

V. ACADEMIC PERSONNEL

A. ACADEMIC FREEDOM

The faculty and academic professionals are the educational body of the University and in recognition of the fact that true education may flourish only when they are both free and responsible, the Trustees subscribe to the following statement on academic freedom and their responsibilities as adopted in 1990 by the American Association of University Professors:

Academic freedom....applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the students to freedom in learning. It carries with it duties correlative with rights.

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject....

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

B. FACULTY

1. DESIGNATION

Faculty status shall be granted at the appropriate professorial rank to those individuals engaged in teaching or research in the colleges of the University and to such other groups or individuals as the Trustees may designate. The general qualifications for the various faculty ranks shall be as follows:

- a. Instructors normally shall have a master's degree and preferably at least one year of additional study or professional experience in the field in which the instructorship is granted.
- b. Assistant professors shall normally have the doctor's degree in course, and shall have demonstrated ability, through appropriate experience, to perform the functions of the position they are to hold.
- c. Associate professors shall normally have the doctor's degree in course, shall have established a reputation in scholarship, teaching, artistic creation, or other productive activity in the field in which they are to serve.
- d. Professors, in addition to having the qualifications of associate professors, shall have demonstrated superior capacity for direction of graduate work and research where appropriate, have attained wide recognition in their professional fields for scholarship or other creative work, and shall have gained recognition as teachers and as consistent contributors to the fields in which they are to render University service. It is not anticipated that each faculty member will attain the rank of full professor.
- e. Research professor shall be the title granted to persons who have demonstrated superior capacity for research contributions and are employed fully on external research funding; in addition, these individuals must hold the terminal qualification in their discipline (e.g., Ph.D., Ed.D., MFA, etc.). Such appointments shall be only at the professorial rank and for not more than one year in duration; however, one may be reappointed annually by the Trustees subject to a satisfactory annual performance evaluation and the availability of external funding from contracts and grants. Service as a research professor does not entitle one to tenure and its privileges.
- f. Clinical professor shall be the title granted to those employed to teach in health care related programs offered by the University; the college dean and other appropriate academic officers will determine the appropriate academic qualifications and professional experience for these faculty. Such appointments shall be for not more than one year in duration; however, one may be reappointed annually subject to a satisfactory annual performance evaluation and available funding. Service as a clinical professor does not entitle one to tenure and its privileges.

The general qualifications for faculty designation defined above may be waived or modified at the discretion of the President and the Trustees.

C. FACULTY APPOINTMENT

1. Full-Time Faculty Appointments Faculty members shall be appointed by the Trustees. Recommendations for such appointments shall be initiated by the head of the unit in which the appointment occurs, after full consultation with members of the unit. The recommendations shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President of the University will then forward his/her recommendation to the Trustees. No appointment shall be binding upon the University unless accepted in writing by the faculty member within the time specified for response, following action by the Trustees. Appointments shall be for a specified period at the appropriate professorial rank as described in this Chapter to be classified as follows:

a. Tenure Track Appointments

Probationary appointments of tenure track faculty filling a budgeted vacancy normally will be for one academic year; individuals so appointed will be considered for reappointment annually for the term of the probationary period specified in **Chapter V. (D)**.

However, in appropriate circumstances, appointments may be for up to three years; continuation during the initial multi-year term will be contingent upon satisfactory annual performance evaluations. If one is reappointed at the termination of the full probationary period, s/he will be granted tenure. Credit for prior experience must be specified in the letter of offer and approved by the Vice President for Academic Affairs. In rare circumstances, tenure and tenure-track appointments may be less than full-time positions.

b. Temporary Appointments

Temporary appointments with faculty rank may be made to address specific instructional or research needs. Such appointments shall not be for more than one year in duration; however, temporary faculty may be reappointed annually subject to a satisfactory performance evaluation. Service as a temporary professor does not entitle one to tenure and its privileges.

c. Visiting Faculty Appointments

Visiting faculty appointments to address specific University instructional needs may be extended to faculty members from other institutions or professional persons who possess special expertise. Such appointments may

be with professorial rank but shall not be for more than one year in duration; however, a visiting faculty member may be reappointed subject to a satisfactory performance evaluation. Service as a visiting professor does not entitle one to consideration for tenure and its privileges.

