

 <p style="text-align: center;"><b>Orange County Sanitation District Personnel Policies</b></p>	<b>Policy Number: 1.11</b>
	<b>Effective Date: September 26, 2018</b>
<b>Subject: Temporary and Contract Worker</b>	<b>Supersedes: N/A</b>
<b>Approved by: General Manager</b>	

## 1.0 PURPOSE

- 1.1 The purpose of this policy is to establish uniform guidelines and procedures for hiring temporary and contract workers so that the Orange County Sanitation District (OCSD) can make appropriate management decisions, administer programs, and satisfy legal and compliance requirements.

## 2.0 ORGANIZATIONAL UNITS AFFECTED

- 2.1 This policy applies to all current Orange County Sanitation District (OCSD) managers and supervisors who utilized temporary and contractor workers.

## 3.0 DEFINITIONS

- 3.1 Temporary Worker(s) – An individual who is employed with a staffing agency (labor supplier) ~~and whose assignment with OCSD is limited to 1,600 hours per year.~~
- 3.2 Contract Worker(s) – A worker who provides services pursuant to a contract agreement for services and who is not entitled to an employee status.

## 4.0 POLICY

- 4.1 Temporary and Contract Workers may be hired without following OCSD Policy 1.4, Recruitment and Selection.
- 4.2 The service of a Temporary or Contract Worker may be discontinued by an OCSD management representative or the Director of Human Resources (or designee) at any time.
- 4.3 Temporary and Contract Workers are not granted preferential treatment based on their relationship with OCSD if they apply for a permanent position with OCSD.
- 4.4 Temporary Workers shall be provided rest periods and non-paid lunch breaks as required by law.
- 4.5 Contract Workers shall determine on their own or through their contract employer the provisions of meal and rest periods required by law.
- 4.6 OCSD retirees may not return to OCSD as a Temporary or Contract Worker for 180 days following their date of retirement from OCERS.

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- 4.7 Temporary and Contract Workers are not in a collective bargaining unit and are not entitled to any of the contract rights granted to represented OCSD employees.
  - 4.7.1 They are not eligible for OCSD fringe benefits (medical, dental, sick leave, vacation, paid holidays, comp time, etc.), salary increases, reclassification, or for shift differential or special pay.
  - 4.7.2 They are not entitled to membership in Orange County Employee Retirement System or any other deferred compensation benefit plan through OCSD.
- 4.8 Before Temporary and Contract Workers are used, the hiring division must ensure that the utilization of the worker is essential, and the work assignment cannot be performed by regular OCSD employees.
- 4.9 Temporary Workers
  - 4.9.1 It is the responsibility of the hiring division to budget for, and ensure that funds are available within the Board-approved annual temporary services budget prior to requesting a temporary worker.
  - 4.9.2 The maximum duration for any Temporary Worker assignment is one (1) year. Temporary Workers are hired in six (6) month increments.
  - 4.9.3 The documentation to request a Temporary Worker assignment must be submitted to the Human Resources Department.
  - 4.9.4 Divisions are not authorized to directly hire Temporary Workers without the prior approval of the Director of Human Resources (or designee).
- 4.10 Contract Workers
  - 4.10.1 The division hiring authority must notify the Human Resources Department of all intended contracts that involve Contract Workers through a Professional Services agreement.

**5.0 PROCEDURE**

- 5.1 Temporary Workers
  - 5.1.1 The division hiring authority must coordinate temporary staffing with the Human Resources Department.
  - 5.1.2 The division hiring authority requesting a Temporary Worker must complete, in detail, through a request for temporary staff form.
    - 5.1.2.1 The completed form must be submitted and approved by the Director of Human Resources (or designee).
  - 5.1.3 If an interview is needed (in person or over the phone) a Human Resources representative presence is not required.
  - 5.1.4 The division hiring authority will not contact the temporary staffing agency to request temporary staff, negotiate bill rates, or renew contracts.

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- 5.1.5 Human Resources will make all arrangements with the temporary staffing agency and notify the appropriate hiring authority of the Temporary Worker's name and start date.
  - 5.1.6 The hiring authority should submit a service desk request to the Information Technology Division (250) for a computer, network/internet access (if applicable) and programs as well as a telephone/voicemail for the Temporary Worker prior to the Temporary Worker's start date.
  - 5.1.7 The hiring authority must notify the Human Resources Department when the Temporary Worker assignment has ended.
  - 5.1.8 It is the responsibility of each division to verify the accuracy of invoices submitted to include actual hours worked and rate charged to OCSD.
  - 5.1.9 Temporary Worker time off requests should not be reviewed or approved by OCSD employee, rather provided directly from the Temporary Workers' staffing agency.
  - 5.1.10 Temporary Worker timecards must be completed by the manager or supervisor they are assigned to work for.
  - 5.1.11 OCSD Employees are not authorized to sign timecards for Temporary Workers.
  - 5.1.12 Temporary assignments will terminate on the date indicated on the original request ~~or upon completion of 1,600 work hours in a one-year period, whichever comes first~~, unless discontinued earlier by an OCSD management representative or the Director of Human Resources (or designee).
  - 5.1.13 If an extension is requested, attach a copy of the original request to the extension request form, obtain the necessary approval signatures (Department Manager & Department Head) and forward to Human Resources Director (or designee) for approval.
  - 5.1.14 Signed extension requests must be submitted to Human Resources Department two (2) weeks prior to the end date indicated on the original temporary services request form.
- 5.2 Professional Services Agreements (Contract Workers)
- 5.2.1 The division hiring authority requesting contract workers must work through the formal procurement process established by Purchasing and Contract Administration Division.
  - 5.2.2 The hiring authority should submit a service desk request to the Information Technology Division (250) for a computer, network/internet access (if applicable) and programs as well as a telephone/voicemail for the contract worker prior to the temporary worker's start date.
  - 5.2.3 It is the responsibility of each division to verify the accuracy of invoices submitted to include actual hours worked and rate charged to OCSD.
  - 5.2.4 Contract Worker timecards must be completed by the manager or supervisor they are assigned to work for.
  - 5.2.5 OCSD Employees are not authorized to sign timecards for Contract Workers.

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- 5.2.6 Contract Worker assignments will terminate on the date indicated on the contract, unless discontinued earlier by an OCSD management representative or the Director of Human Resources (or designee).

**6.0 EXCEPTIONS**

**7.0 PROVISIONS AND CONDITIONS**

**8.0 RELATED DOCUMENTS**

- 8.1 Injury and Illness Prevention Program
- 8.2 Temporary Staffing Services – Request Form