**MEMORANDUM**

**TO:** N.C. A&T Administrators & Supervisors

**FROM:** Dr. Veronica Sills, Associate Vice Chancellor & Chief Human Resources Officer

**DATE:** August 8, 2022

**SUBJECT:** Temporary Employee Mandatory Separation Requirement

The Office of State Human Resources (OSHR) policies authorize temporary employees to fill a workforce need for a limited period of time. A temporary employee is an appointment for a limited term, normally not to exceed three to six months, but not more than eleven (11) consecutive months without a lapse in employment of 31 or more consecutive calendar days. Individuals appointed as a temporary employee do not earn leave (sick or vacation), receive total state service credit, earn retirement or earn career status. The lapse in employment is called the **Mandatory Separation Requirement**, also known as the “31-day break” or “break-in-service.”

In March 2020, due to the onset of the state-wide public health emergency caused by COVID-19 and its impact to the workforce, the OSHR issued a memorandum which temporarily waived the Mandatory Separation Requirement allowing temporary employees to work beyond eleven consecutive months without a lapse in employment. **Effective August 15, 2022, as a result of the end of the state-wide public health emergency, the waiver of the Mandatory Separation Requirement will end**. As a result, any hourly or salaried temporary employees who have worked more than 11 continuous months without the mandatory break-in-service must separate from employment beginning no later than September 15, 2022 and are ineligible for rehire at the same institution for at least 31 calendar days. Campuses cannot circumvent the policy by rehiring the same temporary employee through a temporary agency during the mandatory separation. Individuals are eligible for state government re-employment into temporary positions beginning the 32nd day.

There are five “categories” of temporaries that are exempt from the Mandatory Separation Requirement which include the following:

* Retirees who certify that they are not available for or seeking permanent employment
* Full-time students - undergraduates taking at least twelve (12) semester hours or graduate students taking at least nine (9) semester hours.
* Interns - students who, regardless of the number of credit hours enrolled, work to gain occupational experience for a period of time not to exceed three months
* Externs - students who, regardless of the number of credit hours enrolled, are employed as part of a written agreement between the state and an academic institution through which the student is paid and earns course credit
* Inmates who are in a work-release program.

In an effort to comply with the Mandatory Separation Requirement, the university has identified a list of temporary employees who are required take a 31-day break in service starting no later than September 15, 2022. To assist administrators, supervisors, and temporary employees in this process, attached to this memo are several items including steps to offboarding a temporary employee, supervisor talking points, temporary employee benefits guide, and a template off-boarding letter.

If you have questions regarding temporary employment, please email Anastasia Horton, Sr. Staffing Specialist, at alhorton1@ncat.edu or questions regarding benefits email Marcie Rowdy, Benefits Manager, at mlrowdy@ncat.edu. Thank you for your anticipated cooperation. In Aggie Pride.