2. Part-Time Faculty Appointments

The appointment of part-time faculty members during the academic year and for Summer Session will be made by the President of the University upon the recommendation of the appropriate academic officers.

3. Emeriti Faculty Appointments

Emeriti faculty status may be awarded to those tenured faculty members who retire after long and distinguished service to the University. Nominations for emeriti status shall be initiated by the department head and/or dean; the nomination shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President of the University will then forward his/her recommendation to the Trustees.

4. Adjunct Faculty Appointments

Adjunct appointments may be made when deemed appropriate to make available to the University, on a limited or part-time basis, the services of persons who have attained recognition in their professional fields of scholarship, creativity, or other distinguished accomplishments relevant to University programs. Such appointments may be with faculty rank or clinical faculty status. Adjunct faculty may include academic personnel in other University departments or colleges as well as those employed outside the institution.

Each letter of appointment shall set forth the terms and conditions under which services to the University are to be performed by the appointee. Such appointments provide no financial remuneration.

Adjunct appointments will be made by the Trustees of the University, upon the recommendation of the appropriate academic officers, for a period of not more than three years; however, an individual may be reappointed. Service as an adjunct professor does not entitle one to consideration for tenure and its privileges.

D. FACULTY REAPPOINTMENT, TENURE AND PROMOTION

To hold a position with tenure means that the faculty appointment is not subject to termination or substantial reduction in status without adequate justification as outlined in **Chapter V. (E. DISMISSAL OF FACULTY)** below.

Therefore, the reappointment procedures are integrally related to the tenure and promotion decisions of those faculty serving probationary appointments. Only those tenure-track faculty who successfully complete this period and are approved by the Trustees, will receive tenure. An individual who is not offered tenure at the end of the probationary period shall not be retained as a faculty member.

The main criteria for reappointment, tenure and promotion decisions are creative development, advancement of knowledge, and dissemination of knowledge. These criteria may be demonstrated in the University's functions of teaching, research, creative contributions, extension, service to the state of Wyoming, professional service, and other University related activities and services.

Candidates for reappointment, tenure and promotion are evaluated on the academic functions they are expected to perform and the evaluations will appropriately recognize the proportion of time allocated and expected for the particular functions by the candidates at each professorial rank. In addition, the programmatic needs and directions of the University will also be considered in reappointment and tenure cases.

Procedures concerning the review and reappointment of probationary faculty, as well as tenure and promotion of all faculty, shall be initiated as specified in University regulation 803. These decisions are to occur annually and successively, as specified by the Vice President for Academic Affairs, at the department, college, and University levels; at each administrative level the cognizant University officer will make a recommendation after having been advised by an appropriate faculty committee or group.

The probationary period for tenure decisions is normally based on rank at the time of initial appointment to the University of Wyoming as set forth below:

1. For instructors, the tenure decision will be made no later than the sixth year.
2. For untenured assistant professors, the tenure decision will be made no later than the sixth year.
3. For untenured associate professors, the tenure decision will be made no later than the fourth year.

4. For untenured professors, the tenure decision will be made no later than the third year. Tenure decisions will be considered "early" if the candidate has served fewer years than specified above.

In exceptional cases, a faculty member may request in writing that his/her probationary period for tenure be modified. This request will be forwarded to the Vice President for Academic Affairs after review and recommendation by the department chair and college dean. The Vice President for Academic Affairs will render a decision on the request to modify the probationary period.

The procedures and consequences of mandatory and optional reviews for probationary faculty are specified in University Regulation 803.

When an individual on probationary appointment is not recommended for reappointment, the President shall advise the faculty member in writing of this decision at least three months prior to the end of the contract year for those in their first year of service, at least six (6) months for those in their second year of service and at least twelve (12) months for those who have served more than two years at the University. Academic year contracts terminate one week following Spring commencement.

The promotion of faculty shall also be initiated in accordance with the procedures specified in University Regulation 803. Promotion decisions for assistant professors being considered for associate rank will normally occur during the sixth year of service; decisions prior to the sixth year will be considered "early." Promotion decisions for associate professors being considered for professor rank is not tied to years of service; however, decisions will be considered "early" if one has served fewer than five years in the associate rank.

