

UNIVERSITY OF WYOMING

Employee Handbook

1/20/2010

DISCLAIMER

THIS HANDBOOK IS NOT AN EMPLOYMENT CONTRACT.

RESERVATION OF RIGHTS

INFORMATION IN THIS HANDBOOK IS SUBJECT TO CHANGE AT THE SOLE DISCRETION OF THE UNIVERSITY OF WYOMING.

THE UNIVERSITY MAY UNILATERALLY CHANGE THIS HANDBOOK AT ANY TIME WITHOUT PRIOR NOTICE OR CONSIDERATION.

Any time frames set in this Handbook may be changed at the Employer's discretion.

DURING THE PROBATIONARY PERIOD, A STAFF EMPLOYEE IS AN "AT-WILL" EMPLOYEE AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE, WITH OR WITHOUT ADVANCE NOTICE, AND WITHOUT RIGHT OF APPEAL. THERE MAY BE OTHER "AT-WILL" EMPLOYEES, DEPENDING UPON THEIR POSITION WITH THE UNIVERSITY OF WYOMING WHO ALSO MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE, WITH OR WITHOUT ADVANCE NOTICE, AND WITHOUT RIGHT OF APPEAL.

Individuals with a disability will be provided an alternate format of this document upon request. Contact the Department of Human Resources, University of Wyoming (307) 766-2215.

MISSION AND OBJECTIVES OF THE UNIVERSITY OF WYOMING

The University of Wyoming aspires to be one of the nation's finest public land-grant research universities, dedicated to serving as a statewide resource for accessible and affordable higher education of the highest quality, rigorous scholarship, technology transfer, economic and community development, and responsible stewardship of our cultural, historical, and natural resources.

In the exercise of our primary mission to teach and educate students, we seek to provide academic and co-curricular opportunities that will:

- Expose students to the frontiers of scholarship and creative activity, and the complexities of an interdependent world;
- Ensure individual interactions among students, faculty, and staff;
- Nurture an environment that values and manifests diversity, free expression, academic freedom, personal integrity, and mutual respect; and
- Promote opportunities for personal growth, physical health, athletic competition, and leadership development for all members of the University community.

As Wyoming's only university, we are committed to outreach and service that extends our human talent and technological capacity to serve the people in our communities, our state, the nation, and the world.

The primary vehicles for identifying the specific actions and resource allocations needed to achieve this complex mission are the University's Academic Plan, Support Services Plan, and Capital Facilities Plan, each revised periodically.

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I. GENERAL INFORMATION APPLICABLE TO ALL EMPLOYEES

A. THE DEPARTMENT OF HUMAN RESOURCES

The Department of Human Resources is responsible for coordinating such services/programs as employment, compensation, classification, employee relations, leaves, training/development, performance evaluations, employee records, disciplinary actions, insurance, and retirement benefits for employees. The Department of Human Resources also assists employees in solving work-related problems, supplying information, and promoting good employer-employee relations. A major function of the department is to administer approved personnel policies and procedures.

B. NEW EMPLOYEE ORIENTATION

All new employees are encouraged to attend the new employee orientation program. The orientation is designed to familiarize employees with benefits (which must be selected within 31 days of eligibility) and other useful information, as well as to provide an overview of University policies and procedures. Individuals will be notified by the Department of Human Resources regarding the dates and times of the orientation session.

C. DUTIES

Employees are expected to perform the essential duties and responsibilities of their positions, and all other duties as assigned. Employees are also expected to discharge their responsibilities in a conscientious manner, complying with UW Regulations and Presidential Directives, departmental procedures, and supervisor's directives.

D. UNIVERSITY POLICIES

1. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

The University is an equal opportunity employer. It is the policy of the University to comply with all applicable laws requiring equal employment opportunity to all qualified applicants and employees without regard to race, color, religion, sex, national origin, disability, age, veteran status, sexual orientation or political belief. This policy applies to conditions, terms and privileges of employment. Evidence of practices that are not consistent with this policy should be reported to the Office of Diversity and Employment Practices.

2. SEXUAL HARASSMENT

The University will not tolerate sexual harassment or retaliation for reporting sexual harassment. Employees engaging in such conduct will be subject to disciplinary action. Employees who feel they are victims of sexual harassment should contact the Office of Diversity and Employment Practices or other individuals referenced in UW Regulation 1-5; which describes the University policy on sexual harassment.

3. DISABILITY

The University adheres to all federal and state laws regarding individuals with disabilities. If an employee has a disability, the employee may contact the Department of Human Resources to initiate the process used to determine whether the employee has a qualifying disability under the law and if so, whether a reasonable accommodation can be made. The Department of Human Resources can also assist if the employee needs to file a long-term disability claim.

4. SAFETY

Every employee has a responsibility to assist the University in identifying and eliminating safety problems in the University environment. Any employee, who believes there is a safety problem in his/her work environment or elsewhere in the University, is obligated to bring the problem to the attention of the Environmental Health and Safety Department.

5. SUPPLEMENTAL INCOME

Full-time employees during their regular terms of service shall not have their salaries supplemented from University grants, contracts, or other University sources except as permitted by UW Regulations and Presidential Directives.

6. NEPOTISM

Relatives (father, husband, partner, son, brother, grandfather, grandson, uncle, nephew, first cousin, and the corresponding feminine relationships) may not be employed in positions which place one in an immediate supervisory relationship to the other. University employees who find themselves in violation of the foregoing statement are given the remainder of the fiscal year to comply.

No provision of this section shall be interpreted or applied so as to prevent the award of a scholarship, fellowship, or graduate assistantship to a student who is a relative of any employee of the University or of the Trustees. Reference UW Regulation 4-2, B.

7. PARTICIPATION IN POLITICAL ACTIVITY

The political rights and privileges of all employees of the University are the same as those of any other citizen of the state. However, exercise of those rights and privileges shall not involve the use of University funds, time, services, and facilities unless authorized as part of the educational process. Any unauthorized use may be subject to disciplinary action, including discharge. If an employee's political activity will interfere with performing his/her regular duties, the employee must develop a schedule, in advance, with his/her Dean or Appointing Authority, which will assure the completion of these duties.

If an employee's political activity involves extended absences, such a schedule must be approved by the President of the University or his/her designee. Employees who are on extended absences for political activity should contact the Payroll Office to determine the salary options.

