



University Policies and Procedures

07-01.40 - RENEWING CONTINGENT EMPLOYMENT AGREEMENTS

- I. Policy Statement:** This policy provides direction when renewing the Employment Agreements for Contingent Employees.
- II. Reason for Policy:** Towson University has established implementing procedures pursuant to the University System of Maryland Policy www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VII140.html.
- III. Definitions:**
- A. Contingent Status Employee - an employee holding a position that requires a personal service agreement between Towson University ("University") and an individual. A contingent status employee is a non-faculty employee who:
1. pursuant to a written agreement, provides personal services to the University for pay;
 2. is not filling a State of Maryland budgeted position;
 3. is governed by the University System of Maryland ("USM") policy and the University's Implementation Guidelines for Contingent Employees with regards to compensation and terms and conditions of employment; and
 4. has an employer-employee relationship with the University;
- B. Contingent Category I Status Employee: In accordance with the University Policy 07-01.43 on Contingent Status Employment for Non-Exempt and Exempt Employees, a Contingent Category I status is an employee who:
1. has a written agreement that is for a term of six (6) consecutive months or less and whose FTE is between 1% and 100%;
 2. is not required to be hired through a competitive recruitment or selection unless otherwise stipulated by the Affirmative Action Office and/or the Office of Human Resources (OHR);

3. may have his/her employment agreement renewed one (1) time for a lifetime maximum of twelve (12) months under Contingent Category I in that position;
 4. may have his/her employment status identified by the OHR as “If and When,” “Seasonal” and/or “Intermittent.” Employees with this status may have their employment agreement renewed indefinitely for up to twelve (12) months at a time; and
 5. may have his/her employment status identified by the OHR as a flat rate exempt contingent employee. The period of hire for a flat rate exempt employee is based on the length of the project.
- C. **Contingent Category II Status Employee:** In accordance with the University Policy 07-01.43 on Contingent Status Employment for Non-Exempt and Exempt Employees a Contingent Category II status is an employee who:
1. has a written employment agreement that is for more than six (6) months, but no more than twelve (12) consecutive months;
 2. is on a full-time basis or on a part-time basis of 50% or more of full-time employment;
 3. is hired through a competitive recruitment and selection; and
 4. may have their employment agreement renewed so long as the Contingent Category II employment does not exceed two consecutive one year terms or 24 months by executing a new employment agreement.

III. Responsible Executive and Office:

Responsible Executive: Associate Vice President for Human Resources

Responsible Office: Office of Human Resources

IV. Entities Affected by this Policy: All divisions, colleges, departments, and operating units; all contingent category I and contingent category II employees.

V. Procedures:

A. General

1. Procedures for the Contingent Employment Agreement Renewal Process are distributed by the OHR prior to the beginning of the new fiscal year.
2. Salary Guidelines for the renewable fiscal year will be governed by and in accordance with the USM Chancellor’s Fiscal Year Salary Guidelines

3. A contingent employee shall be given two (2) weeks written notice if his/her Contingent Employment Agreement is not being renewed.
4. Each Contingent Employment Agreement shall specify:
 - a. the appropriate contingent category: Category II or I. If it is a Category I appointment, it shall specify whether it is Seasonal, Intermittent, Flat rate; or include the percentage of time worked;
 - b. the salary/hourly rate of pay;
 - c. the duration of the agreement, including a provision that both the employee and/or the employer has the right to terminate the agreement for any reason following notice as specified in the agreement;
 - d. the duties to be performed; and
 - e. for Contingent Category II employees the benefits and rates of leave accrual provided as noted in the University Policy 07-01.43 on Contingent Status Employment for Non-Exempt and Exempt Employees.
5. Section III.C.4 of this policy does not apply to Contingent Category II employees whose positions are funded through a Research/Service Grant(s) and/or Contract(s). In addition, §III.C.4 of this policy does not apply to athletic coaches, employees on internships, and/or those who have chosen not to be converted.
6. Contingent employees remain as active employees on payroll until the OHR is officially notified, via the Separation Form, that the employee's status has changed and they are to be separated from the University. The Separation Form can be found on <http://www.towson.edu/hr/>, under Forms Repository.

B. Procedures

1. Departmental worksheets containing contingent data specific to the employee are sent to the department. In addition, each department receives a copy of the Contingent Employee Renewal Procedures and copies of the Contingent Employee Agreement. Departmental Worksheets contain specific employment data related to each individual contingent employee.

2. Departments review and confirm the departmental worksheets data including agreement dates, salary (current and next fiscal year), agreement maximum, and departmental charge code. A separation date shall be indicated if an agreement is not being renewed or if an employee was previously separated. Unless previously submitted, a Personnel Separation form must accompany the departmental worksheet when returned to the OHR. The Personnel Separation Form can be found on <http://www.towson.edu/hr/> "Forms Repository."
3. Departments return the departmental worksheets with required signatures and a Contingent Employee Agreement signed by the employee to the OHR.
4. The OHR will review all supporting documentation and process accordingly. Two (2) copies of the signed Contingent Employment Agreement will be returned to the department. The department is responsible for providing the employee with a copy.

Related Policies: USM Policy VII-1.40
TU Policy 07-01.41
TU Policy 07-01.42

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Approved by: President's Council 11/14/2007