A faculty member who has been offered tenure, and who has refused to accept tenure, can be reappointed annually at the discretion of the department in which this individual holds an appointment; in addition, any such person shall have all rights and responsibilities of tenured faculty members except permanent appointment.

As noted above in Chapter V. (B. 1.), not all faculty members are eligible for tenure. Faculty employed as lecturers in intercollegiate athletics, research professors, clinical professors, temporary, visiting or adjunct faculty, those serving with archivist or library faculty status and officers in the Divisions of Military Science and Aerospace Studies are among those excluded.

Administrative and academic officers do not have tenure in their administrative positions and shall serve in such capacity at the pleasure of the President and/or the Trustees. If they hold concurrent faculty appointments, they may be granted tenure in the faculty position at the discretion of the Trustees. However, no one shall forfeit tenure by reason of appointment to an administrative position.

Reappointment, tenure and promotion evaluations and recommendations shall be communicated to the individual in writing by the dean, or equivalent academic officer, prior to forwarding the information to the Vice President for Academic Affairs Office.

If the faculty member desires to comment upon the recommendation or evaluation, he/she may do so by forwarding written comments to the appropriate University officers. This information will become part of the candidate's tenure and promotion packet.

E. DISMISSAL OF FACULTY

"Cause" is defined to include any conduct which seriously impairs the ability of the University of Wyoming to carry out its functions, including physical or mental incapacity, incompetency, neglect of duty, dishonesty, immorality or conviction of a felony. This provision shall not be interpreted as to constitute interference with academic freedom.

Faculty members on tenure may be dismissed only for cause or because of bona fide financial exigencies of the University. A recommendation for the dismissal for cause of a faculty member with tenure shall be made in writing by the appropriate dean or comparable administrative officer to the President of the University. If the President finds substantial basis for dismissal for cause, the President shall appoint the appropriate dean or comparable administrative officer to act as charging authority for the preparation of a statement of charges and presentation of the case to a Hearing Committee, if the faculty member desires a hearing, under procedures established by University Regulation.

During the probationary period, the President of the University may dismiss a faculty member for cause prior to the expiration of the contract period after consultation with the appropriate administrative and/or academic officers. The President, prior to acting may, if he/she determines it to be necessary or desirable, cause an investigation to be made and may order a hearing by the appropriate faculty committee.

F. ACADEMIC PROFESSIONALS

1. DESIGNATION OF ACADEMIC PROFESSIONALS

Academic professionals hold academic appointments based upon specialized qualifications and specific job descriptions which enable them to fulfill assigned academic duties within the academic community. These personnel engage in activities which extend and support the teaching, research, extension and service missions of the University.

The Trustees shall approve each category of employees (i.e., extension educators, lecturers, research scientists, etc.) who shall be classified as academic professionals. Rank, academic qualifications, and conditions of employment for these groups are outlined in University Regulation 408 and its appendices.

2. APPOINTMENT OF ACADEMIC PROFESSIONALS

Academic professionals shall be on either extended term or temporary appointments; the appointment may be full-time or part-time depending upon the academic unit's needs and resources. Appointment and reappointment of academic professionals shall be made as set forth in University Regulation 408.

a. Approval of Extended Term Appointments

All extended term appointments, whether full or part-time involving either probationary or extended term status, shall be approved by the Trustees.

Recommendations for such full-time appointments shall be initiated by the head of the unit in which the appointment is to occur, after consultation with members of the unit. Recommendations shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President will make his/her recommendation to the Trustees.

b. Approval of Temporary Appointments

All temporary appointments, whether full or part-time, shall be made by the President of the University upon the recommendation of the appropriate academic officers.

No appointment shall be binding upon the University unless accepted in writing by the academic professional appointee within the time specified for response following action by the Trustees or the President.

