

## **STATEMENT OF EMPLOYMENT CONDITIONS FOR TEMPORARY EMPLOYEES**

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The State of Vermont strives to keep the use of temporary employees to a minimum. Nevertheless, some State agencies have pressing logistical needs for temporary staff. You should be aware that temporary status employment carries certain restrictions. As a temporary employee, you do not have the same rights and benefits as classified or exempt status employees. The hiring of a temporary employee is covered by 3 VSA § 331. You are required to review the conditions of temporary employment set forth below, and sign in the space provided at the end of the document to acknowledge your understanding of the restrictions imposed on your employment.

### **TEMPORARY EMPLOYMENT**

**IS LIMITED TO 1,280** hours of work per calendar year, for those temporary employees: (1) hired to respond to a bona fide emergency; (2) to fill in for the temporary absence of an existing employee; (3) or a vacancy in an existing position, or to perform a governmental function that requires only intermittent, sporadic, or ongoing employment, except in those cases of emergency as authorized by the Commissioner of Human Resources pursuant to 3 VSA § 331(c)(1) . Without such authorization by the Commissioner of Human Resources, no such temporary employee is permitted to work more than 1,280 hours in any given calendar year. Temporary employees hired to meet a seasonal employment need may work more than 1,280 hours in any given calendar year without authorization from the Commissioner of Human Resources, but their employment is limited to a period of not more than seven months in any 12 month period, unless the period of more than seven months has been approved by the Commissioner of Human Resources pursuant to 3 V.S.A. § 331(c)(3).

**IS NOT EXPECTED TO BE FULL-TIME.** Temporary work is typically for variable hours. The State does not guarantee 40 hours of work per week to temporary employees.

**DOES NOT CONFER ACCESS TO PERMANENT EMPLOYMENT IN STATE GOVERNMENT.** Temporary employees must compete on an equal footing (or "open competitive basis") with all other applicants for permanent employment. If hired on a permanent basis, a former temporary employee must satisfactorily complete an original probationary period, as would any newly hired employee.

### **TEMPORARY EMPLOYEES:**

**ARE ENTITLED TO OVERTIME IN ACCORDANCE WITH FEDERAL LAW.** The State cannot guarantee how long a temporary job will last and cannot guarantee 40 hours of work per week to temporary employees.

**ARE NOT ELIGIBLE FOR THESE STATE BENEFITS:** medical benefits programs, dental insurance, long term disability insurance, group life insurance, annual leave, personal leave, retirement benefits, and holiday compensation for time not actually worked.

**MAY BE ELIGIBLE FOR BENEFITS UNDER THE AFFORDABLE CARE ACT:** Temporary employees with the State of Vermont are not eligible for medical benefits. Therefore, you may wish to explore coverage options through the Health Insurance Marketplace. For more information about the Marketplace insurance options please see the "New Health Insurance Marketplace Coverage Options and Your Health Coverage" notice for temporary employees or visit [HealthCare.gov](http://HealthCare.gov).

**ARE NOT COVERED BY RIGHTS, BENEFITS, PROCEDURES, AND PRIVILEGES OF CLASSIFIED EMPLOYMENT** including but not limited to those conferred by the collective bargaining agreement.

**ARE NOT COVERED BY ANY DEPARTMENTAL POLICIES GOVERNING DISCIPLINE** which may guarantee classified employees certain review procedures before the disciplinary action is taken (unless specifically noted in the department's policy).

**ARE ALLOWED WHISTLE BLOWER PROTECTION RIGHTS.** Temporary employees are entitled to whistleblower protections, rights and remedies provided to State Employees pursuant to 3 V.S.A. § 971, et. seq.

**ARE EMPLOYED AT WILL** under the law. This means that temporary employees have no right to continued employment or a proprietary right to a job. Temporary employment may be terminated at any time for any reason, except as prohibited by law. (e.g., state and federal laws governing discrimination, workers' compensation, fair employment practices, maternity leave, disabilities, wages and hours and the like, apply to all employees, including temporaries.)

I, \_\_\_\_\_, hereby acknowledge and understand that I am being (or have been) hired as a temporary employee by the State of Vermont in the Agency or Department of \_\_\_\_\_. I have read and understand the above conditions of employment. I also understand that this statement of working conditions supersedes anything inconsistent with it, and that these conditions may only be changed by law, or by written order of the Governor or his or her representative.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Hiring Manager: \_\_\_\_\_

Date: \_\_\_\_\_

Dept./Location: \_\_\_\_\_