

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 4	General Personnel Policies	Effective:	September 2003
Section 4.3	Recruitment, Selection and Appointment	Revised:	February 2007
Policy 4.3.8	Non-Employee Service	Responsibility:	Vice President for Human Resources

NON-EMPLOYEE SERVICE

Policy

It is the policy of the Health Science Center to allow appointment of individuals to perform services that are non-remunerative and that are for the benefit of the institution. Such individuals will be designated as non-employees and may be granted access to Health Science Center property, facilities or information systems necessary for the services they perform. To minimize the risk of the services and access privileges granted to such individuals, Health Science Center departments and administrative staff are required to follow this policy and procedures for appointing non-employees. Further, to ensure the safety of personal and Health Science Center property, non-employee positions are considered security sensitive and therefore are subject to the Health Science Center's criminal background check policy (see the *Handbook of Operating Procedures (HOP)*, [Section 4.4.1](#), "Criminal Background Checks for Security Sensitive Positions").

A non-employee is an individual or entity appointed for at least one day to perform non-remunerative services that directly or indirectly benefit the Health Science Center. No employer-employee relationship shall be deemed to exist between an individual serving in a non-employee position and the Health Science Center. There is no promise to pay or hire a non-employee for services rendered. Appointments, assignments of duty, and dismissals of individuals in non-employee positions are the responsibility of the department chair or director and not subject to the employment policies in the HOP.

Applicability

This policy applies to all Health Science Center departments and individuals who provide services for the Health Science Center in a non-employee capacity as defined herein.

Definitions

All individuals meeting the requirements of this policy will be considered non-employees. The Office of Human Resources has sole responsibility for classifying non-employees in more specific job classifications based on the definitions described below. The following non-employee classifications (including job classification codes in parentheses) are defined:

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ADMINISTRATIVE SUPPORT AFFILIATE (ASA): Individual who is employed by a Health Science Center affiliate partner such as UHS, VA, or UT Medicine and requires access to institutional databases for the purpose of providing administrative and business support to Health Science Center faculty, staff or the institution.

AFFILIATE (AFF): Individual who is performing professional consultant services or under a specific program at the Health Science Center on a temporary basis, and may require certain Health Science Center privileges such as parking tag, ID badge, etc. Affiliates usually include consultants, temp agency employees, observers, persons participating in an independent study mentorship, visiting professors, or international visitors. Also, includes an individual who is a Principal Investigator and not an employee of the Health Science Center and who has the responsibility for the conduct of the projects as proposed. Also applies to an organization that conducts animal research on campus and, upon approval by the Institutional Animal Care and Use Committee (IACUC), contracts with the Health Science Center for the purposes of conducting research using Health Science Center property.

EMERITUS (EMR): A retired Health Science Center employee who retains the professional job title held prior to retiring from the institution. The individual performs little or no services for the Health Science Center and will not require access privileges to institutional property and information.

STIPEND-PAID (STI): Individual who is paid by a source, such as a fellowship, scholarship or training stipend, that originates outside of institutional funds. The primary purpose of the payment is for the benefit of the individual and not the institution. Most of these individuals are students, fellows, post-graduate students, or trainees from other institutions.

STUDENT AFFILIATE: Individual who is a registered student at the high school, college or university level and is placed through special academic programs to conduct science projects, learn from and observe Health Science Center operations, serve an internship, or to complete a degree program for bachelors, masters or doctorate level programs.

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UT AFFILIATE (UTA): Individual who is employed by any University of Texas component such as, UT Health Science Center Houston School of Public Health or UT Austin School of Pharmacy, and who is housed and working in a facility under the control and jurisdiction of the Health Science Center.

VOLUNTEER (VOL): Individual who volunteers to perform civic, charitable or humanitarian services for the Health Science Center, provided that:

1. The person receives no compensation, paid expenses or reasonable benefits to perform the services;
2. There is no promise or expectation of compensation or employment for services rendered;
3. Such services are not the same type of service Health Science Center;
4. Such services do not require special technical, research or health care skills or abilities and where the Health Science Center typically compensates employees to perform such services; and,
5. Such services are low risk and present minimal liability to the Health Science Center and are considered non-essential and non-critical to the operations of the department.

Volunteers cannot be appointed for more than six (6) months in a twelve (12) month period.

General Provisions

Non-employee service is subject to the following conditions and terms:

1. Non-employee appointments are at the discretion of the Health Science Center and may be terminated by the Health Science Center at any time.
2. Appointment of non-employees is subject to the approval by the Vice President for Human Resources or designee.

