



UNIVERSITY POLICY

Section: 60.1.37

Section Title: Human Resources (HR): Universitywide HR Policies & Procedures

Policy Name: Use of External Contingent Workers Contracted through Temporary Labor Suppliers

Formerly Book: n/a

Approval Authority: Senior Vice President for Human Resources

Responsible Executive: Senior Vice President for Human Resources

Responsible Office: University Human Resources

Adopted: 09/12/2023

Reviewed:

Revised:

Contact: policies@hr.rutgers.edu

1. Policy Statement

The policy covers all members of the Rutgers University community.

2. Reason for Policy

To provide guidelines to assist departments in using external contingent workers provided by temporary labor suppliers.

3. Who Should Read This Policy

All members of the Rutgers University community.

4. Resources

[University Policy 60.1.30: Background Checks for Candidates for Staff and Faculty Positions](#)

5. Definitions

Contingent Workers: Individuals who perform work for a temporary period of time at the University through their employment or contractual relationship with a Temporary Labor Supplier.

Temporary Labor Supplier: A temporary staffing agency or other external organization that maintains a population of employees or contractors who may be assigned to perform work at the University for a temporary period of time and for fees payable by the University in accordance with the individual assignment of each Contingent Worker.

6. The Policy

A. Permitted Uses of External Contingent Workers

It is each department's responsibility to ensure that it is adequately staffed, and there may be occasions when it is necessary to use contingent workers, such as for the following permissible reasons:

- Leaves of absence
- Vacations
- Temporary coverage for vacant regularly appointed positions during recruitment efforts
- Temporary increase in workload

To meet this need, the University contracts with multiple temporary labor suppliers. Departments seeking to use contingent workers must contract through these assigned authorized University suppliers only.

B. Conditions for the Use of External Contingent Workers

If a department is seeking to use contingent workers for one of the permissible reasons enumerated above, the department must seek and obtain prior written approval from the Senior Executive Officer (or their designee) who has been designated by their Cabinet Officer as the party responsible for ensuring compliance with this Policy. Approval by the Senior Executive Officer shall be based on the following:

1. When contracting external contingent workers for temporary coverage for unfilled vacancies, recruitment efforts for such position(s) must meet or exceed reasonable efforts, including consultation with, and agreement from the Vice President for University Labor Relations or their designee (when the coverage involves work that would be considered negotiations unit work under one of the University's collective negotiations agreements), that any and all obligations in any applicable collective negotiations unit have been satisfied, and that the search was not able to be completed in time to meet immediate business needs (and the work will be performed only on a temporary basis). The search for qualified and interested candidates for the vacancy must continue, and the temporary coverage must not delay or in any way hinder filling the vacancy with a University employee.
2. External contingent workers may not be on assignment for a period exceeding one (1) year.
3. External contingent workers who were on assignment for a one (1) year period must have a break in service of at least six (6) months prior to resuming any external contingent worker services for the University.
4. Once approval is granted by the department's Senior Executive Officer or their designee, the department shall request candidates from one or more contracted suppliers with which they would like to engage for a candidate search.
5. The department's Senior Executive Officer or their designee is responsible for the temporary nature of contingent workers and the maintenance of appropriate documentation. University

Human Resources may review the department's records for the temporary nature of contingent workers and may restrict the use of contingent workers or require additional actions for the continuation of the temporary nature of contingent workers.

6. Current University employees may not be contracted to provide any services to the University as an external contingent worker in any capacity.
7. Screening of all external contingent workers must meet or exceed the requirements of regularly appointed employees, including but not limited to background checks (i.e., criminal check, verifications of licensure and academic credentials, references) completed as specified by [University Policy 60.1.30: Background Checks for Candidates for Staff and Faculty Positions](#).

Written approval by a department's Senior Executive Officer or their designee for the use of contingent workers and the submission of a requisition for such services shall serve as an attestation that the department is in compliance with the provisions of this Policy.

C. Other Uses for External Contingent Workers and Required Notifications

If a department is seeking to use external contingent workers for reasons other than those permissible instances enumerated in Section A above and the work to be performed is that of a position or positions which are (or may be) covered by current collective negotiations agreements, the department must receive prior written approval from the Vice President for University Labor Relations or their designee.

D. Exceptions

Exceptions to this Policy may be granted only by the Senior Vice President for Human Resources or their designee following a written request from a department's Senior Executive Officer.