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Division of Human Resources

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MEMORANDUM

To: Deans, Directors & Department Heads
From: Juan A. Jarrett
Date: September 26, 2005
Subject: Timely Appointment Processing

In any given pay period, the payroll unit receives a number of personnel action forms and supporting documentation long after new or returning employees' first day of work. These late submissions often result in employees who work one or more pay periods without receiving a paycheck.

There are many reasons why appointment processing may be delayed, including late receipt of grant funds, etc. However, several federal, state, and university regulations are violated when we allow an employee to work without the employment paperwork being processed in a timely fashion:

1. All employers, including UMass Amherst, **must report newly hired or reinstated employees to the Massachusetts Department of Revenue within fourteen days** of the employee's effective date of hire. We use the payroll system to meet this reporting requirement, and there is a penalty for filing late.
2. Federal and state **wage and hour laws require that employees be paid in a timely manner.** "Timely manner" is defined under Massachusetts law as "within six days of the termination of the pay period during which the wages were earned..."
3. The Immigration Reform and Control Act of 1986 require that **employment eligibility be verified via the I-9 form within three business days** of the date of hire. Employers are subject to fines up to \$25,000 for each violation.
4. Our internal search procedures require that **employment offers be approved in advance** of the employee starting work.
5. Our **collective bargaining agreements have specific "timeliness of pay" provisions** that must be followed in order to maintain our compliance with such agreements.

The regulations and potential penalties described above mean that **employees may not begin working until all employment-related paperwork has been prepared, approved, and submitted for processing.** If, for example, grant or contract funds are pending and an employee must begin work prior to the release of those funds, the department must provide an alternative funding source for the interim period.

There may be some few cases when the processing of employment paperwork is delayed due to administrative oversight or error. In these exceptional circumstances, an emergency salary payment may be authorized by my office. I have enclosed the Emergency Salary Payment procedure that was developed to handle these rare situations.

Please work with your departmental staff to ensure that the appointment process in your area is organized in a manner that ensures timely and accurate processing. If you have any questions or concerns, please contact me at 545-0380. Your assistance with this important matter is great appreciated.