8. CONFLICT OF INTEREST/CONFLICT OF COMMITMENT

A conflict of interest occurs when any employee of the University is in a position to affect significantly the business transactions of the University with an organization in which the employee has an interest. University employees have a duty to disclose any such conflict or any set of circumstances which may give the appearance of conflict of interest.

A conflict of commitment arises when professional service or research contracted outside the University, consultations or other outside activities (e.g., outside teaching or business) of an employee interferes with the main duties to students, colleagues, and the primary missions and policies of the University. Conflicts of commitment primarily involve questions of obligation and effort, but are often tied to financial payment or other incentives and, in such cases, may also constitute conflicts of interest.

Conflicts of interest and conflicts of commitment may constitute a breach of the employment contract and, if not properly disclosed and eliminated or managed in accordance with UW Regulations and Presidential Directives, will result in appropriate sanctions, including the termination of employment, if warranted.

9. PATENTS AND COPYRIGHTS

The University has UW Regulations and Presidential Directives dealing with patents and copyrights. Employees who have questions regarding patent and copyright issues should consult the UW Regulations and Presidential Directives or contact the University Technology Transfer Office.

10. CLASSIFIED RESEARCH AND SECURITY CLEARANCE

Employees involved in classified research and security clearance should refer to the UW Regulations and Presidential Directives.

11. MOTOR VEHICLES

The unauthorized use by any University officer or employee of any motor vehicle belonging to the State of Wyoming, or the use of any such vehicle for other than official business, is prohibited by state statutes. The prohibitions contained therein apply to motor vehicles owned by the University.

12. VACATION

Employees may accrue a maximum of 352 hours of vacation as follows:

Full-time exempt employees accrue 22 days per year;

Part-time exempt employees accrue pro-rated vacation days according to the percentage of the appointment;

Full-time non-exempt employees accrue 10 vacation days per year for the first two years of employment. At the beginning of the third year of employment, the employee

accrues 16 days of vacation per year. At the beginning of the seventh year of employment, the employee accrues 22 days per year;

Part-time non-exempt employees accrue pro-rated vacation days according to the percentage of the appointment.

Vacation leave may not be used in advance of accrual, or in the month in which it is accrued.

It is the employee's responsibility to monitor vacation usage to protect against the potential loss of vacation accrual. Vacation must be scheduled in advance and with the approval of the supervisor, who may or may not be the Appointing Authority. An employee may not use vacation to extend the workday beyond the normally scheduled hours.

Vacation use must be reported as required by the department. Holidays occurring during vacation are not charged to vacation. Each supervisor or Appointing Authority will consider requests by employees for absences caused by the employees' religious needs. If granted, vacation or unpaid leave may be utilized.

Employees may utilize vacation leave or unpaid leave, with the prior notification of the employee's supervisor, to observe religious holidays that are not official University holidays.

Employees who separate from University service are entitled to be paid at 100% of the current salary rate for all accrued, unused vacation which may not exceed 352 hours. Employees terminating for all reasons other than disciplinary may elect a lump sum payment, terminal leave or a combination of terminal leave and lump sum payment. An employee terminated for disciplinary reasons must take the accrued annual leave in a lump sum unless otherwise determined by the Appointing Authority.

An employee who is appointed to another University position retains any vacation leave accrued in the previous position. The vacation balance becomes the obligation of the administrative department of the current appointment. A person appointed to a benefited position after a break in service of less than 90 calendar days from a previous appointment will accrue vacation at a rate consistent with the length of service for which vacation accruals had been credited in the previous appointment unless the new position accrues at a higher rate. A person appointed to another position after a break in service of 90 calendar days or more from a previous appointment will accrue vacation at the same rate as a new employee.

The value of unused vacation, up to 352 hours, for an employee who dies in service will be paid in a lump sum at 100% of the current salary rate.

13. SICK LEAVE

A full-time benefited employee accrues sick leave at the rate of 12 days per year. A part-time benefited employee accrues sick leave in accordance with the percentage of appointment up to a maximum of 100%. The amount of leave accrued per month will vary slightly depending on the number of days in the month.

Sick leave may not be used in advance of accrual, or in the month in which it is accrued.

An employee may also use sick leave for medical, psychological, dental, or optical examinations or treatment. Sick leave is also available for the medical care of immediate family. Immediate family includes and is limited to parent, spouse/partner, child, or another member of immediate household.

When using sick leave, an employee must notify the supervisor as soon as possible on the first day of absence and on subsequent days. Failure to do so will result in disciplinary action up to and including termination.

Sick leave is intended for short-term illnesses and or injury where the employee's return to work is expected in a reasonable length of time.

Sick leave will not be charged against the accrued balance whenever a University observed holiday or other non-working day occurs during sick leave.

The use of sick leave is subject to verification by the Appointing Authority. The employee must provide appropriate written medical documentation when requested.

Employees who do not provide such documentation may be placed on leave without pay for the period in question, and/or disciplinary action may be initiated by the Appointing Authority. Sick leave use must be reported to the department via approved leave reports. An employee does not earn sick leave while on leave without pay or during a break in service. An employee may not use sick leave to extend the workday beyond the normally scheduled hours.

If approved by the Appointing Authority or designated supervisor, an employee may use sick leave instead of vacation if the employee becomes disabled or ill while on vacation, provided satisfactory medical verification is submitted upon return to work. Such approval must be in writing and provided to the employee with a copy to the Department of Human Resources.

An employee who is appointed to another University position with no break in service retains any sick leave balance accrued in the previous position. The sick leave balance becomes the obligation of the administrative department of the current appointment. Employees appointed to a benefited position after a break in service within five years from a previous benefited appointment will be reinstated upon reemployment with 100% of the previously unused accrued sick leave. Employees transferring from a State

of Wyoming agency will be credited with any remaining accrued sick leave balance in excess of 960 hours if they have no break in service. If the break in service between State and University employment is less than 90 calendar days, one-half of the remaining balance over 960 hours will be credited.

No payment is made for unused sick leave at the termination of employment, retirement, or death. However, if an employee is granted Board Retirement per UW Regulation 4-2, G or has completed 15 years of continuous service and is eligible for retiree insurance, the employee may convert up to 960 hours of sick leave to be applied toward the state contribution for group health insurance at the rate of 1.5 months coverage for each 40 hours of accrued sick leave. Retirees receiving Board Retirement status are responsible for initiating the process to receive the State contribution to health and dental insurance. The retiree is eligible to participate in the group health and dental insurance plan pursuant to the current University policies and/or insurance carrier's contracts upon completion of the sick leave conversion provision. If the Board Retiree dies after retiring, this benefit will transfer to the spouse if the employee has included the spouse in the insurance coverage.