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3. Non-employees cannot begin to render services or use Health Science Center property until all necessary security background checks and approvals are granted. Non-employee appointments that do not comply with this policy will be considered unauthorized and will be subject to termination.
 4. Non-employee appointments must be reviewed and processed by the Office of Human Resources prior to authorization and issuance of a Health Science Center identification badge, e-mail account, etc.
 5. The security background check will not be necessary if the non-employee candidate is a current University of Texas employee who has undergone a security check consistent with The University of Texas policy. Emeritus appointments will not require a background check.
 6. Foreign nationals appointed to Affiliate, Volunteer, Visitor and stipend-paid positions must present their visa status to the Office of International Services before they can be appointed.
 7. Volunteers cannot be appointed to more than one non-employee position at the Health Science Center.
 8. Volunteers cannot be appointed for more than six (6) months in a twelve (12) month period.
 9. Non-employees cannot be less than 16 years of age. Appointments of non-employees under the age of 18 are subject to the review of the Office of Human Resources and the Environmental Health and Safety Office in order to ensure all safety and legal issues are addressed.
 10. The Office of Human Resources will conduct an annual review before the end of the fiscal year to determine the appointment status of non-employees. Non-employees who no longer work at or provide services to the Health Science Center must be terminated by the appointing department or by the Office of Human Resources.

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11. Individuals who serve in a non-employee capacity and wish to be employed by the Health Science Center, must apply for the position provided the position is posted on an open recruitment basis. For recruitment purposes, non-employees are not considered to be internal candidates.
 12. Non-employees are not covered under The University of Texas System Workers' Compensation Insurance and Unemployment Compensation Insurance programs.
 13. Individuals appointed to non-employee positions are not eligible to participate in any employee benefits program administered by The University of Texas or the Health Science Center.
 14. In the event of a change of status from a non-employee position to a part-time or full-time employee status, no credit shall be given for time spent in a non-employee position with respect to benefits or retirement programs or service credit. Likewise, in the event of a change of status from a part-time or full-time employee status to a non-employee position, no credit will be given for time spent in the non-employee position with respect to benefits or retirement programs or service credit.
 15. Individuals who have been dismissed for cause from employment with the Health Science Center or who were not employed as the result of a background security check are not eligible for non-employee service with the Health Science Center except with the prior authorization of the Vice President for Human Resources.
 16. International visitors who are waiting for employment authorization are not eligible for non-employee appointment to perform any services that they will be performing for compensation once they receive employment authorization.
 17. The Health Science Center will follow the spirit and intent of The University of Texas nepotism policy and will apply this policy to non-employee appointments.

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Special Provisions

The safety and security of University properties and human resources are an important priority for the Health Science Center. As such, non-employee appointments must comply with institutional policies that relate to safety and security concerns such as international, select agent and minors in the workplace policies.

1. As stated in the General Provisions, foreign nationals appointed to non-employee positions must present their visa to the Office of International Services before they can be appointed.
2. In accordance with the HOP, [Section 8.10.1](#), "Select Biological Agents Policy", certain individuals may not be allowed to handle select agents in the performance of their duties. This applies to non-employees, as well as employees.
3. In accordance with the HOP, [Section 4.3.4](#), "Minors" and [Section 8.11.1](#), "Minors in the Workplace – Safety Considerations", related to minors in the workplace, there are restrictions on age eligibility for minors, as well as type and location of work performed by minors. This too, applies to minors appointed to non-employee positions.

Procedures for Non-Employee Appointments

1. For all non-employee appointments, the [Non-Employee Appointment Form](#) must be submitted at least ten (10) business days in advance by the initiating department to Human Resources prior to appointment. This form is required to conduct the required security background check and to process the appointment. A security background check will not be necessary if the individual is a current employee who has undergone a security check consistent with The University of Texas policy. Emeritus appointments will not require a background check. Note: See the special procedures below for stipend-paid individuals.
2. Upon completion of the security background check and approval of the appointment request by the Vice President for Human Resources or designee, the Office of Human Resources will enter the appointment in the PeopleSoft system. Human Resources will send a confirmation e-mail to the initiating department.

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3. Once approved, the initiating department can contact the individual to begin working in the non-employee position.

Subsequent transactions, such as appointment renewals and terminations must be done using the [Non-Employee Appointment Form](#) and sent to Human Resources.

**Special
Procedures for
Stipend-Paid
Individuals**

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1. For stipend-paid appointments, departments must complete and submit the [Fellowship Award Authorization](#) form to the Office of Sponsored Programs through the appropriate Dean's Office. A completed [Authorization for Security Background and Sanction Check](#) form must also be submitted to Human Resources to initiate the background check.
 2. Upon review and approval, the Office of Sponsored Programs will forward the [Fellowship Award Authorization](#) form to the Payroll Services Office. Upon clearance of the background check by University Police, Human Resources will notify the Payroll Services Office, who will then enter the stipend transaction in PeopleSoft to establish a pay and appointment record. Payroll will not enter the transaction until the security check has been completed.
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