

This policy was updated on 06/18/18. Updates are highlighted in yellow.

## Contingent Labor

### 1.0 Philosophy

From time to time, business needs require the use of contingent labor to achieve company goals.

### 2.0 Purpose

The intent of this policy is to create consistency, control Humana's contingent labor utilization, ensure contingent labor quality, and ultimately reduce cost.

### 3.0 Policy

Use of contingent labor is authorized to provide resources when a short-term need, special assignment, unique skills, or large-scale projects are required. When possible, alternatives should be considered.

Humana must clearly distinguish between contingent labor and Humana associates. Extended contingent labor assignments and similar treatment as Humana associates could expose Humana to the possibility of being held responsible for providing contingent labor with equal benefit opportunities. Humana managers can avoid these risks by following the guidelines set forth in this policy.

Workday is the system of record for all contingent labor who complete work on behalf of Humana and require Humana system access. Rosalind is the system of record for Humana at Home Care Managers.

**This policy and process is subject to change or termination by Humana at any time. Humana has full and final discretionary authority for its interpretation and application. All previous policies, documents and handbooks are SUPERSEDED by the Humana Associate Work-Life Policies & Processes, and are no longer in effect. The Humana Associate Work-Life Policies & Processes do not supersede conflicting state or local law.**

### 4.0 Scope

Hiring Managers

### 5.0 Guidelines

**Definitions**

- **Contingent Labor** – Individuals who are not employed by Humana but who complete work on behalf of Humana. Currently, there are eight categories of contingent labor at Humana: agent, board member, caregiver, care manager, independent contractor, service contractor, temporary care manager, and temporary contractor. The independent contractor is only used in extraordinary circumstances (see definitions below).

Contingent labor refers to more than one worker, whereas contingent worker refers to an individual worker.

**Contingent Worker Type Definitions**

Type	Definition (all are non-associates)	Examples
Agent	Individual who sells Humana insurance	Delegated agent or MECA agent
Board Member	On Humana’s Board of Directors	*Do not select this type
Caregiver	Worker who provides care to Humana members	Used mostly in Humana at Home area
Care Manager	Worker who provides care management to Humana members	Used mostly in Humana at Home area
Independent Contractor	Self-employed with a special skill set; Procurement must write a specified contract (limited to 12 months)	Specialty physicians, consultants needed for a project, etc.
Service Contractor	Worker for an outside company that Humana contracts with to have work completed	Supplier examples: Xerox, Hinduja Global Solutions (HGS), Customer Contact Channels (C3), etc.
Temporary Care Manager	Worker employed by an agency and provides care management to Humana members	Used mostly in the Humana at Home area
Temporary Contractor	Worker employed by a temporary agency; limited to 12 months	Supplier examples: Volt, Aerotek, Manpower, etc.

- **Requester** – The Requester referenced throughout this policy denotes the Humana associate requesting any type of contingent labor.
- **Break in Service** – Occurs when there is 90 days or more between a contingent worker's Humana assignments (i.e., if a contingent worker works for Humana for five months, leaves for 30 days and then comes back for two months, the contingent worker's total service at Humana would be seven months. But, if a contingent worker works for Humana for five months, leaves for 95 days and then comes back for three months, the contingent worker's total service at Humana would be three months).

The tenure limit (12 months) for Temporary **Contractors** and Independent Contractors does not start over unless there is a 90 day break in service.

### **Contingent Labor General Guidelines**

- All associates requesting contingent labor for the first time should complete the Computer Based Training (CBT) entitled Managing Contingent Labor. This CBT is located in the Learning Center.
- Requesters should notify the appropriate vendor if there are issues with the performance of a contingent worker for whom they have oversight. Humana Government Business (HGB) Requesters contact HGB Support Operations instead of contacting the vendor.
- Contingent labor are non-associates. As such, they are not eligible for Humana associate benefits and leaves.
- Injuries or illness sustained by contingent workers should be reported to their employer.
- Humana does not pay for contingent labor when a contingent worker's work location is closed due to severe weather, emergency condition or other disruption that effects their work hours. Per contract, contingent workers are paid only for time worked on their assignment.

A contingent worker's time must be reviewed and approved by the Requester on a regular basis in the appropriate timekeeping system. Failure to do so may result in loss of use of the contingent worker.

### **Assignment Duration**

- Temporary **contractor** and independent contractor assignment duration is usually limited to 12 months or less to avoid treating contingent labor as Humana associates. (See Exceptions, Section 7.0, *Assignment Duration* in this policy.)
- **Service contractors** do not have an assignment limitation.
- Any contingent worker who is not on active assignment at Humana should be terminated through iProcurement and **Workday** by the Requestor, as appropriate.
- The Requester is responsible for monitoring assignment duration on an ongoing basis.

