The UNC Policy Manual
300.1.1.1[R]
Adopted 12/18/25
Amended 07/22/26

Regulation on University Temporary Employment

I. Purpose. The University of North Carolina System may employ temporary workers to fulfill short-term workforce needs. This regulation provides guidance for consistency of practice across the UNC System for all types of temporary employment to ensure that appropriate Federal and State laws and related policies are consistently applied.

II. Coverage. This regulation applies to all temporary employees hired by the University of North Carolina and its affiliates, with the exception of appointments through external (non-university) temporary staffing vendors and independent contractors.

III. Terms and Conditions. Temporary employment is designated as at-will. Temporary employment may be terminated at any time at the discretion of management, consistent with the institution's nondiscrimination policy, regardless of any expected assignment end date. Offers of employment shall make clear that these are non-permanent appointments not eligible for employer-paid retirement. For the avoidance of doubt, this regulation applies only to temporary employees and is not intended to address the temporary assignment of additional duties to permanent, benefits-eligible, employees of an institution.

IV. Temporary Employee Appointment Lengths.

A. Temporary Appointments. Employees in temporary appointments who work fewer than 1560 hours during any continuous 12-month period are exempt from appointment term limits.

1. Term Limit. If an employee works 1560 hours or more (0.75 or greater Full-Time Equivalent or FTE) during each of two consecutive 12-month periods, then the employee must be separated from employment and cannot be rehired by that institution in a temporary employment capacity for at least 31 calendar days. Exceptions to term limits must be approved by the chancellor (or chancellor-designated senior academic and administrative officer) prior to the end of the two-year period.

2. Gaps in Employment. Gaps in employment must be at least 31 consecutive calendar days to be considered a break in service. Gaps in employment shorter than 31 calendar days do not satisfy the separation requirement in subsection IV.A.1.

3. Interaction of Direct-Hire and Temp Agency Appointments. Hiring departments may not move a temporary employee from direct-hire employment to employment through a temporary staffing vendor for the sole purpose of circumventing the term limit.

B. Multiple Assignments. For temporary employees working multiple assignments within the same institution, all hours and months of employment worked across all assignments are aggregated in order to calculate total time toward the term limit. However, a temporary employee may work at different state agencies/universities consecutively and/or concurrently. The time

worked at each institution is counted separately for the purposes of appointment limits defined in this regulation.

V. Exceptions to Temporary Employment Appointment Term Limits.

A. Retiree Temporary Appointments. A retiree temporary appointment is an employment status for individuals drawing a retirement income and/or social security benefits. These retirees may continue to perform in temporary appointments without term limits so long as the retirees certify on their Conditions of Employment that they are not available for, nor are seeking, permanent employment and that they have benefits through their retirement plans and/or social security.

1. Teachers' and State Employees' Retirement System (TSERS) Waiting Period. Retirees who are members of TSERS are required to fulfill a six-month waiting period after their retirement date before performing any work for a State agency or university. This restriction does not apply to retirees from the Optional Retirement Program (ORP).

2. TSERS State Employment Retiree Income Limits. Employees who retire from the State of North Carolina and receive a pension through the State are limited in the salary amount they can continue to receive as a temporary employee for the State. State retirees should contact their institutional human resources office for additional information on income limits.

3. Full-time Retiree Employment Benefits Costs. Retiree temporary employees who are hired at a 0.75 FTE or greater (30 or more hours per week) are no longer eligible for retiree health coverage under TSERS and ORP and must be placed on the active group HDHP (High Deductible Health Plan) at the expense of the hiring department. Hiring departments are strongly encouraged to limit the hours worked by a retiree temporary to fewer than 29 hours per week.

B. Student-Related Temporary Appointments. Student employees are not subject to appointment term limits and can retain student employee status for the duration of their academic program. If a person is primarily a student and employment is merely incidental to student status, then that person is a "student-employee." Conversely, if a person is primarily an employee and enrollment is merely incidental to employee status, then that person is not a "student-employee."

