

USM Bylaws, Policies and Procedures of the Board of Regents

USM HR Policy Review Sheet

Policy Number: VII – 9.50

New Policy Title: Policy on Temporary Assignments and Acting Appointments for Regular Status Nonexempt and Exempt Staff Employees

Old Policy Title: Policy on Temporary Assignments and Acting Appointments

1. Policy Application: Nonexempt Staff Exempt Staff Faculty Contingent Staff
 All Other: _____

2. Proposed Revisions

Terminology outdated

Re-Formatting

Title Change

Obsolete provisions deleted

Merge with other policy: _____

Clarifications: _____

Transfer to another policy or chapter: _____

Updates to reflect changes in law

Incorporate USM-wide existing practice into policy

Incorporated Pre-USM Policy: Add Exempt Staff to policy, after having been deleted in error in 2000

Fills gap in policy:

Added definitions

Other revisions: _____

D R A F T 5/7/15

VII-9.50 - POLICY ON TEMPORARY ASSIGNMENTS AND ACTING/INTERIM APPOINTMENTS FOR REGULAR STATUS NONEXEMPT AND EXEMPT STAFF EMPLOYEES

(Approved by the Board of Regents, EFFECTIVE July 1, 1996. Please refer to the "replacement for" section of this policy.; amended , 2015)

I. PURPOSE AND APPLICABILITY ~~Purpose and Applicability~~

This policy establishes the authority of the institution's **President** ~~Chief Executive Officer~~ or designee to temporarily assign duties to existing positions and to temporarily reassign staff to those positions. This policy applies to Regular Status Nonexempt and none~~Exempt~~ Staff employees—maintenance, office, service, and technical staff.

II. TERMS AND DEFINITIONS ~~Terms and Definitions~~

- A. Temporary assignment ~~– the action of is used when~~ adding or replacing job duties to an employee's existing position on a temporary (or interim) basis. ~~A temporary assignment of additional duties or replacement removal of duties is at the discretion of the supervisor and may not result in a change in title or compensation (or Neither the title nor compensation may change for a nonexempt employee)~~
- B. Acting/Interim Appointment ~~– the action of is used when appointing~~ an employee is appointed to a different position on a temporary (or an interim) basis where there is a vacancy and/or operational need that is anticipated to exceed thirty (30) consecutive calendar days. ~~This appointment may result in a temporary title change and compensation salary adjustment consistent with the policy on reclassification promotion.~~

III. AUTHORITY OF THE PRESIDENT ~~Chief Executive Officer~~

- A. Based upon operational need or organizational necessity and consistent with the knowledge, skill, and ability of the employee, the **President** ~~Chief Executive Officer~~ or designee may authorize:
1. A temporary assignment
 - ~~2.~~A. The President or designee may aAssign additional duties to an employee's current position on a temporary basis with no alteration in salary.

B. A temporary assignment of additional duties or replacement ~~removal of~~ duties is at the discretion of the supervisor and may not result in a change in title or compensation (or neither the title nor compensation may change for a nonexempt employee)

3-2. an Acting or Interim Appointment

2a. The President or designee may appoint an employee, on a temporary basis to an acting or interim position.

b. Employees appointed to an acting or interim position for, ~~or actually~~ serving, more than 30 days will receive a salary adjustment consistent with the policy on ~~reclass~~ promotional reclass. ~~Upon conclusion of the acting or interim appointment, the employee will return to the last regular salary received prior to the acting or interim appointment, with the addition of any intervening salary adjustments which have occurred. (See VI.C.)~~

c. The acting or interim appointment may result in a temporary title change and temporary compensation ~~salary~~ adjustment consistent with the policy on promotional reclassification.

B. If and when practicable, the employee shall be provided with written notice of temporary assignment/~~reassignment or Acting appointment~~ at least five (5) work days prior to the effective date of such assignment/reassignment.

IV. DURATION OF TEMPORARY ASSIGNMENT AND ACTING APPOINTMENT

~~Duration of Temporary Assignment and Acting Appointment~~

A. Nonexempt Staff Employees

Temporary assignments/acting appointments may be made for up to twelve (12) months. Additional extensions may be considered based on operational need of the institution.

B. Exempt Staff Employees

A. Temporary assignments/acting appointments should normally not exceed twelve (12) months. Exceptions may be granted only by the President or designee.

V. DETERMINATION OF SALARY FOR ACTING APPOINTMENTS

~~B.~~ Determination of salary for acting appointments shall be in accordance with established procedures for promotional reclass ~~PROMOTION~~ (see BOR VII-9.20 Policy on Pay Administration for Regular Nonexempt Staff Employees and VI-9.11 Policy on Pay Administration for Exempt Positions.).

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~~V.~~VI. **BENEFITS DURING ACTING OR INTERIM APPOINTMENT** ~~Benefits During~~ Acting or ~~interim~~ Appointment

Employees serving in an acting or interim capacity shall receive benefits consistent with their regular full-time appointment.

~~VI.~~VII. **MISCELLANEOUS** ~~Miscellaneous~~

- A. ~~Job-Position~~ classification reviews may be conducted for all temporary assignments/acting appointments that last or are expected to last more than thirty (30) consecutive-calendar days.
- B. Employees on temporary assignment/acting appointment shall not be subject to layoff based on temporary assignment/ acting appointment status. Such appointments are subject to the provisions of ~~USM~~UMS Board of Regents Policy VII - 1.30 – Policy on Layoff for ~~-Nonexempt Staff Employees Unclassified and Classified Personnel.~~
- C. At the end of an acting or interim appointment, employees shall be returned to their former position with the same salary and status as they would have had if they had not been temporarily reassigned; with the addition of any intervening salary adjustments which have occurred, including any increase that would have been made to the employees regular salary during the temporary assignment period.

IMPLEMENTATION PROCEDURES:

Each President shall identify his/her designee(s) as appropriate for this policy, develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to his/her institutional community, and post it on its Institutional website.

~~Each President Chief Executive Officer shall identify his/her designee(s), if appropriate, for this policy; shall develop procedures as necessary to implement this policy; and shall forward a copy of such procedures to the Chancellor.~~

Replacement for:

~~The following policies as they apply to non-exempt employees of the UMS-USM only are replaced effective July 1, 1996. However, Exempt employees will continue to be covered under such applicable existing policies until such time as revised policies governing Exempt employees are approved.~~

~~UM Personnel Policies and Rules for Classified Employees, Section III, Compensation—
Compensation of Employees Who Work in an Acting Capacity, page III-9.~~

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UM Personnel Policies and Rules for Associate Staff, Positions and Appointments, Paragraph E. Acting Appointment, pages 3, 4; ~~Employment Standards for Associate Staff, Paragraph G.2. Reassignment, page 13.~~

~~—UM BOR Policies and Procedures Manual, III 2.10.1 Amendment to Policy on Acting Appointments, page III 2.10.1-1 (partially rescinded for certain Academic Administrator positions); III 14.41 Policy on the Delegation of Authority to Approve Requests for Overload Payments to Faculty and Associate Staff, page III 14.41-1 (partially rescinded for Associate Staff).~~

~~—Additionally, this policy supersedes, in whole or in part, any policy(ies) and/or procedure(s) established by the Regents, Trustees, Presidents, or their designees, of the former institutions of the University of Maryland, and of the former State Universities and Colleges, and of the Regents of the University of Maryland System that are in conflict with this policy's purpose, applicability, or intent, that may have been overlooked and not included as a specific citation under "Replacement for."~~