variable hour employees are only eligible for an 'internal only' recruitment when hired as a result of a competitive recruitment. Temporary and variable hour employees work at-will, and are not guaranteed any set number of hours.

Procedures

1. Hiring Temporary and Variable Hour Employees:
 - a. A hiring manager will notify Human Resources when a need for a temporary or variable hour employee arises. Human Resources typically will conduct a competitive recruitment for temporary and variable hour employees unless Human Resources approves to hiring using an alternative method under (b.).
 - b. If the department's need for temporary assistance is urgent, Human Resources will:
 - 1) contact a temporary agency, typically a qualified rehabilitation facility, to request qualified candidates; or 2) assist the hiring manager to directly appoint a person to the temporary position provided the candidate possesses the specialized knowledge, skills and abilities required for the role.
2. Background checks: All temporary or variable hour employees are required to pass a background check prior to employment regardless of the recruitment method used.
3. Terms of employment:
 - a. Human Resources will complete employment confirmation letters for departments for all temporary or variable hour positions. Employment confirmation letters should clearly state employment terms including the start date and anticipated end date of the position. If the end date is not certain, the duration of employment will not exceed 1040 hours within 12 months from date of hire.
 - b. The initial rate of pay for temporary and variable hour employees will be set pursuant to Metro's Compensation Policy.
 - c. The department and Human Resources will ensure that any pay adjustments will be applied consistently to prevent inequity and adverse impact. With budget approval, supervisors have discretion to increase an employee's pay above the minimum pay or step in the respective range after a one year period of time, upon an annual seasonal rehire, or upon rehire into the same classification.
4. Classification: In cases where a temporary employee is not fulfilling the full responsibilities of a regular classification employee, Human Resources, in consultation with the department, may create temporary classifications at a lower pay range.

Responsibilities

Employee:

- Be aware of number of hours worked.

Supervisor:

- Anticipate and budget total costs of temporary and variable hour hires. This assessment includes potential PERS and unemployment costs.
- At the start of employment, a manager should indicate if a temporary or variable hour employee is projected to reach the PERS threshold of 600 hours and 12 months of service, and manage hours appropriately.
- Ensure that a temporary employee's period of employment does not exceed the 1040 hour limit.
- If there is an emergency that may make it necessary to use a temporary employee for more than 1040 hours, prior to exceeding the limit, request approval from the department director and Human Resources to extend the hours.
- Ensure that temporary employees near or at the 1040 hour limit are not scheduled to work until twelve or more months after their original start date unless human resources, and the appropriate union if applicable, approves the extension of hours.
- Ensure there is a distinction between regular staff and temporary staff with clear roles and responsibilities. Make it clear to all regular staff what the appropriate duties are for temporary employees.
- When work is offered to a temporary or variable hour employee and they decline the offer or report in advance that they will be unavailable for work, make note of that information and report it to Human Resources.
- Notify Human Resources when you know that a temporary employee will not be returning or be called back to work. Human Resources will then terminate the employee from the Human Resource Information System.

Human Resources:

- Manage and conduct competitive recruitments for temporary and variable hour employees.
- Draft employment confirmation letters for the managers for temporary and variable hour employees.
- Administer compensation for temporary and variable hour employees in accordance with applicable policies and procedures.
- When supervisor with approval of department director requests an emergency extension of a temporary employee's hours in excess of 1040, if appropriate, approach union for agreement on extension of hours.
- Track all temporary hours based on hours from time of hire and notify departments and hiring managers appropriately.
- Terminate temporary and variable hour employees who have not worked any hours during previous six (6) months.

References

Recruitment and Selection Manual