- All assignment duration questions should be sent to the Contingent Labor Mailbox ([contingentlabor@humana.com](mailto:contingentlabor@humana.com)).

### **Contingent Labor Contract**

- All contingent labor contracts must be reviewed by Enterprise Procurement and Vendor Services *before* being signed. Contact Enterprise Procurement and Vendor Services via [go/assist](#).
- Managers should not discuss any pay information with contingent workers. All billing/pay rates and any related expenses will be determined through contract negotiations handled by Enterprise Procurement and Vendor Services.
- IT managers follow the pay rates determined by the RateCard provided by the IT Contingent Labor Management team. The RateCard lists the maximum rates paid based on job description and experience level. IT Managers and/or the IT Contract Management team may negotiate for a lower rate with the vendor.
- All contingent labor costs will be applied to the budget of the appropriate business area.

### **Background Checks and Drug Screens**

- Background checks and drug screens are required for all contingent labor. Any exception(s) to this requirement needs the approval of Enterprise Procurement and Vendor Services.
- Background checks and drug screens are completed by the contingent worker's employer, not by Humana, prior to starting the assignment. (See Exceptions, Section 7.0, *Background Checks* in this policy.)

Contingent labor vendors are required to check the same background items and perform the same drug screens that Humana checks when completing a background check and drug screen. (See Background Checks in Policy Source on Hi!)

If a Humana vendor manager finds that the list of background requirements or drug screen information is not contained in the contract between Humana and the vendor, then the vendor manager should contact Enterprise Procurement and Vendor Services.

- A new background check and drug screen is required for any contingent worker with a break in service of 90 or more days. Any exception needs the approval of HR Core Services and [contingentlabor@humana.com](mailto:contingentlabor@humana.com).
- Contingent labor will be screened prior to contract and monthly thereafter, against both the Department of Health and Human Services Office of Inspector General List of Excluded Individuals and Entities (OIG) and the General Services Administration list of excluded parties contained within the System for Award Management (GSA/SAM).

Screening responsibilities:

- **Temporary Contractor** - The company/agency that employs the temporary contractor completes and ensures that all checks outlined in the contract are completed.
- **Service Contractor** - The company/vendor that employs the service contractor completes and ensures that all checks outlined in the contract are completed.
- **Independent Contractor** - The contractor is responsible for completing all background checks outlined in the contract and any fees incurred from completing the screening. Exceptions are on a departmental basis and will be outlined in the contract.

### **Required Training for Contingent Labor**

#### *Ethics and Compliance Training for Contingent Labor*

- Ethics and Compliance Training for Contingent Labor must be completed within 30 days of a contingent worker's Humana assignment start date. This is a condition of continued assignment with Humana. Failure to complete training within the specified timeframe will result in assignment termination. The contingent worker will not be eligible for another Humana assignment for six months from the assignment termination date.
- Should a new version of the Ethics and Compliance Training for Contingent Labor become effective during their assignment at Humana, all contingent workers with systems access are required to complete the newly effective version. The assignment of contingent workers who have not completed the newly effective version within the specified timeframe will be terminated and she/he will not be eligible to work on another Humana assignment for six months from the assignment termination date.
- Contingent labor can access the required version of Humana's Ethics and Compliance Training for Contingent Labor via Hi!
- Any vendor or independent contractor who has access to PHI (Personal Health Information) or PII (Personally Identifiable Information) is required to execute a Business Associate Agreement. See the [Business Associate Procedure](#) guideline located on Policy Source or contact the Privacy Office [privacyoffice@humana.com](mailto:privacyoffice@humana.com) with any questions.

#### *Additional Required Training for Contingent Labor*

- Contingent workers are required to take any additional training that is a requirement for the duties of their Humana assignment.
- When such training is a requirement of a non-Humana entity, the vendor is responsible for ensuring that the contingent worker has completed the required training prior to starting his/her assignment.
- Contingent workers who may be exposed to blood or other potentially infectious materials as defined by OSHA as part of their Humana assignment will be required to take OSHA's blood borne pathogen training prior to starting their assignment.

- Contingent workers who may be exposed to hazardous chemicals as defined by OSHA as part of their Humana assignment will be required to take OSHA's Hazardous Communications training.
- The Requester should contact their Safety & Security consultant or email [safety@humana.com](mailto:safety@humana.com) with questions.