1. Internal Students. Students who are currently enrolled at the same institution at which they are also working are not subject to appointment term limits. If a student graduates or does not re-enroll but continues temporary employment, then the student temporary assignment must be terminated and the former student hired as a temporary employee subject to the term limits defined in this regulation. Student status is retained during academic breaks. (Note: Certain student temporary workers enrolled at the institution may be exempt from Federal Insurance Contributions Act [FICA] withholdings under IRS rules).

2. External Students. Students who are actively enrolled as a high school student, community college student, or student at a college or university that is not the institution

at which they are seeking employment are not subject to appointment term limits. The employee is responsible for demonstrating their enrollment status.

C. Temporary Academic Appointments. Temporary faculty appointments and temporary post-doctoral fellow appointments are not subject to term limits unless otherwise prescribed by University policy, by regulation, or by other guidance provided by the UNC System Office. J-1 Exchange Visitors sponsored by a UNC System constituent institution also are not subject to appointment term limits and can retain temporary status for the duration of their visitor program.

VI. Recruitment and Hiring.

A. General Recruitment Requirements. Unless otherwise required by this regulation, institutions shall establish recruitment and hiring policies and procedures applicable to temporary employees. Recruitment for temporary employees must be compliant with Office of Federal Contract Compliance Programs (OFCCP) requirements, as applicable, to ensure appropriate employment opportunity to veterans and persons with disabilities. The UNC System Office periodically may provide further guidance on categories of temporary employment for the purposes of reporting and consistency of practice.

B. Applicant Status. Temporary employees are considered external candidates for recruitment for permanent positions in regard to promotional priority in recruitment for SHRA positions; however, temporary employees may be considered for job postings that are indicated as "internal posting only."

C. Temporary-to-Permanent Hiring.

1. For EHRA permanent positions, institutions may set policies for allowing temporary-to-permanent hiring.

2. For SHRA permanent positions, temporary-to-permanent hiring must be consistent with N.C. General Statute § 126-6.4. Unless otherwise provided, SHRA temporary-to-permanent hiring is exempt from standard recruitment requirements for SHRA permanent employment, such as publicly posting the permanent position, requiring an application, holding an interview or new reference checks, selecting the applicants from the pool of the most qualified persons, or following the priorities for certain types of applicants under State law.

D. Treatment as Temporary Employees. Institutions may hire individuals as temporary employees regardless of their status as a permanent, benefits-eligible employee of another North Carolina State agency or another constituent institution of the University of North Carolina System.

VII. Benefits Eligibility.

A. Health Care. Temporary employees who work an average of 30 hours per week over a 12-month period have the option to receive health care insurance coverage through the Affordable

Care Act (ACA). The institutional human resources office is responsible for notifying employees of their eligibility and making enrollment materials available.

B. Retirement Savings. Temporary employees may participate in the 401(k), 403(b), and 457 retirement savings plans offered through the university.

C. Family & Medical Leave. Temporary employees who have 12 months of cumulative service and have been employed for at least 1250 hours during the previous 12-month period are eligible for Family & Medical Leave. Refer to the Family & Medical Leave policy for more information.

VIII. Termination.

A. Appointment End Dates. At the time of hire, the hiring manager may set an expected appointment end date. The end date is the last day the temporary employee is authorized to perform work for payment. All temporary appointments are at-will, and the institution may end a temporary appointment at any time regardless of any planned appointment end date.

B. Appointment Extensions. The hiring department may extend a temporary appointment beyond any expected end date subject to any limitations defined in this regulation. All extensions must be issued in writing and signed by the employee prior to the employee continuing the temporary appointment.

IX. Other Matters.

A. Effective Date. The requirements of this regulation shall be effective upon adoption by the president.

B. Relation to State Laws. This regulation is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this regulation.

C. Regulations and Guidelines. This regulation shall be implemented and applied in accordance with such other regulations and guidelines as may be adopted by the president.