An employee is eligible to use sick leave only during the employee's obligated period of service which terminates the last day that service is performed.

14. DONATED SICK LEAVE

Benefited employees are eligible for donated sick leave if they are eligible for leave according to the Family and Medical Leave Act (FMLA) and have an immediate and reasonable need for such assistance as verified by a health care provider. The employee must have exhausted his/her available sick and vacation leave prior to being eligible for donated sick leave. When the employee returns to work, unused donated sick leave is forfeited. Employees who receive payments under the University's Long Term Disability (LTD) program are not eligible for donated sick leave; i.e., employees will not receive both donated sick leave payments and LTD payments. However, employees may receive donated sick leave to bridge the 90-day LTD disqualification period.

Employees who wish to donate sick leave must be in an active pay status and have accrued more than 80 hours of sick leave. Donating employees are required to maintain a minimum balance of 80 hours of their own sick leave after making a donation. The University has reciprocity with the State of Wyoming regarding sick leave donations.

Donations are made by notifying the Department of Human Resources Benefits office.

Donation requests and donations must be received in the Department of Human Resources Benefits office prior to the employee's return to work.

15. FAMILY AND MEDICAL LEAVE

The University of Wyoming provides up to 12 weeks of unpaid (substitution of paid leave is described in Section I, 15 e)), job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- Serious health condition that makes the employee unable to perform the essential functions of his/her job.

Employees are eligible if they have worked for the University for at least 12 months and for 1,250 hours over the previous 12 months.

a) Military Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12 week entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees may also take up to 26 weeks of leave to care for a covered service member during a single 12 month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty. The injury or illness must make the service member medically unfit to perform his/her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

b) Benefits Protection

During FMLA leave, the University maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the University for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. Paid leave continues to accrue during FMLA leave when the employee is in a paid status. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, bereavement leave, or employer's jury duty pay are not granted on unpaid leave.

c) Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities.

d) Use of Leave

The maximum time allowed for FMLA leave is either 12 weeks in a 12 month period measured forward from the first day of an employee's leave, or 26 weeks as explained in Section I, 15 a) - Military Leave Entitlements.

An employee does not need to use this entitlement in one block. Leave can be taken intermittently or on a reduced schedule when medically necessary. Intermittent or reduced schedule leave for the non-medical care of the employee's child after birth, or placement for adoption or foster care is not allowed unless approved by the employee's Appointing Authority and the Department of Human Resources is notified. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the University's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the University's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

e) Substitutions of Paid Leave for Unpaid Leave

The University requires employees to use accrued paid leave while taking FMLA leave. If all accrued vacation, sick leave and donated sick leave are exhausted,

the remaining portion of the 12 weeks can be taken as leave without pay. In order to use paid leave for FMLA leave, employees must comply with the University's normal paid leave policies. FMLA leave is without pay when paid leave benefits are exhausted.

f) Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the University's normal call-in procedures.

Employees must provide sufficient information for the University to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the University if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The University may require second and third medical opinions at the University's expense. Documentation confirming family relationship, adoption or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the University's attendance guideline. Employees on leave must contact the Department of Human Resources at least two days before their first day of return.

g) The University's Responsibilities

The University will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required, as well as the employees' rights and responsibilities. If they are not eligible, the University will provide a reason for the ineligibility.

The University will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the University determines that the leave is not FMLA-protected, the University will notify the employee.

h) Unlawful Acts

FMLA makes it unlawful for the University to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

i) Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the University.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

16. MEDICAL LEAVE (FOR EMPLOYEES NOT ELIGIBLE FOR FMLA)

A medical leave of absence may be granted to benefited employees for absences arising from the employee’s illness, injury or pregnancy. This leave may be approved if the employee is not eligible for FMLA leave or has exhausted all available FMLA leave. Under no circumstances will the total of all the above combined leave time exceed six months without consultation with the Department of Human Resources. For medical leave to be granted, the following conditions must be met:

- The employee notifies the immediate supervisor as soon as possible of the need for medical leave;
- All available sick leave and earned vacation are used at the beginning of the leave of absence;
- The employee submits to the supervisor a written statement from the attending health care provider outlining the reason for leave and the estimated time needed. The University may require second and third medical opinions at the University’s expense;
- The immediate supervisor and the Department of Human Resources approve the leave before the leave is taken.

Medical leaves, and any extension of leaves, will generally be limited to no longer than six calendar weeks. An employee ready to return to work from leave must present a health care provider’s statement indicating ability to return to work. Employees who fail to return at the expiration of their authorized leave will normally be terminated.

The University may reinstate an employee ready to return from a medical leave of absence when, in the opinion of the University, it is practical to do so. The University does not guarantee reinstatement of an employee to the former job. When the employee is available to return to work, the employee is free to apply for any vacancy available and may be considered along with other applicants.

17. MAXIMUM LENGTH OF LEAVE OF ABSENCE

The maximum length of leave of absence (LOA) for an employee is six months in a 12 month period. Any leave beyond the six month maximum must be reviewed with the Department of Human Resources in consultation with the Appointing Authority.

18. LEAVE OF ABSENCE WITH PAY

Employees may request a leave of absence with pay in accordance with the Presidential Directive 4-2004-2. Other leaves with pay may be granted to employees for purposes consistent with the needs and objectives of the University.

19. LEAVE OF ABSENCE WITHOUT PAY

Leaves of absence without pay may be approved for the following purposes:

- Professional Development - After the initial probationary period has been completed, extended leaves without pay may be granted to employees for purposes of professional development;
- Personal Leave of Absence - Approval of this type of leave may only be granted based upon the needs of the University. Additionally, this type of leave may only be granted for significant circumstances that are unforeseen, unplanned for, and of a true emergency nature (personal or family emergency).

Other leaves without pay may be granted to employees for purposes consistent with the needs and objectives of the University.

