

MSU Billings Personnel Policies

POLICY: Appointment Status

POLICY NO.: 404.1

REFERENCES: MUS 702.1, 702.6, 702.7, 707, 710.2.1, 710.2.2, 711.2, 706.1, 711.1; 2-18-101, M.C.A.; Collective Bargaining Agreements

DATE ADOPTED/REVISED: 10/08/08

I. APPOINTMENT TYPES:

Employees hired by Montana State University Billings are assigned one of the following appointment statuses:

A. Faculty:

Faculty members are employees on an academic appointment as defined in the appropriate collective bargaining agreement.

B. Contract Administrators and Professionals:

1. Board of Regents Employment Contract:

Regents Contract Administrators and Professionals are individuals employed in positions meeting the criteria for Board of Regents' Contracts (Board of Regents Policy 711.2). The following positions shall be hired through a Board of Regents employment contract:

Chancellor
Vice Chancellor

2. MUS Employment Contract:

Employees eligible for hire through an MUS employment contract (Board of Regents Policy 711.1) are non-faculty professional and administrative employees who perform work that is autonomous in nature or involves policy-making authority.

3. Letter of Appointment:

A Letter of Appointment is an employment contract issued to administrative employees or professional employees whose appointments are temporary and/or funded through means not available from year to year. In all cases, the appointment is for the fixed term specified in the Letter of Appointment, not to exceed one year. Employees hired through a Letter of Appointment have no right to continuous employment beyond the fixed term of the letter. (Board of Regents Policy 711.1)

C. Courtesy Appointments:

Courtesy appointments are made at the discretion of the Chancellor.

D. Staff:

Staff employees are whose position titles and rates of pay are normally determined in accordance with the MUS pay system. Staff positions are either union (i.e., covered by a collective bargaining agreement) or non-union.

Staff employees must complete a probationary period defined in the applicable collective bargaining agreement, the Probationary Period Policy, or Montana State law.

E. Temporary Staff:

Temporary employees are individuals whose employment are not intended to be permanent and are limited to a specific time period not to exceed one (1) year, with no expectation of employment beyond the specified period.

Temporary employees are employed at the discretion of the hiring department and may be terminated without any cause at any time notwithstanding the term for which the employee was hired. Five (5) days notice should be given to any temporary employee terminated prior to completion of the initial hiring term.

F. Student Employee:

This status pertains to an individual meeting all of the following criteria:

1. Enrolled for at least six (6) academic credits during the semester that employed at MSU Billings.
2. Assigned duties are considered incidental to the individual's academic pursuits and class attendance.
3. Rate of pay is established by the department with oversight by Human Resources.
4. Hours may not exceed 19 per week during the academic year.

Student employees are ineligible for all benefits provided to regular employees of MSU Billings unless otherwise specified in applicable policy.

The duration of student appointments may not exceed one academic semester. There is no right to renewal, and employment ends at the expiration of the designated term of employment unless renewed at the discretion of the hiring department.

II. CHANGE IN STATUS:

Leave, benefits, and retirement may be affected by a change in employment status. Any proposed change in status should be reviewed by the Director of Human Resources prior to implementation to ensure that notice requirements, if applicable, are followed and to ensure both the department and employee are aware of the impact the change will have on the employee.

III. RECRUITMENT AND SELECTION:

The Director of Human Resources oversees the recruitment and selection process for all positions.

IV. DISCONTINUANCE OF EMPLOYMENT:

A. Resignation:

Administrators are encouraged to give at least thirty (30) days notice prior to the date of resignation.

Whenever possible, staff members who are planning to resign should submit a written notice to their supervisor at least two (2) weeks prior to date of resignation. The last day worked is the effective date of resignation. The resignation is valid unless both the supervisor and employee agree in writing that the resignation may be withdrawn.

B. Non-Renewal/Layoff:

An employee may be laid off for reasons such as, but not limited to, lack of funding, lack of work, or departmental needs.

1. Faculty:

Non-renewal or termination of employment shall occur in accordance with collective bargaining agreement provisions and Board of Regents policy.

2. Contract Administrators/Professionals:

The maximum term of a contract is one year.

Except in situations involving termination for cause or loss of funding for the position, administrators and professional employees hired through MUS employment contracts shall be given written notice of intent not to renew their contracts at least thirty (30) days prior to expiration during the first year of employment; three (3) months prior to expiration during the second year of employment; or five (5) months prior to expiration during the third

or subsequent years of employment with the institution. (Board of Regents Policy 711.1)

In the event the initial term of employment contract for a newly hired employee is for less than six (6) months, the employee shall be entitled to at least thirty (30) days written notice of non-renewal prior to expiration in both the first and second years of employment. Such employee will be entitled to at least three (3) months notice prior to expiration during the third year, and five (5) months prior to expiration during the fourth or subsequent years of employment. (Board of Regents Policy 711.1)

3. Letter of Appointment:

Except in situations involving termination for cause or lack of funding, employment of employees hired by a Letter of Appointment automatically ends without notice at the end of the specified term.

Letters of Appointment may include a notation that makes employment contingent upon continuation of funding. If anticipated funding is not forthcoming, an employee hired through a Letter of Appointment with such notation may be terminated at any time during the expected term of the contract upon (15) working days written notice.

4. Staff:

Except in situations involving termination for cause, staff employees must be given advanced written notice of layoff as stated in the applicable collective bargaining agreement or personnel procedures.

Any proposed change in status should be reviewed by the Director of Human Resources prior to implementation.

C. Termination for Cause:

Termination procedures shall occur in accordance with applicable collective bargaining agreements, Board of Regents policy, and MSU Billings personnel policies.