

A. Purpose

To establish clear guidelines and procedures for individuals who work in temporary positions within Frederick County Public Schools (FCPS) and do not qualify for standard employee benefit programs.

B. Background

Non-benefited positions are created for temporary work assignments. A non-benefitted employee is considered "at-will" and one that is not entitled to benefits in accordance with any FCPS negotiated agreement.

C. Definitions

“Non-Benefited Employee” is defined to mean any person employed by the Board of Education in a position that does not receive benefits other than hourly compensation leave, except as provided for under Maryland Health Working Families Act through the provision of sick and safe leave.

D. Procedures

1. Position Authorization.

- a. Approval for non-benefited positions must be obtained from the manager, director, division chief, or deputy superintendent responsible for the budget account to be charged.
- b. The Superintendent must give authorization to fill the position if the department does not have a budget account.
- c. Once approval is authorized by the Superintendent, or designee, the person requesting the position must obtain a position charge code from the Budget Office.
- d. After a non-benefited position is authorized and a charge code has been established, a completed Position Description Form and the charge code will be submitted to the Classification Specialist for review. The Classification Specialist will then determine the hourly rate for the position from the non-benefited employee hourly rate listing. No rate will be communicated to a prospective non-benefited employee prior to that determination.
- e. If an hourly rate does not already exist for the type of work the position will be completing, the Classification Specialist will determine the appropriate hourly rate. The new hourly rate will be submitted to the Director of Human Resources for approval.

2. Annual Rate Approval. Annually, but prior to July 1 of the next fiscal year, the Assistant Data Manager of Human Resources, the Director of Human Resources, the Associate

Superintendent of Fiscal Services will review the hourly rate scale for non-benefited employees to determine if it needs to be adjusted. The approved hourly rate listing reflecting the current FCPS budget codes and hourly rates will be maintained by the Human Resources Assistant Data Manager.

- a. The Classification Specialist will refer to the completed position description form and the approved hourly rate listing to determine the hourly rate of the job.
 - b. A supervisor may, request a second review of the assigned hourly rate by providing written support for that request to the Director of Human Resources.
 - c. The Associate Superintendent of Fiscal Services will negotiate the hourly rate for security guards and will communicate that rate to the Director of Human Resources.
3. **Employment Procedures.** Except as indicated below, in paragraphs 4 and 5, the Human Resources Personnel Officer will identify applications of qualified persons and set interviews as needed. The non-benefited position will be advertised within FCPS if there is not an ample supply of applications on hand. Under some circumstances, unique positions will need to be advertised outside the system.
- a. When the interviews are completed and reference checks have been made by the interviewing department, the Human Resources Personnel Officer will be told whom the department wishes to select. The manager will send a completed Job Data Change (JDC) form to Human Resources to authorize hiring the non-benefited employee. This form will include the position charge number provided by the Budget Office.
 - b. The Human Resources Personnel Officer, or designee, will notify the candidate that he or she has been selected for the position. The candidate will be reminded of the hourly rate, the temporary (at-will) nature of the position, and the fact that no benefits will be offered. If the candidate accepts the position, this same information will be supplied in a form letter.
 - c. The Human Resources Department will fingerprint the new employee, execute the I-9 Employment Eligibility Verification form, tax forms, and other required employment paperwork. The non-benefited employee may not work until he or she has been fingerprinted and completed the required forms.
4. Food and Nutrition Services, Transportation, Maintenance and Operations (for custodial substitutes), Special Education (for sign language interpreters/aides) and the curriculum specialist for Physical Education/Health Education (for life guards) will hire non-benefited employees, as approved through the budget process, as follows:
- a. Receive and screen applicants using the support employee application form.
 - b. Forward the applicant names to the Human Resources Department.
 - c. Schedule and conduct interviews as needed.
 - d. Complete reference checks for each employee before recommending for hire.
 - e. Advise the Human Resources Personnel Officer, to extend an offer of temporary (at-will) employment without benefits at the prescribed hourly rate and reinforce the terms of the offer with a form letter.
 - f. Send a completed Job Data Change (JDC) form, employment application, and reference forms to the personnel office to begin fingerprinting and other relevant employment forms. New employees will not be allowed to work until these pre-employment forms are completed and the employee has been fingerprinted.

5. The Facilities Services and Purchasing Departments may hire non-benefited employees to work between June and September as needed and as authorized under paragraph 1. The hiring process for summer non-benefited employees must comply with each of the six items listed under paragraph 4. Annual rate approval must be done in accordance with paragraph 2.
6. **Severance of Employment**
 - a. The employee is responsible for completing the *Status Change Form* found on the InsideFCPS intranet at FormFinder <http://formfinder.fcps.org/> and submitting it to HREmployeeRelations@fcps.org.
 - b. The supervisor will complete the *Employee Exit Property Recovery Checklist* form found on FormFinder. <http://formfinder.fcps.org/>.

E. Related Information

1. **Board Policy**
 - a. [Policy 300, Personnel](#)
2. **FCPS Regulations**
 - a. [Regulation 300-35, Severance of Employment for Personnel and References](#)
3. **FCPS Resources**
 - a. FCPS Employee Exit Property Recovery Checklist
 - b. FCPS Status Change Form

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Human Resources
Adoption Dates	07/1/93
Review Dates	11/4/16, 11/15/23
Revision Dates	11/15/23