



ADMINISTRATIVE POLICY STATEMENT

Policy Title: Acting and Interim Appointments for University Staff Positions

APS Number: 5013

APS Functional Area: **HUMAN RESOURCES**

Brief Description:	Provides guidance for making acting or interim appointments to non-faculty positions that are exempt from the state personnel system (Administrative Positions).
Effective:	January 1, 2021
Approved by:	President Todd Saliman
Responsible University Officer:	Vice President of Administration
Responsible Office:	Vice President of Administration
Policy Contact:	Vice President of Administration
Supersedes:	Acting and Interim Appointments for University Staff Positions, January 1, 2011
Last Reviewed/Updated:	January 1, 2018 (Limited review in 2021 and revisions made related to the Equal Pay Act only)
Applies to:	Universitywide

Reason for Policy: To provide guidelines not addressed in regent policy.

I. INTRODUCTION

This Administrative Policy Statement (APS) provides guidance for making acting or interim appointments to non-faculty, university staff positions, department chairs and associate and assistant deans. For the purposes of this policy, the terms "acting" or "interim" are used interchangeably. This APS does not apply to acting or interim appointments for officer positions that report directly to the Board of Regents.

II. POLICY STATEMENT

- A. An acting or interim appointment may be made to an Administrative Position on a temporary basis if it is determined by the position's appointing authority to be in the best interests of the university. Usually, standard appointments to vacant positions should be made as soon as possible given the circumstances of the vacancy and in the best interests of the university.
- B. All acting or interim appointments to Administrative Positions must be approved in accordance with [Regent Policy 2.K](#).
- C. A letter of offer or addendum is required to appoint an employee to an acting or interim appointment, that includes the following terms and conditions:
 - 1. A statement regarding the duration of the acting or interim appointment, and explanation that extensions of time-specific acting or interim appointments must be approved as personnel matters pursuant to [Regent Policy 2.K](#).
 - 2. Ordinarily, acting or interim appointments should not exceed six months.

3. As determined by the Appointing Authority, a statement regarding the position the prospective appointee already occupies, in the form of one of the following options:
 - a. the Appointing authority may allow the prospective appointee to remain in the position they already occupy, and assign the additional duties and responsibilities of the Administrative Position on an acting or interim basis;
 - b. as an inducement for the prospective appointee to accept the acting or interim appointment, the Appointing Authority may agree to hold open the position already occupied by the prospective appointee, or to fill the position already occupied by the prospective appointee on a temporary basis, for the duration of the acting or interim appointment; or
 - c. the Appointing Authority may decide that the position already occupied by the prospective appointee shall remain subject to administrative discretion as exercised in the normal course of business.
 4. A statement regarding the Appointing Authority's determination of a reasonable and appropriate salary to be paid to the prospective appointee while serving in the acting or interim capacity. Such determination shall be subject to the regular salary approval process, pursuant to [Regent Policy 2.K](#) and [Regent Policy 11.C](#).
 5. A statement regarding terms and conditions for annual and sick leave accrual, and benefits eligibility for the period of the interim appointment; or the terms and conditions of such benefits that depart from those of a regular university staff appointment (if any), subject to advance, written approval of the respective campus or system administration human resources office.
 6. Except as otherwise provided in a term employment contract as approved by the board of regents, the following statements regarding at-will employment; controlling terms and conditions; and ethical standards; are as follows:
 - a. This is an at-will appointment and is subject to all the rules and policies of the university. Your employment is subject to termination by either you or the university at any time without notice, and with or without cause. Except as provided by applicable law, no compensation shall be owed or paid to you upon or after the termination of your employment unless it was earned prior to termination.
 - b. The terms and conditions of this acting or interim appointment as stated in this letter of offer supersede any conflicting provisions that may be contained in employee handbooks but may not supersede regent laws or policies or state law. However, the terms and conditions of this acting or interim appointment are subject to any changes to the university's employment policies that affect all employees of the university staff class, as applicable.
 - c. You (the appointee) agree to uphold ethical standards appropriate to your position, including, but not limited to, complying with all applicable laws, rules, regulations, and policies, and reporting suspected or known noncompliance as required by regent and university policies.
 7. If the prospective appointee is a certified employee of the state personnel system, the letter of offer shall include a statement providing for a leave without pay from the classified position that the prospective appointee already occupies, for the duration of the initial period of the acting or interim appointment. Such statement shall also provide that upon termination of the initial period of the acting or interim appointment, the appointee shall be reinstated to their former classified position, without loss of any rights or benefits accruing to that position in their absence, and with restoration of all accrued unused leave remaining at the time of acceptance of the acting or interim appointment. In the event the appointee's classified position no longer exists, layoff procedures shall apply.
- D. If the appointee is selected, through search procedures, for the standard appointment to the Administrative Position in which the appointee serves on an acting or interim basis, the standard appointment to the Administrative Position and salary will be treated as personnel matters subject to approval pursuant to [Regent Policy 2.K](#).

III. **INTERPRETATION**

Subject to the president's authority to interpret university policies, the Vice President of Administration shall provide interpretive guidance for this policy.

IV. **HISTORY**

- Adopted: Officer and Exempt Professional Positions, May 1, 1984.
- Revised: November 20, 1995; July 1, 2005; January 1, 2011, renamed Acting and Interim Appointments for University Staff Positions; The term “Officer and Exempt Professional” was replaced with the term “university staff” effective November 1, 2014; January 1, 2018; September 2, 2021, revised for changes related to the Equal Pay Act and made retroactive to January 1, 2021.
- Last Reviewed: January 1, 2018. (Limited review in 2021 and revisions made related to the Equal Pay Act only)