ADMINISTRATIVE DIVISION	HR Division of Human Resources
POLICY NUMBER	HR 1.85
POLICY TITLE	Research Grant or Time-Limited Positions
SCOPE OF POLICY	USC System
DATE OF REVISION	September 18, 2024
RESPONSIBLE OFFICER	Vice President for Human Resources
ADMINISTRATIVE OFFICE	Division of Human Resources

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE FACULTY, STAFF, OR ADMINISTRATIVE EMPLOYEE AND THE UNIVERSITY OF SOUTH CAROLINA. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE UNIVERSITY OF SOUTH CAROLINA RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT. THE UNIVERSITY OF SOUTH CAROLINA DIVISION OF HUMAN RESOURCES HAS THE AUTHORITY TO INTERPRET THE UNIVERSITY'S HUMAN RESOURCES POLICIES.

PURPOSE

The Research Grant or Time Limited Positions Policy communicates the use and establishment of Research Grant and Time Limited Positions and the terms of employment.

DEFINITIONS

Covered Employee: A full-time or part-time employee occupying a part or all of an FTE position who has successfully completed the probationary period and who has grievance rights.

Full-Time Equivalent (FTE): A position authorized by the General Assembly which is expressed as a numerical value as a percentage of time in hours and of funds.

Grievance Rights: Ability to file a complaint by a covered employee or the employee's representative regarding an adverse employment action taken by an agency designated in Section 8-17-330 of the South Carolina Code of Laws.

Research Grant Position (RGP): A type of non-FTE position which is funded by federal grants, private foundation grants, research grants, medical school practice plans, individual private gifts, externally generated revenue for service testing agreements and grant generated revenue or a combination of these funding sources. RGP employees are not covered employees.

Time-Limited (TL): A full or part-time non-FTE position hired to fill a position with time-limited project funding approved or authorized by the appropriate State authority, and who is not a covered employee.

POLICY STATEMENT

This document describes the uses, establishment, and terms of employment for research grant positions pursuant to Section 59-101-630 of the South Carolina Code of Laws and time-limited positions pursuant to Section 8-11-196 of the South Carolina Code of Laws.

A. Uses and Establishment of Research Grant Positions

1. Research grant positions are non-FTE positions established to support the opportunities for economic development presented through the expansion of research activities.

2. Research grant positions must be funded by federal grants, public charity grants, private foundation grants, research grants, medical school practice plans, individual private gifts, externally generated revenue for service or testing activities, and grant generated revenue, or a combination of these funding sources.

3. State appropriated funds must not be used to fund any portion of research grant positions.

4. Research grant positions may be established using other funds during the proposal development or pre-award stages of grant funding in anticipation of specific grant or project funding.

5. Research grant positions may be established for multiple years; however, they must not exist beyond the duration of the funding for the project or grant or any subsequent renewal. At the discretion of the university, other funds may be used to fund continued employment between the expiration of one grant and the subsequent renewal of the same or similar grant, or the award of an additional grant. When funding for the project or grant ends or is insufficient to continue, research grant employees must be separated and their positions will cease to exist.

B. Uses and Establishment of Time-Limited Positions

1. Time-limited positions are non-FTE positions established to perform work directly associated with a time-limited project. Time-limited projects are specific work products or services provided by a state agency or by one state agency to another state agency, local government, or other public or private entity over a specified time period as a contractual agreement.

2. Time-limited positions must be funded by time-limited funds for a specified project. These funds may be federal, state, or other funds.

3. Time-limited positions, employees, and the conditions of their employment must be

reported to the South Carolina Department of Administration.

4. Time-limited positions must be limited to and must not exist beyond the duration of the time-limited project or subsequent renewal of it. However, at the discretion of the university, other funds may be used to fund continued employment between the expiration of one time- limited project and the subsequent renewal of the same or similar time- limited project. When the time-limited project, or subsequent renewal ends, time-limited project employees must be separated, and their positions will cease to exist.

C. Terms of Employment for Employees in Research Grant or Time-limited Positions

1. Employees in research grant and time-limited positions are employed at-will, do not have a period of probationary employment, and do not have grievance rights afforded to state employees covered by the State Employee Grievance Procedures Act or faculty of the university. Employees in research grant or time-limited positions may be separated at any time with or without cause.

2. All federal laws are applicable to employees in research grant and time-limited positions.

3. Hiring salaries will be determined based on factors including but not limited to education, work experience, and internal and external market conditions. Employees in research grant or time-limited positions are eligible for various salary increases if funding permits. However, they are not eligible for general or merit pay increases as awarded by the General Assembly. These employees are not entitled to compensation beyond the date of termination other than for the part of the grant that has been performed.

4. The hiring unit must contact the Office of International Services (HR-OIS) prior to extending an offer of employment to a non-US citizen to ensure:

    a. the proposed employment is consistent with immigration laws and regulations; and

    b. the proposed terms and conditions of employment (including, but not limited to, duties, hours, compensation and access to benefits) are commensurate with those applicable to the hiring unit's similarly situated U.S. workers.