An Appointing Authority may approve requests for a short-term leave without pay of up to four weeks in any 12 month period when circumstances require absence from work and vacation or sick leave credits are not available or are inappropriate to use. If an employee requires an extended leave (greater than four weeks), the employee may apply to the immediate supervisor for such leave on a Leave Without Pay Request form, which must be completed at least 10 days before the proposed leave and submitted to the Department of Human Resources and responsible Vice President for approval. All accrued vacation must be used before leave without pay for non-medical reasons will be granted.

All accrued sick leave and vacation must be used before leave without pay for medical reasons will be granted, unless the employee is covered by Workers' Compensation and entitled to Temporary Total Disability (loss of wages) for a work related disability or injury.

A leave of absence without pay which is granted to an employee is with the assurance of reinstatement to the former or comparable position unless circumstances make it impractical. If reinstatement is assured, a person hired as temporary replacement for an employee on leave without pay is to be advised that his/her employment will only continue for the duration of the employee's leave. Where it is impractical to assure an

employee of reinstatement to the same position upon return, the leave without pay must be approved with the understanding in writing that the University must fill that position and is under no obligation to hold that particular position for the employee during the extended absence. An employee who fails to return from leave without pay will be considered to have abandoned the position and is subject to termination.

All such leave requests must be approved by an immediate supervisor and an Appointing Authority. Extended leave without pay must be approved by the Associate VP of Human Resources and by the appropriate Vice President or University Officer.

Employees who have fewer than 80 hours of paid time in any month and do not qualify for FMLA will be responsible for paying health and dental insurance COBRA rates for the following month.

Sick leave and vacation credits are not earned during leave without pay. Employees may not claim compensatory time or salary for University holidays which are observed during leave without pay. A leave without pay shall not be considered a break in service.

20. MILITARY LEAVE

Employees are eligible for a leave of absence to go on active duty with the armed forces, voluntarily or involuntarily, during a state of war or declared national or state emergency. Employees should make arrangements with their immediate supervisor to take such leave. Reservists or Guard members called to active duty will be placed on leave without pay if their military salary is higher than their University salary. To the extent authorized by state law, the time spent in national or state service shall count toward University retirement. No retirement contributions or leave accruals will be lost while an employee is on active military duty. Benefited employees will be granted 15 working days per calendar year of leave with pay for active duty training if such occurs during the employee's normal work schedule.

21. BEREAVEMENT LEAVE

Benefited employees may use up to 12 days of sick leave and three days of bereavement leave upon the death of a family member, or spouse's/partner's family member. (This includes, and is limited to, parent, spouse/partner, child, sibling, grandparent, grandchild, son-in-law, daughter-in-law, sibling-in-law, or another member of the employee's immediate household.) This leave shall be used before the use of any other leave authorized for this purpose. Arrangement for this leave shall be made with the employee's immediate supervisor and must be used within 60 days of the date of death unless additional time is approved by the Appointing Authority in consultation with the Department of Human Resources.

22. UNIVERSITY HOLIDAYS

University holidays are determined by the President. Full-time employees are entitled to observe these holidays at full pay. Part-time employees are entitled to observe these holidays at pay based on his/her percentage of appointment. Non-exempt employees who are directed to work on an official University holiday, will receive holiday pay and overtime compensation at the rate of time and a half for hours worked. When it is in the best interests of the University, overtime may be paid in lieu of compensatory time. Exempt employees directed to work on an official University holiday, will be permitted to observe the holiday at another time (within the same or following pay period) with Appointing Authority approval. Employees are eligible to be paid for all UW administrative holidays falling within the dates of the benefited assignment, provided the employee has been paid for the last scheduled work day either proceeding or following that holiday. Holiday compensation is based on the FTE of the assignment. If a holiday falls on a non-scheduled work day, the employee can observe the holiday at another time (within the same or following pay period).

Compensation will not be granted for holidays which are observed immediately preceding the first day of an employee's appointment or reappointment to a position or during a leave without pay. For determination of overtime compensation, official University holidays are considered work time.

Employees may utilize vacation leave or unpaid leave to observe religious holidays that are not official University holidays. Prior approval must be obtained from the employee's supervisor and leave will be permitted unless it would cause a significant disruption to the work of the department.

23. WINTER CLOSURE

The University closes for three days between Christmas and New Years. Employees are not expected to work during those days; however, some essential services must continue. Employees designated to work for all or parts of winter closure receive an equivalent amount of time off prior to September 30th of the following year. Employees on terminal leave during winter closure have his/her leave extended. Employees who are not designated to work, but decide to work anyway do not receive time off at a later date. New employees will not have a start date within winter closure unless specifically required to work during that time.

24. EMERGENCY CLOSURES

The decision to close a University facility or declare it inaccessible is at the discretion of the President of the University or the President's designee for the facility. Decisions to temporarily close facilities outside of Laramie will be made by the appropriate Vice President.

When a University facility is closed or declared inaccessible, all affected employees not required to work during the declared closure or inaccessibility, including those using vacation or sick leave, will be automatically placed on leave with pay for their normally scheduled hours of work during the period of closure or inaccessibility.

An employee who is required to work during a declared period of closure or inaccessibility (“essential employee”) will be paid his or her regular salary for work during the employee’s normal hours of work. In addition, the employee will be granted compensatory time off equal to the number of hours worked during the declared period of closure or inaccessibility. A list of essential employees will be developed by each department.

If a University facility has not been declared closed or inaccessible, but an individual is unable to report for or remain at work on a particular day because of inclement weather or other emergency not covered elsewhere in the UW Regulations and Presidential Directives, the employee may decide whether to use accrued vacation, or compensatory time (if available). If no leave is available, the employee may use leave without pay if approved by his/her supervisor. The supervisor may also permit the employee to make up time on an hour-for-hour basis during the same week, or carry out alternative assigned duties during the period of absence from work.

25. BENEFITS

The University offers a comprehensive benefits package including health insurance, tuition waivers in accordance with UW Regulation 4-175, and retirement plans for eligible employees and dependents. Contact the Benefits Office in the Department of Human Resources for details. Many benefits are established by law and can be changed by law. Benefits may be changed with or without notice and without any consideration.

26. SUPERVISOR

A supervisor may or may not be an Appointing Authority. Supervisors are authorized to give work-related directions and are responsible for evaluating assigned employees’ performance.

27. ANNIVERSARY DATE

An employee’s anniversary date is the date of his/her initial benefited appointment becomes effective. If there is a break in service of less than 90 calendar days between appointments, the initial anniversary date will be reinstated.