### Assignment Management

#### *Acquiring Contingent Labor*

- All Requesters of contingent labor must notify their leader and budget manager and obtain pre-approval for the request. Failure to obtain pre-approval could result in the inability to secure the requested contingent labor (temporary contractor, service contractor or independent contractor).

Once approval has been obtained, Requesters should follow the process for obtaining the type of contingent labor they are requesting. See Section 6.0, Process, *Acquiring Contingent Labor* (below) in this policy for process details.

- If you determine a prospective contingent worker previously worked for Humana (as an associate or contingent worker), send an email to [contingentlabor@humana.com](mailto:contingentlabor@humana.com) in order to have a rehire check performed.

#### *Requesting and Managing Systems and Facility Access for Contingent Labor*

- All contingent labor is required to be entered into **Workday**. See Section 6.0, Process, *Requesting Systems Security Access* below in this policy for process details.

#### *Ending a Contingent Labor Assignment*

- The assignment and systems access of any contingent worker who is not actively **working** must be terminated immediately. See Section 6.0, Process, *Ending a Contingent Labor Assignment* below in this policy for process details.

#### *Converting Contingent Labor to Associate Status*

- Conversion occurs when a Requester would like to hire a contingent worker as a Humana associate. The Requester will need to open a requisition in **Workday** and follow the normal Humana full-time recruiting process. HGB Requesters contact HGB Support Operations.

Prior to hiring a contingent worker, the Requester should send an email to Contingent Labor at [contingentlabor@humana.com](mailto:contingentlabor@humana.com). Contingent Labor will determine if the contract permits hiring and/or if there will be a conversion fee assessed.

- **Current temporary contractors may not be hired as Limited Term associates when the job entails the same work duties. Contact [contingentlabor@humana.com](mailto:contingentlabor@humana.com) with questions.**
- A contingent worker who becomes a candidate for a Humana position must successfully complete the Humana background check and drug screen before becoming a Humana associate.

- If a contingent worker indicates that he/she will need work visa sponsorship, the Humana recruiter should contact [global\\_mobility@humana.com](mailto:global_mobility@humana.com) for guidance.
- IT managers follow the conversion process outlined at [go/itgrm](#)

## 6.0 Process

### Process for Acquiring Contingent Labor

*(See Exceptions, Section 7.0, Acquiring Contingent Labor in this policy or process information regarding IT, Humana Government Business (HGB), Clinical Locum Tenens and Humana At Home specifically for in-home health care requests for contingent labor.)*

#### Acquiring a Temporary Contractor

- Prior to requesting a temporary contractor, the Requester must notify their leader and budget manager to obtain approval. When approval has been obtained:
  - Requester fills out a catalog request in the iProcurement system—
    - go/iPro
    - click Temporary Worker Management
    - click on Provade VMS-Volt Consulting Group — Create a Request and submit a Resource Requisition from this location.

See the [Provade Quick Reference Sheet](#) for additional details.

- MSP receives request and works with Requester to determine assignment details.
- MSP locates temporary candidates
- Once a temporary contractor has been identified, leader will need to request systems and facility access for the contractor. See **Requesting and Managing Systems Security and Facility Access** below in this section.

Contact [contingentlabor@humana.com](mailto:contingentlabor@humana.com) with questions.

#### Acquiring a Service Contractor or Independent Contractor

- Prior to requesting a vendor providing service contractors or an independent contractor, the Requester must notify their leader and budget manager to obtain approval. When approval has been obtained:
  - Requester completes and submits Project Request form at [go/assist](#) [Enterprise Procurement and Vendor Services (EPVS) Project]
  - Appropriate Procurement Team works with Requester to initiate RFQ, leverage existing supplier/independent contractor or execute new contract agreement.
  - Once the contract is executed, Requester works to obtain systems and facility access for service contractors/independent contractors.

### Requesting and Managing Systems Security and Facility Access

#### Requesting Systems Security Access

- All contingent workers are required to be entered into Workday.  
(See Exceptions, Section 7.0, *Requesting System Security Access* in this policy for Humana At Home in-home health care process.)
- The Requester must first have an open position. Then the contingent worker can be entered into Workday via the Contract Contingent Worker process. To complete the process, Requesters will need the contingent worker's:
  - name
  - phone number, email or address
  - social security number
  - date of birth
  - contingent labor type (visit go/CWKtypes for definitions)
  - job profile (search for CWK to find the 60+ options which do not follow Humana's Career Framework)
  - supplier name
  - start date
  - contract end date

If the contingent worker's social security number already exists in Workday, please email [contingentlabor@humana.com](mailto:contingentlabor@humana.com) to confirm the worker is eligible to work at Humana again.