5. Research grant and time-limited employees are covered by unemployment insurance and workers' compensation.

6. Employees in research grant or time-limited positions are eligible for the same benefits available to state employees in FTE positions, provided funds are allocated within the grant or project, or that grant-generated revenue is used. Employees will also be eligible for benefits if they

work over a specified period averaging 30 or more hours per week.

Benefits may include health, vision and dental insurance, and retirement benefits.

7. Upon hire, the department must indicate if the research grant and time-limited position is eligible for sick leave only, annual leave only, both annual and sick leave, or neither annual nor sick leave. If the employee is provided leave, the provisions of HR 1.06 Sick Leave and HR 1.03 Annual Leave are applicable as they are for FTE positions. However, research grant and time limited employees are not eligible for Paid Parental Leave per State Division of HR guidelines.

8. Employees in research grant or time-limited positions who earn at least one type of leave (sick or annual leave) are eligible for paid holidays as outlined in HR
1.15 Holidays and Holiday Compensatory Time and the other leave types outlined in HR 1.09 Other Leave Types. Upon separation of a research grant or time-limited employee who earned annual leave, the amount of the annual leave payout is also dependent upon the availability of funds and may include all, some or none of the unused annual leave earned by the employee.

   All positions, regardless of the source of funding, are subject to the requirements of the Affordable Care Act.

   If benefits are provided to the employee, all benefits will be administered within established university policies and guidelines.

9. An employee who moves from a research grant or time-limited position to an FTE position within 15 calendar days following the last day worked (or on approved leave) shall transfer all earned annual leave hours and all earned sick leave hours.
10. An employee who moves from an FTE position to a research grant or time-limited position within 15 calendar days following the last day worked (or on approved leave) shall not transfer any earned annual leave hours or any earned sick leave hours.
11. Upon separation, research grant and time-limited employees forfeit unused sick leave hours and are paid for unused annual leave in accordance with policy HR 1.03 Annual Leave, dependent upon the allocation of funds for this purpose.

12. Employees moving from one research grant or time-limited position to another research grant or time-limited position may transfer unused sick and annual leave if the gaining grant or project is able to accept the leave hours. If the gaining grant is unable to accept the leave hours, employees forfeit unused sick leave and will be paid for unused annual leave in accordance policy HR 1.03

Annual Leave, dependent upon the allocation of funds for this purpose.

13. For purposes of determining bonus leave accrual or for state service recognition time worked in a research grant or time-limited position does not count toward state service time if hired into an FTE position. However, time worked as a research grant or time-limited employee will be counted toward the leave accrual date upon moving into another research grant or time-limited position without a break in employment.

14. If a nonexempt employee in a research grant or time-limited position moves to a position that cannot accept compensatory time, the employee must be allowed to use all accrued compensatory time or be paid for all such time by the losing department prior to the employee being promoted, reassigned, demoted, or transferred to the new position.

15. Employees in research grant or time-limited positions should be given feedback using the Performance Feedback Assessment for Non-Covered Employee form or other feedback tool.

16. An employee in an FTE position who is covered by the State Employee Grievance Procedures Act and who voluntarily accepts a research grant or time-limited position will:

    a. Forfeit grievance rights;

    b. Forfeit covered status;

    c. Experience a break in service;

    d. Forfeit unused sick leave; and

    e. Forfeit reduction-in-force rights.

PROCEDURES

Procedures, forms, and general guidance related to this policy can be found on the Division of Human Resources website at http://hr.sc.edu/.

RELATED UNIVERSITY, STATE AND FEDERAL POLICIES

Affordable Care Act
SC Code of Law Sections 8-11-196, 8-17-330 and 59-101-630
SC Code of Laws, Sections 8- 17-310 through 8- 17-370, State Employee Grievance and Procedure Act
State Human Resources Regulations 19-718.03
HR 1.03 Annual Leave
HR 1.06 Sick Leave
HR 1.08 Paid Parental Leave
HR 1.09 Other Leave Types
HR 1.15 Holidays and Holiday Compensatory Time

HR 1.24 Appointment, Reassignment, and Promotion of Classified, Research Grant, Time- Limited or Unclassified Staff Employees

HISTORY OF REVISIONS

DATE OF REVISION	REASON FOR REVISION
November 16, 2018	Updated to new format with current unit names.
May 30, 2014	Created two sections to separate and clarify the authority for and requirements regarding research grant positions from those for time-limited positions. Revised the sections addressing the transfer of annual and sick leave when an employee moves from a research grant position into an FTE position or vice versa to be compliant with State guidelines and other University policies. Removed procedural information
July 26, 2021	Consolidate and clarify information about terms of employment for non US-citizens. Updated information about leave benefits and Holiday pay for Research Grant and Time Limited positions.
October 13, 2022	Added sentence to clarify that RGP/TL employees are not eligible for Paid Parental Leave
September 18, 2024	Updated to comply with the new State Human Resources Regulations regarding transfer of leave and removal of visa information duplicated in UNIV 2.60 (formerly HR 1.25).