

## **2.19 TEMPORARY HELP**

### **APPLICATION:**

All temporary help personnel [P-14 or contractual (clerical and industrial only)].

### **PURPOSE:**

The Virginia Department of Social Services (VDSS) has a continuing need for wage (hourly) or temporary employees. Wage employment covers seasonal or temporarily excessive workloads, interim replacement, short-term project, or jobs that do not require classified employees. This policy defines wage employment and outlines the job conditions, benefits and compensation for these employees.

### **AUTHORITY, INTERPRETATION, AND REVISION:**

This SOP, issued by VDSS, is an adaptation of [Policy 2.20](#) issued by the Virginia Department of Human Resource Management (VDHRM) pursuant to authority provided in Chapter 10, Title 2.1, of the Code of Virginia. This SOP supercedes VDSS SOPs P-2 and P-11 governing the employment of hourly employees dated July 22, 1975, and November 17, 1980, respectively. The Director of the Virginia Department of Social Services' Division of Human Resource Management (VDSS/DHRM), or designee, is responsible for the agency's interpretation of this SOP and for its revision or rescission.

#### **2.19.1 Recruitment for wage positions**

Applicants for wage position must possess the same qualifications as those required for similar classified positions. Equal employment opportunity and affirmative action practices apply to hourly employment. The extent of hourly employment in an office, division, or unit will depend on funding availability and justification for establishing such a position(s).

#### **2.19.2 Benefits and conditions of wage employment**

- Wage employees are classified within the Career Group Roles of the State's Classified Compensation System and are compensated similarly to classified staff performing comparable duties within applicable pay practices and considering applicable pay factors.
- Wage employees are paid for hours physically worked (both regular and approved overtime).
- Some wage employees may be subject to background investigations and must complete a Selective Service Form as a condition of employment.
- All wage employees must complete an Employment Eligibility Form (I-9) within three days of employment as a condition of employment.
- Wage employees are covered under the Commonwealth's Workers' Compensation Act.
- Wage employees are not eligible for participation in the state's life insurance, retirement, or deferred compensation programs.
- Wage employees may purchase health insurance through payroll deduction if they work an average of 20 hours or more per week for at least six months.

- Wage employees may apply for classified positions. However, if hired into a classified position, wage service is not credited towards State service. The provisions of the Virginia Personnel Act do not cover wage employees. They serve at the will of the agency and do not have access to the employee Grievance Procedure.

### **2.19.3 To hire a wage employee**

- The hiring authority completes the agency's Request for Temporary Assistance for submission to the Office of the Secretary of Health and Human Resources by the VDSS/DHRM. Also included are (a) an Employee Work Profile; (b) an organizational chart, and (c) a justification statement. **NOTE: Wage positions that are 100% federally funded do not require submission to the Office of the Secretary of Health and Human Resources.**
- VDSS/DHRM notifies the hiring authority of the Secretary's Office approval.
- Once approved, their VDSS/DHRM team provides recruitment services, if requested. If the hiring authority wishes to advertise the position in a newspaper, the hiring authority's division is responsible for the cost of the ad.
- The hiring authority interviews applicant(s), completes the Compensation Decision Worksheet, and submits forms and documentation to their VDSS/DHRM team.
- Their VDSS/DHRM team reviews the selected candidate for possession of minimum qualifications and requested starting hourly rate.
- Once their VDSS/DHRM team has contacted the hiring authority, they may proceed to make the offer to the successful candidate and coordinate the completion of the new employee paperwork.

### **2.19.4 Compensating wage employees**

#### **2.19.4.1 Starting Pay**

- Starting pay is negotiable between the minimum of the pay band up to 15% above the applicant's current hourly rate. The negotiated rate may result in a decrease from the applicant's current or most recent hourly rate. Starting pay may not exceed the pay band maximum or that of other similarly situated classified positions within the same unit.
- The hiring authority consults with the VDSS/DHRM prior to completing the Compensation Decision Worksheet (CDW).