28. WORK WEEK AND OVERTIME

Employees will normally work a 40-hour, five-day week, Monday through Friday. Variations may occur due to work requirements. For University employment purposes, the standard work week is 12:01 a.m. on Sunday through 12:00 p.m. (midnight) the following Saturday night. Part-time work schedules for part-time employees may be authorized by Appointing Authorities. Non-exempt employees under the terms of the

Fair Labor Standards Act are eligible for overtime compensation pursuant to the terms of the Act, and when authorized by an Appointing Authority. Employees who are exempt from the Fair Labor Standards Act are not eligible for overtime compensation.

It is the policy of the University to make overtime payments in the form of compensatory time off at the rate of time and a half. When it is in the best interests of the University, overtime may be paid in lieu of compensatory time. Overtime must be pre-approved and directed by the supervisor. Compensatory time should be taken within a reasonable period of time after it is earned. Maximum accumulated compensatory time is 160 hours worked (240 hours paid, i.e., 160 x 1.5). However, departments have the authority to determine the maximum which can be accumulated, not to exceed 240 hours. Overtime that may be occasionally accumulated beyond this maximum will be paid.

29. ATTENDANCE POLICY

Attendance at work must be reliable, predictable, regular, and prompt. Such attendance is essential to the performance of any University position. Notwithstanding the leave benefits offered to employees, habitual tardiness, and absenteeism are considerations in the evaluation of performance and are cause for corrective action up to and including termination.

Regular attendance is particularly important to planning and organizational efficiency and employee morale. As such, employees must notify supervisors of requested leave as promptly as possible.

Employees who are unable to report to work are expected to notify the supervisor, either personally or through a representative, by the employee's designated start time. An employee, who fails to appear for work and fails to notify the supervisor for two consecutive work days, will be considered to have abandoned the job and will be subject to termination.

30. PAY PERIOD

Salaried employees are paid on the last working day of each month. Hourly non-benefited employees are paid on the 15th day of each month and the last working day of each month. All full-time and part-time nonexempt employees are required to submit a signed Time and Leave Report each month. Failure of an employee to submit a report may delay the employee's paycheck.

II. RULES, POLICIES AND PROCEDURES THAT ARE SPECIFIC TO CLASSIFIED STAFF EMPLOYEES

A. STAFF APPOINTMENTS

Individuals designated by the President shall have the power to appoint staff (Appointing Authority). Each appointment to a staff position shall be on a continuing, temporary or limited temporary basis unless otherwise specified by University rules. Employees appointed to staff positions are designated as exempt or non-exempt according to the Fair Labor Standards Act (FLSA). This determination is made by the Department of Human Resources in consultation with the appropriate Appointing Authority.

B. STAFF SENATE

The Staff Senate is an elected representative body that serves the functions set forth in UW Regulation 1-34.

In completing its stated purposes and functions, the Staff Senate serves in an advisory capacity to the President of the University. The Senate consists of 40 elected members and three ex-officio non-voting members: the Assoc. VP of Human Resources, a Faculty Senate representative, and a representative of the Associated Students of the University. Staff employees are eligible for election as long as certain criteria are met to ensure proper representation. For details regarding the Staff Senate, please refer to UW Regulation 1-34 or call the Staff Senate office 307-766-5300.

C. CLASSIFICATION/COMPENSATION

Staff positions are classified to reflect the nature of the work performed as detailed in the Position Description Questionnaire (PDQ). Employees in these positions are referred to as classified staff. All classified staff positions shall have an accompanying PDQ on file in the Department of Human Resources. If an employee does not agree with a reclassification decision he/she may appeal through the classification appeal process; a copy of the appeal procedure can be obtained in the Department of Human Resources.

Appeals of classification decisions must be within 10 working days of the receipt of the decision to reclassify an employee's position.

Rates of pay are based upon the position's classification and pay grade in the University's Classification/Compensation system as well as other factors such as knowledge, skills and abilities. Please refer to Presidential Directive 4-2007-1 Classification/Compensation Plan for more information.

D. PROBATION

Commencing with initial employment, all staff shall be required to serve a probationary period of one year. Employees, who are promoted, transferred, reassigned, or reappointed after a break in

University service of 90 calendar days or more, are required to serve an additional probationary period. Staff employees serving probationary periods are considered at-will employees during the term of probation and may be terminated without cause and shall have no right to appeal. The probationary period may be either extended or reduced for a period of up to six months when the responsible Vice President determines that such extension or reduction would be in the best interest of the University

E. PERFORMANCE PLANNING AND PERFORMANCE APPRAISAL

During the months of January and February of each year, supervisors are expected to hold an annual face-to-face performance planning and performance appraisal meeting with each classified employee. Performance planning will establish qualitative and/or quantitative goals and objectives and standards for the coming year. Performance appraisals are based on the employee's job performance, assignments and success in achieving objectives, and standards established by the performance planning process for the previous year. Appraisals will be forwarded to the Department of Human Resources by March 15th of each year. Employees have the right to place written comments or objections concerning the appraisal into their official personnel file. Employees shall also have an opportunity to discuss the appraisal with the immediate supervisor or Appointing Authority. Performance appraisals are not subject to appeal.

F. PROMOTIONS, TRANSFERS AND REASSIGNMENTS

Promotion and transfer decisions are based upon the individual's qualifications as they relate to the position's requirements, and/or the needs of the department. Qualified employees may receive first consideration for vacant positions within their departments, if the Appointing Authority decides to advertise as such.

Employees may apply for other positions on campus without prejudice to their current positions. University employees may be given priority consideration over external applicants.

Reassignment resulting in a salary reduction may occur due to a redistribution of work or a reduction in force. If reassignment results in the change of FLSA status, the higher accrual rate will apply. A reassignment resulting in a salary reduction may be grieved under the procedure described in Section II, L 4 – Staff Grievance Procedure of this Handbook.

An employee may also be reassigned to a position in the same or lower pay grade due to job performance or disciplinary action following approved staff disciplinary procedures.

G. RESIGNATIONS

Employees should give as much notice as possible of their intent to vacate a position by notifying their supervisors and/or Appointing Authority of their projected date of resignation. With Appointing Authority approval, the employee can be placed on leave with pay; the last day worked would be the last day of leave with pay. The employee should also arrange for an exit interview with the Department of Human Resources.

