

<b>ADMINISTRATIVE DIVISION</b> HR Division of Human Resources		<b>POLICY NUMBER</b> HR 1.33
<b>POLICY TITLE</b> Labor		
<b>SCOPE OF POLICY</b> USC System		<b>DATE OF REVISION</b> <u>January 31, 2019</u>
<b>RESPONSIBLE OFFICER</b> Vice President for Human Resources		<b>ADMINISTRATIVE OFFICE</b> Division of Human Resources

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#### **PURPOSE**

This document sets forth the University of South Carolina policy on labor relations and the relationship between the University and its employees, pursuant to South Carolina State law regarding labor and 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:** A complaint filed 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 Employee:** A full-time or part-time employee who does not occupy an FTE position who is 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**

Employees of the University of South Carolina, including [FTE, research grant, time-limited](#), temporary and student employees, are subject to South Carolina State law governing employment.

Officials of the University of South Carolina may not enter into collective bargaining agreements or contracts, memoranda of understanding or any other type of agreement with a labor organization or representative of such organization with respect to rates of pay, wages, hours of employment, personnel policies or other conditions of employment.

Employees of the University of South Carolina, including [FTE, research grant, time-limited](#), temporary and student employees, may not promote, encourage or participate in a work stoppage, slowdown or strike or the

withholding in whole or in part the full and faithful performance of duties of employment for any purpose. University employees who violate this policy will be subject to disciplinary action including dismissal. (See University Policy HR 1.39 Disciplinary Action and Termination for Cause.)

The State Employee Grievance Procedure Act of 1982 and the Faculty Manual permit faculty and staff employees timely and impartial consideration of individual grievances (see University Policy HR 1.42 Grievance). [Research grant, time-limited, Temporary](#) and probationary employees do not have grievance rights and serve at the pleasure of the University. Student employees may address non- academic grievances through the Student Grievance policy.

### **RELATED UNIVERSITY, STATE AND FEDERAL POLICIES**

- [State Employee Grievance Procedure Act of 1982](#)
- [HR 1.39 Disciplinary Action and Termination for Cause](#)
- [HR 1.42 Grievance](#)
- [STAF 6.27 Student Grievance Policy – Non-Academic](#)

### **HISTORY OF REVISIONS**

<b>DATE OF REVISION</b>	<b>REASON FOR REVISION</b>
January 31, 2019	Updated to new format
<a href="#">XXX</a>	<a href="#">Updated to clarify types of employees covered and definitions</a>