#### **2.19.4.2 Role Change**

- An upward Role change occurs when a position is changed to a different Role in a higher or lower pay band.
- The supervisor/manager consults with VDSS/DHRM prior to completing the agency's Compensation Decision Worksheet (CDW), and Personnel Transaction form.

- All forms and documentation are sent from the immediate supervisor/manager to the division director for approval. If approved by the division director, all forms and documentation are sent to their executive management member (EM) for approval. If approved by their EM, the forms and documentation are forwarded to the agency Budget Office, who then forwards to the VDSS/DHRM for evaluation.
- The agency VDSS/DHRM conducts a job analysis and notifies the manager or supervisor and the EM of its findings and recommendations.

#### ***2.19.4.3 In-Band Adjustment***

- The supervisor/manager consults with the VDSS/DHRM prior to completing the agency's Compensation Decision Worksheet (CDW), and Personnel Transaction form.
- All forms and documentation are sent from the immediate supervisor/manager to the division director for approval. If approved by the division director, all forms are sent to their EM for approval, who then forwards the action to the agency Commissioner.
- If approved by the agency Commissioner, all forms and documentation are forwarded to the agency Budget Office, who then forwards to the VDSS/DHRM.

#### ***2.19.5 Wage employment limitations***

Regardless of funding source, wage employees are limited to working no more than 1,500 hours per agency per year including regular and overtime hours, and student hours. The year is defined as a period of 365 consecutive days starting on the employee's first workday. A new year begins after the previous 365-day period has expired. If the workload permits, divisions are encouraged to schedule wage employees at 30 hours per week or less to allow for continuous employment. Supervisors/managers are responsible for monitoring the 1,500-hour limitation. Upon reaching the maximum 1,500 hours, the employee may not work again until the full 365-consecutive-day period has ended. A wage employee, whose 1,500-hour allotment has been exhausted, cannot be rehired into another hourly position within the agency before the expiration of the 365-day period.

##### ***2.19.5.1 To Request an Extension of the 1500-Hour Limit:***

The hiring supervisor will prepare a Decision Memorandum for submission to the Office of the Secretary of Health and Human Resources by the VDSS/DHRM. Also included are (a) an Employee Work Profile, and (b) organizational chart, and (c) a justification statement.

##### ***2.19.5.2 To Request a Renewal of the 1500-Hour Limit:***

The hiring supervisor will prepare a decision memorandum for submission to the Office of the Secretary of Health and Human Resources through the VDSS/DHRM. This package will consist of: (a) a position description; (b) an organizational chart; and (c) list of duties.

## **2.19.6 Contractual employees (clerical/industrial only)**

### **2.19.6.1 Contract Provisions**

- Temporaries (clerical/industrial only) are employees of the Contractors. The Contractors are responsible for all payroll taxes, workers' compensation, payroll reports, and other employer Federal and State requirements for temporary personnel.
- This agency has the right to refuse any temporary personnel supplied by a Contractor for any job-related deficiency.
- Contractors supply all temporary personnel with time cards. Hours worked will be signed on a daily basis by the agency.

### **2.19.6.2 To Hire a Contract Employee from a Temporary Help Agency:**

- The hiring authority completes a request for Temporary Assistance form, attaching a job description and submits to VDSS/DHRM.
- VDSS/DHRM reviews the job duties and contacts the appropriate temporary help agency in accordance with the Notice of Contract Award (Department of General Services, Division of Purchases and Supply).
- The hiring authority reviews the responsibilities and job description with the contract employee and monitors/approves the submission of weekly timesheets.
- The hiring authority is responsible for assigning a Purchase Order number and payment of invoices for the services provided by the temporary employee.

### **2.19.7 Recruitment and Selection Process**

See VDSS/DHRM policy “**Error! Reference source not found. Error! Reference source not found.**,” and Wage (Hourly) Employment, page 31 of the Salary Administration Plan.

### **2.19.8 Performance Management Process**

See VDSS/DHRM Performance Management policy, page 14, of the Salary Administration Plan.