When an employee separates from University service, the employee is entitled to be paid 100% of the current salary rate for all accrued unused vacation credits. Unused sick leave will not be paid, see Section I, D 13 – Sick Leave. Such payment will be either a lump sum, terminal leave, or a combination of terminal leave and lump sum payment. However, an employee who is terminated for disciplinary reasons must take a lump sum payment, unless otherwise determined by the Appointing Authority. In the case of death of a current employee, payment for University service will be made up to, and including, the complete work day on the date of death.

H. RECOMMENDATION FOR REHIRE

Employees who leave the University of Wyoming may be recommended for rehire into a different position at a later date. The Department of Human Resources shall be consulted by the Appointing Authority prior to re-hiring any former employee.

I. EMPLOYMENT RECORD

Each staff employee shall have an employment record in the form of a personnel file in the Department of Human Resources. All staff employees may review their own personnel files except as restricted by law; and may insert written responses, comments, or objections as specified in this Handbook.

J. RETRENCHMENT

This establishes a procedure for reorganization that results in the involuntary loss of existing staff positions. This policy is not available to at-will, probationary, and grant funded staff, see definitions in Section IV – Other Employees.

Nothing in this policy shall be construed to preclude or negate the provisions of UW Regulations 6-41 and 6-43.

1. PROCEDURE

The Appointing Authorities, or their designees, must provide to the Department of Human Resources a written Retrenchment Plan outlining the reasons for the reduction in work force, and includes copies of the department's organizational chart prior to and after retrenchment. The Retrenchment Plan must also include the name(s) and position number(s) of the employee(s) who are being retrenched, and a statement of how the duties of the retrenched position(s) will be fulfilled. The Department of Human Resources will require new Position Description Questionnaires (PDQs) for any positions which will assume the duties of the retrenched position.

The Retrenchment Plan will be reviewed by the Office of Diversity and Employment Practices to ensure retrenchment decisions are not related to protected class status (race, sex, gender, color, religion, national origin, disability, age, veteran status, sexual orientation, political belief) in violation of UW Regulation 1-5 or federal or state

law. The Office of Diversity and Employment Practices shall advise the Department of Human Resources of the results of the review.

2. RETRENCHED EMPLOYEES' BENEFITS

Retrenchment rights shall last 12 months after the employee's retrenchment date or until the employee has refused one offer of University employment, whichever comes first.

If a retrenched employee's position is reestablished within 12 months after employee's retrenchment date, the employee shall be offered reinstatement at his/her previous salary, regardless of present employment status, and will retain his/her initial anniversary date.

The University will pay the state's share of the health insurance benefits under the group plan for University employees separated from service because of a retrenchment. This will be for a period of six months following separation or until the retrenched employee acquires employment which offers health insurance, whichever occurs first, if the employee was covered under the plan prior to retrenchment.

A retrenched employee shall be given reemployment referrals to positions for which he/she meets the established knowledge, skills, and abilities qualifications.

Unless the Appointing Authority chooses to promote internally to fill a vacancy, the Appointing Authority shall interview all retrenched employees referred through the reemployment register who meet knowledge, skills, and abilities qualifications. Any Appointing Authority who does not hire from the reemployment register shall justify the decision in writing to the responsible Vice President.

As stated in the current University affirmative action plan, any retrenched employee who is a member of a protected class and who is being considered for rehire will be identified to the Appointing Authority for affirmative action purposes.

A rehired retrenched employee will retain his/her initial anniversary date. Unless reinstated to the employee's former position, any employee rehired may be required to serve an initial probation of up to six months.

An employee who was in an exempt position prior to being rehired into a nonexempt position will have the higher accrual rate apply.

Any retrenched status employee is immediately eligible for outplacement services which may be established by the University through the Department of Human Resources. Outplacement services will be available to retrenched employees upon notification of retrenchment. Outplacement services may include the following:

- Access to a computer for job search assistance;

- Direct referrals to position openings at the University for which they are qualified;
- Limited use of University facilities and equipment to produce resumes and seek employment which can include access to a personal computer and copier services;
- The tuition waiver benefit for retrenched full and part-time staff is described in UW Regulation 4-175. This benefit will be available for up to 12 months for the retrenched employee only and only at the University.

Upon separation, a retrenched staff employee may take accrued annual leave as terminal leave or receive a lump sum payment, or may choose a combination of the two.

K. DISCIPLINE

Employees are expected to follow all established rules and policies of their department, the University, and the Trustees of the University. This disciplinary policy does not apply to probationary, at-will, and contract employees.

The University discipline process may include, but is not limited to, an oral warning, a written reprimand, a corrective action plan, demotion, suspension or termination of employment.

The University reserves the right to allow an Appointing Authority to select the appropriate level of discipline for an infraction. Discipline may begin at any stage including termination depending on the nature of the infraction.

Violations of University rules prohibiting discrimination and sexual harassment shall be addressed by the Office of Diversity and Employment Practices in accordance with procedures established in UW Regulation 1-5.

1. CAUSE FOR DISCIPLINE OR CORRECTIVE ACTION

All employees are expected to carry out their duties honestly, in good faith, and with diligent care. Cause for discipline shall include, but is not limited to, poor work performance; dishonesty; drunkenness; absenteeism; damage or unauthorized use of State or University property; refusal to work; harassment; carelessness; assault; insubordination; discourteous treatment of other employees, students, or the public; neglect of duty; violations of state or federal law, University rules, UW Regulations and Presidential Directives or department expectations; and other actions of misconduct.

