Policy on Temporary Employment Services (TES)

I. POLICY STATEMENT
Temporary Employment Services (TES) is a unit of Auburn University Human Resources established to provide temporary employees in a wide variety of occupations to meet the staffing needs throughout the University. TES employees, and departments who employ TES employees, must abide by the principles and procedures established by Auburn University and the TES unit, as well as, all federal and state laws and regulations.

II. POLICY PRINCIPLES
Legal Compliance
a. The TES unit is an in-house Service Center¹ with Auburn University. Each fiscal year, the TES unit establishes a service rate (commonly referred to as the TES surcharge) which is based on direct costs required to operate the TES unit. Employing departments are charged a rate (consisting of the TES surcharge and the part-time fringe rate) for their actual usage of TES employees.
b. The TES unit is an Equal Opportunity Employer².
c. TES employees must comply with all applicable federal, state, and local laws and regulations, as well as, Auburn University policies and procedures.
d. TES employment is at-will. TES employees may be terminated by the employing department, at any time with or without notice or cause. Likewise, TES employees may terminate their employment at any time with or without notice or cause. Employment is not guaranteed for any set period. TES employment separation is not grievable nor subject to appeal.
e. Federal and state withholding taxes, social security, and applicable city occupational tax are withheld from the payment of TES employees.
f. Any TES employee who formerly contributed to the Retirement Systems of Alabama (RSA), and is not currently in retirement status, must contribute to RSA upon date of hire of the TES position.
g. TES employees are not eligible for certain fringe benefits such as group insurance, annual leave, sick leave, and paid holidays. In some instances, jury duty compensation is offered in compliance with Alabama state law and health benefits are offered in compliance with the Affordable Care Act (ACA).

TES Unit Guidelines
h. TES employment is for the purpose of completing work in the absence of a regular employee and/or assisting with departmental business needs in cases of special projects, abnormal or peak workloads, seasonal work, or emergencies.
i. TES employees are assigned for a limited duration and do not have the expectation of a long-term, continuing employment relationship.
j. TES employee work hours may vary based on operations and needs of the employing department; therefore, the TES employee may have a work schedule that is either part-time or full-time.

¹ Refer to the Auburn University Service Center Policy
² Refer to the Auburn University Equal Employment Opportunity Policy
k. TES employees are typically non-exempt under the Fair Labor Standards Act’s (FLSA) overtime provisions and paid for all hours worked on an hour-for-hour basis, and receive overtime pay for hours worked in excess of 40 in a workweek at a rate of time and one-half their hourly rate of pay.

Assignment Length & Limitation

l. TES employee length of assignment is dependent upon the employing department’s assessment of the need for the position, the work performance in the position and availability of funding.

m. TES employees are limited to working a maximum of 1,450 hours within a 12-month measurement period.
   i. The 1,450 hours can accumulate through one assignment or through multiple assignments. Additionally, the 1,450-hour work limit includes all hours worked during the 12-month period, in any employment type.
   ii. If a TES employee reaches 1,450 hours within the 12-month measurement period then the TES assignment(s) must end.
      1. If the TES employee would like to continue working TES assignments then they will not be permitted to do so until a new measurement period begins.
      2. If the position is needed beyond a TES employee working 1,450 hours then plans should be made to competitively recruit for the position through the Employment Recruitment & Selection process.

n. Employing departments should refer to the Job Descriptions and Pay Ranges available through Human Resources as guides for aligning TES employee pay rates with work performed. TES employee pay rates are determined within the employing department and may be subject to the approval of the TES unit.

o. TES employees who are interested in applying for Auburn University regular employment positions are external applicants and must follow established recruitment and selection procedures for external applicants.

III. EFFECTIVE DATE
   June 26, 2020

IV. APPLICABILITY
   This policy applies to all individuals employed through Auburn University Temporary Employment Services (TES) and all departments employing TES employees.

V. POLICY MANAGEMENT

   Responsible Office: Human Resources

   Responsible Executive: Associate Vice President, Human Resources

   Responsible Officer: Director, Employment Services

VI. DEFINITIONS

   a. Fiscal year – October 1 – September 30
   b. Measurement Period – a TES employee is measured in either the Initial Measurement Period or the Standard Measurement Period.
      i. Initial Measurement Period – utilized for new TES employees, measured from the TES employee’s start date to their one-year anniversary date.
ii. Standard Measurement Period – utilized for existing TES employees, measured from October 1 to September 30.

VII. POLICY PROCEDURES
N/A

VIII. SANCTIONS
Failure to follow the law, the employing department’s and/or the University’s established policies and procedures may result in the ending of the TES assignment, as well as, the ineligibility for future TES or regular employment positions with Auburn University.

IX. EXCLUSIONS
N/A

X. INTERPRETATION
Director, Employment Services