- Once the information for the contingent worker is entered into Workday, the contingent worker's network and logon accounts are automatically created. The system will then generate an e-mail to the manager with the contingent worker's Humana Information Secured Logon (HISL) account and his/her network User ID.

HGB Requesters must forward the HISL and User ID to HGB Support Operations.

Passwords will be provided by DSI to the appropriate Humana Requester or contingent worker once the workstation is set up.

- If a contingent worker requires system access, they must complete the [Information Technology Security Agreement for Non-Associate Users](#), [Web Confidentiality Agreement](#), and the [Online Service Agreement](#). These forms are accessed by logging into HSS where the contingent worker will be automatically prompted to complete these forms.
- Requesters may request additional, necessary security access (i.e., Humana email, remote access, etc.) by going to go/rfa or e-mailing Access Management at [AccessManagement@humana.com](mailto:AccessManagement@humana.com). HGB Requester contact [HMHSMISTech@humana.com](mailto:HMHSMISTech@humana.com) for such requests.
- A contingent worker's security access remains active in Workday until the chosen end date. Thirty (30) days prior to the contingent worker's end date, an automated email is generated notifying the responsible leader of the contingent worker's Workday record

expiration. This e-mail is then generated at fourteen (14) days, seven (7) days, and every day after that until the contingent worker's end date access is extended.

If the leader does not respond to the e-mail, the contingent worker will lose all of his/her system access and automatically be changed to non-active contingent labor status (ended).

HGB Requesters will also receive system access notification via e-mails from HGB Security. The HGB Requester needs to respond to both e-mails to keep the contingent worker's access in an active status.

#### *Requesting Facility Access*

- Leaders request physical location security access (Humana buildings, etc.) by contacting their local Workplace Solutions (WPS) representative. See go/places to identify the WPS representative for a Humana facility.

Leaders without access to go/places should contact HR4U at 1-888-431-4748 to identify their local WPS representative.

#### **Ending a Contingent Labor Assignment**

- Requesters need to complete an End Contingent Worker transaction in Workday via the Change Job process. Transactions need to be completed prior to or on the last day of the assignment.
- For temporary contractors who were obtained through the Temporary Worker System in iPro, the Requester will also need to contact the MSP with the end date and complete an end assignment request within the Temporary Worker System in iPro.

## **7.0 Exceptions**

#### *Assignment Duration*

- Temporary contractors and independent contractors with assignments over 12 months require the prior approval of the business area Vice President or Senior Vice President. No assignments should exceed 18 months.
- Any request for exception beyond 18 months must be reviewed by Human Resources and Legal. Requests should be sent to the Contingent Labor Mailbox ([contingentlabor@humana.com](mailto:contingentlabor@humana.com)).

#### *Background Checks*

- At times, a Requester will ask that a temporary contractor be expedited into a temporary position. In such instances, the MSP will alert the Requester when all elements for the required background screen, except the education and/or employment information, have been returned satisfactorily. The temp worker may start the assignment at this time.

The outstanding education and/or employment verification will be completed within 30-days. If the education and/or employment verification is returned as derogatory or

not completed within 30-days, the temporary contractor will be removed from assignment immediately.

#### *Acquiring and Managing Contingent Labor*

*Information Technology (IT), Humana Government Business (HGB), Clinical Locum Tenens and Humana AT Home specifically in-home health care for contingent labor are managed independently.*

- HGB Requesters should contact HGB Support Operations with requests for contingent labor.
- IT managers follow the process outlined at [go/itgrm](#)
- Requesters of Locum Tenens Physicians, Physician Assistants and/or Nurse Practitioners e-mail [contingentlabor@humana.com](mailto:contingentlabor@humana.com) for assistance.
- Humana At Home Requesters for in-home health care contingent labor should email [cmnnetwork@humana.com](mailto:cmnnetwork@humana.com).

#### *Requesting Systems Security Access*

- Any Humana At Home in-home health care contingent worker who needs system access is required to be entered into Rosalind which feeds over to Workday and creates an account.

## **8.0 Attachments**

N/A

## **9.0 Access/Information**

- Contact [contingentlabor@humana.com](mailto:contingentlabor@humana.com) with questions regarding contingent labor.

## **10.0 Related Topics**

- Background Checks
- Confidentiality
- Ethics and Compliance Training for Contingent Labor
- Information Protection Acceptable Use
- Principles of Business Ethics
- Severe Weather and Emergency Conditions