2. DISCIPLINARY PROCEDURE

a) *Oral Warning*

- (1) An oral warning may be given by a supervisor or an Appointing Authority when problems occur.
- (2) Documentation of the oral warning is kept by the supervisor.
- (3) The Department of Human Resources should be consulted prior to imposition of any discipline other than an oral warning.

b) *Written Reprimand*

- (1) A written reprimand may be given by a supervisor or an Appointing Authority and includes reasons for the action being taken.
- (2) The supervisor, after consultation with the Appointing Authority and the Department of Human Resources, will provide the written reprimand to the employee. The employee may meet with the supervisor to discuss the reprimand within three working days of the date of the reprimand.
- (3) If the discipline is not reversed by the supervisor after meeting with the employee, the employee may provide a written response to the written reprimand. The employee's response must be provided to the Department of Human Resources and the supervisor within seven days of the date of the disciplinary letter.
- (4) Copies of the disciplinary letter and the employee's written reply will be placed in the employee's personnel file.
- (5) No other appeal is available to the employee.

c) *Corrective Action Plan*

- (1) A supervisor may prepare a written corrective action plan.
- (2) The Corrective Action Plan must be approved by the Department of Human Resources and by the appropriate Appointing Authority.
- (3) A Corrective Action Plan should state the specific issues being addressed and the required outcome of the plan.
- (4) Continued or additional problems may lead to additional disciplinary measures, up to and including termination of employment.

d) *Notice of Intent to Take Disciplinary Action*

(1) An employment action involving loss of pay, such as demotion, suspension without pay or termination may be imposed by the Appointing Authority. The Appointing Authority, after consultation with the Department of Human Resources, shall inform the employee in writing of the notice of intent to take such an employment action and the reasons for the action.

(2) The effected employee shall have the right to respond in writing or meet with the Appointing Authority within three working days of the date of the notice of intent to take disciplinary action. The Appointing Authority may extend the deadline for the meeting beyond three working days.

e) *Notice of Termination/Suspension/Demotion*

A final written disciplinary decision shall be given to the employee within seven working days from the date of the notice of intent to take disciplinary action unless the Appointing Authority requires additional time to finalize the discipline decision.

f) *Appeal Procedure*

(1) An employee has the right to appeal any decision of any employment action involving loss of pay, suspension without pay, or termination.

(2) The employee must file a notice of appeal with the Department of Human Resources within seven working days from the date of the final, written disciplinary decision. The notice of appeal must include a brief statement of the events giving rise to the discipline and the relief sought.

(3) Within seven working days, Human Resources shall submit the appeal to a Hearing Officer retained by the University, with notice to the parties.

3. HEARING PROCESS

- a)* The Hearing Officer shall schedule the hearing within 10 days of his/her appointment and shall establish a file and docket the case. Once the matter is scheduled, the Hearing Officer may issue a continuance in order to accommodate scheduling or other matters.
- b)* The employee has the right to legal counsel at the employee's expense.
- c)* Discovery, if any, shall be limited. The parties will exchange relevant documents and a list of witnesses. The Hearing Officer shall establish the time limits for discovery. The employee may request in writing a copy of his/her complete personnel file or other materials directly related to the discipline, excluding any materials protected by attorney client privileges or other privileges.
- d)* No depositions may be taken unless a witness is unavailable for testimony in person or by telephone, and the Hearing Officer determines that a deposition is necessary.
- e)* Interrogatories are not permitted.
- f)* The parties shall exchange exhibits and a list of witnesses at least five working days prior to the hearing.
- g)* No written pre-hearing motions are permitted; however, the parties may jointly communicate with the Hearing Officer by telephone.
- h)* The Hearing Officer may permit opening and closing statements by the parties.
- i)* Hearsay is permissible with relevancy and credibility as determined by the Hearing Officer.
- j)* The University shall have the burden of proof by "substantial evidence" that is, evidence that a reasonable mind might accept as adequate to support a conclusion.
- k)* The Hearing Officer shall issue a written decision within 15 days of the adjournment of the hearing and shall file the decision with the Department of Human Resources with copies to the parties.
- l)* The decision of the Hearing Officer shall be limited to a finding of whether the evidence was sufficient to support the discipline.

m) The decision of the Hearing Officer shall be final and binding upon the parties. There shall be no further right of appeal.

L. DISPUTE RESOLUTION

The Dispute Resolution process involves employment matters which are NOT disciplinary matters. Employees are encouraged to work through day-to-day problems in the workplace as they occur. When assistance is needed employees are encouraged to contact the Department of Human Resources for information regarding available process or policies to assist the employee.

1. MEDIATION ALTERNATIVE

Mediation Alternative – The Department of Human Resources is available to assist classified staff employees in resolving employment problems and grievable issues at the request/agreement of the individuals involved. Mediation may be requested through the Department of Human Resources at any time. The initiation of mediation temporarily suspends the grievance procedure time limits until mediation is declared ended by the employee, the responsible Appointing Authority, or the Department of Human Resources. Details of the Mediation Process are found on the Department of Human Resources web site.

2. UW REGULATION 1-5

Workplace discrimination or harassment, based upon protected class status, is resolved through the Office of Diversity and Employment Practices in accordance with UW Regulation 1-5 and may result in discipline subject to the disciplinary procedures in this Handbook.

3. UW REGULATION 1-44

Incidents or threats of workplace violence are resolved through the Office of Diversity and Employment Practices in accordance with UW Regulation 1-44. In addition, incidents of workplace violence should be reported to the police. Incidents or threats of workplace violence may result in discipline subject to the disciplinary procedures in this Handbook.

4. STAFF GRIEVANCE PROCEDURE

The staff grievance procedure is for instances when a non-probationary employee alleges an action constituting a violation of University policies or rules, and that action must have a significant or material effect on the employee's employment. The grievance process is administered through the Department of Human Resources. The time lines for the grievance process may be extended upon request of the employee for good cause shown or upon the unilateral discretion of the Department of Human Resources.

a) Retaliation

The University recognizes the right of individuals to file grievances without fear of retaliation. Any employee, who, in good faith, exercises the right to file a grievance or cooperates in the investigation of a grievance as outlined in this regulation, is protected from retaliation. Charges of retaliation will be treated as separate and distinct from original grievances, and will be investigated by the Office of Diversity and Employment Practices.

b) Eligible Employees

Any non-probationary, classified staff employee of the University appointed and serving in a position pursuant to the Regulations of the Trustees of the University of Wyoming is eligible to use the Grievance Procedure. The grievance procedure does not apply to probationary, at-will, and contract employees.

c) Grievance Definition

A grievance is an alleged violation of University policies or rules that has a significant or material effect on the employee's employment.

d) Non-Grievable Issues

Employees do not have the right to grieve (appeal) (a) performance evaluation rating; (b) job classification; (c) salary grade; (d) pay assignment; (e) disciplinary actions; (f) content of policies and regulations of the Trustees of the University, the University, or any department thereof; (g) salary decisions; (h) retrenchment; (i) civil rights complaints properly addressed under UW Regulation 1- 5; (j) threats or acts of workplace violence properly addressed under UW Regulation 1-44; or (k) reassignment with or without loss of pay.

e) Formal Grievance Process

(1) Time Lines

The grievance procedure sets forth time lines for initiation of action at each step. If a grievance is not forwarded by the complainant within the time allowed in any step, the grievance will be considered discontinued and no further review will take place. Any written grievance not answered by the respondent within the time allowed may be sent on to the next step by the complainant.

(2) Written Complaint

- The employee shall file a written grievance with the Department of Human Resources on the form provided.
- The written grievance shall contain a brief statement of the University rule or policy that was violated, the date the violation occurred, a brief statement of the facts, the significant or material effect on employment and the relief sought, and any

other information that may be requested by the Department of Human Resources.

- A written grievance must be filed within seven working days of the alleged violation.
- The Department of Human Resources may reject a complaint that does not contain the required elements.
- The Department of Human Resources will provide a copy of the written grievance to the responsible Appointing Authority, who will respond in writing to the allegations raised within 14 working days of receipt of a copy of the written grievance.
 - The Appointing Authority shall submit the written response to the Department of Human Resources and provide a copy to the employee.
 - The Department of Human Resources may conduct additional fact finding as necessary.
 - All employees shall cooperate with any request by the Department of Human Resources.
- After receipt of the response, the Department of Human Resources may call a face-to-face meeting of the employee and other individuals involved.
 - All employees, including supervisory personnel, shall participate in any meeting called by the Department of Human Resources.
 - Time spent in attendance at a meeting called by the Department of Human Resources shall be considered as hours worked.
- If the matter is not resolved in a face-to-face meeting, the Department of Human Resources shall make a written recommendation on resolution.
 - The Department of Human Resources will deliver the recommendation to the employee and to the Appointing Authority.
 - The Department of Human Resources' written recommendation shall be completed within a reasonable time after the face-to-face meeting, or if none was called, after receipt of the Appointing Authority's written response.
- The recommendation by the Department of Human Resources Office is not binding upon the Appointing Authority.
 - If the Appointing Authority, with concurrence from the responsible Vice President, does not implement all or

any part of the recommendation, the Appointing Authority shall provide written explanation to the Department of Human Resources and the employee within 10 working days after receipt of the Department of Human Resources' recommendations.

(3) **Appeal**

- If the employee disagrees with the Department of Human Resources' proposed resolution of the grievance, the employee may appeal the decision to the responsible Vice President of the division in which the employee is employed.
- If the Appointing Authority has submitted a written explanation for failure to implement part or all of the proposed resolution, the employee may appeal the decision to a Vice President appointed by the President of the University.
- All information gathered by the Department of Human Resources, including the original complaint, response, and recommendations, shall be delivered to the Vice President hearing the appeal. The Vice President may conduct additional fact-finding or rely solely on the information provided by the Department of Human Resources.
- The Vice President shall issue a ruling which shall be final and binding upon both parties. The Vice President may delegate the responsibilities of the appeal to a designee.
- For purposes of this paragraph, the Athletic Director shall be considered a Vice President.

(4) **Representation**

Neither the employee nor the Appointing Authority is permitted to have legal representation during this process.

(5) **Recommendations and Resolutions**

All recommendations and resolutions shall conform to University rules and regulations and with applicable law.

III. RULES, POLICIES AND PROCEDURES GOVERNING STUDENT EMPLOYEES

Student employees as defined here are excluded from provisions applicable to staff employees and are not eligible for the benefits of staff employment. A student employee shall be any person enrolled, as an undergraduate or professional student, for at least 12 credit hours per semester during the academic year or as a graduate student for at least nine credits per semester during the academic year or six

credit hours during the summer session or any person with a graduate assistantship which has been awarded in accordance with procedures established by the Provost and Vice President for Academic Affairs.

A. GENERAL INFORMATION

The Department of Human Resources and the Office of Student Financial Aid administer the area of Student Employment to provide centralized on-campus employment services for student applicants and departments seeking part-time employees.

B. GOALS

The primary goals are to recognize the contribution of student employees to the University's mission, to provide for equitable compensation commensurate with individual responsibilities and job duties, and to provide employment opportunities. This is an important and necessary program, since a large number of University students seek employment. The objectives include:

- To list part-time (non-benefited) positions with the Department of Human Resources;
- To assist University students who have a need for employment while attending school;
- To make students and the academic community aware of Student Employment opportunities;
- To match employment with career goals/skills as often as possible;
- To provide a central location and contact for administration of student employment on campus; and
- To ensure that the appropriate and required guidelines are being fulfilled, including equal pay for equal work.

C. RESPONSIBILITY

General responsibility for implementation and administration of Student Employment rests with the Department of Human Resources. Responsibility for implementation and administration of the Federal College Work-Study Program of Student Employment rests with the Director of Student Financial Aid. Questions relating to other than work-study student employment should be directed to the Department of Human Resources. Questions relating to the Work-Study Program should be directed to the Work-Study Coordinator in the Office of Student Financial Aid.

IV. OTHER EMPLOYEES

A. GRANT FUNDED STAFF

Grant-funded staff whose salary is funded at least 50% from grant or contract money are at-will employees and do not have retrenchment, grievance, or disciplinary procedure rights.

However, a classified staff employee who occupies or accepts a position that is or becomes funded in whole or in part from grant or contract money will retain classified staff status and the accompanying procedural rights unless the employee voluntarily accepts designation as grant-

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funded staff. Grant-funded staff may have other University benefits such as retirement, sick leave, and vacation leave as required by law or agreed to in writing by the Appointing Authority. Job descriptions and salaries of grant-funded staff shall be consistent with the University's classification/compensation system for staff employees. Grant-funded staff will remain in that designation even if the grant/contract funding for the position is reduced to less than 50%. Performance Evaluations are optional for grant-funded employees.

B. CONTRACT EMPLOYEE

Contract employees are employees whose employment terms and conditions are controlled exclusively by the terms of a contract. They do not have retrenchment, grievance, or disciplinary procedure rights. The contract may incorporate University benefits such as retirement; sick leave and vacation leave as required by law or agreed to by the Appointing Authority.

C. AT-WILL ADMINISTRATIVE PROFESSIONALS

At-will administrative professionals are at-will employees who do not have retrenchment, grievance, or disciplinary procedure rights. They may have other University benefits such as retirement; sick leave and vacation leave as agreed to in writing by the Appointing Authority.