3. EXTENDED TERM APPOINTMENTS OF ACADEMIC PROFESSIONALS

Extended term appointments may be full-time or part-time, depending upon the needs and resources of the academic unit. An academic professional hired on an extended term track will be required to complete a probationary period before receiving an extended term appointment. The length of the probation -- ranging up to six (6) years -- will be based on duties and responsibilities of the position, proposed rank, prior service and accepted practices in the professional field. Credit for prior experience must be specified in the initial letter of offer and approved by the Vice President for Academic Affairs.

Following a successful performance review at the end of the probationary period and Trustee approval, an academic professional will receive an extended term, six (6) year appointment. Extended term appointees shall undergo the full reappointment review procedure during the fifth (5) year of their extended term.

4. RANK AND PROMOTION OF ACADEMIC PROFESSIONALS

The academic professional rank structure, as specified for each group, provides for the appointment of individuals at levels commensurate with their education and experience upon initial appointment and subsequently provides promotion ladders which recognize and reward professional performance.

At the time of appointment, the appointing authority (Dean/Director) will recommend the appropriate rank commensurate with the duties and responsibilities of the position and the qualifications of the individual.

Upon satisfying the criteria for promotion as set forth in the appendix appropriate to this appointment, the individual candidate is responsible for initiating the promotion review process as outlined in University Regulation 408.

5. DISMISSAL OF ACADEMIC PROFESSIONALS

Academic professionals, whether on a probationary, extended term or temporary appointment can be dismissed for cause, because of program modification/reduction or for financial exigency.

"Cause" is defined as any conduct by the academic professional, including but not limited to physical or mental capacity, incompetency, neglect of duty, dishonesty, immorality or conviction of a felony, which seriously impairs the individual's ability to carry out his or her University responsibilities or the ability of the University to carry out its functions. This provision shall not be interpreted as constituting interference with academic freedom.

During the probationary period, the President of the University may dismiss an academic professional employee for cause prior to the expiration of the contract period after consultation with the appropriate administrative and/or academic officers. The President, prior to acting may, if he/she determines it to be necessary or desirable, cause an investigation to be made and may order a hearing by the appropriate faculty committee.

For educational reasons, it may be in the University's best interests to discontinue or significantly reduce an academic unit or program. This decision shall be based upon an evaluation that the long-range mission of the University -- teaching, research, outreach and service -- will be strengthened by the reduction. If such action is deemed necessary, the University shall give notice of termination to academic professional personnel as soon as possible and shall make reasonable effort to notify persons twelve (12) months prior to the effective date of termination.

In the event the University of Wyoming is confronted by a deficiency in financial resources which is so serious as to justify the reduction or elimination of programs or services and the discharge of University personnel including academic professionals, the University shall respond fairly and rationally, and in a manner consistent with the continued attainment of the mission of the University. The regulations specifying dismissal under such conditions are incorporated in University Regulation 41.

G. VACATION AND LEAVE FOR FACULTY, ACADEMIC PROFESSIONALS, AND UNIVERSITY OFFICERS

1. VACATION LEAVE

Full-time faculty, academic professionals (excluding post-doctoral personnel) and University officers on a fiscal year contract are entitled to twenty-two (22) working days of Vacation Leave annually accrued at the rate of 1.834 working days per month. Vacation Leave credits may not accrue beyond the maximum amount which may be earned over two (2) years.

Part-time faculty, academic professionals and University officers on a fiscal year contract shall accrue Vacation Leave based upon a pro rata basis in accordance with the percentage of appointment up to a maximum of 100 percent. Thus, for example, one working three-fourths time earns Leave at 75 percent of the rate of full-time personnel.

Faculty, academic professionals and University officers whose working term is less than twelve (12) months, regardless of the fact that their salaries may be paid in twelve (12) monthly installments, are not entitled to Vacation Leave with pay.

Academic personnel converting from fiscal to academic year appointments will utilize their Vacation Leave prior to assuming their academic year appointments in lieu of a lump-sum payment.

Employees terminating for all reasons other than disciplinary, may elect a lump sum payment and/or Terminal Vacation Leave; an employee released for disciplinary reasons must take the accrued Vacation Leave in a lump sum payment. No other type of Leave may be used during Terminal Vacation Leave except Holiday Leave. Dates for Vacation Leave shall be approved by the appropriate administrative supervisor.

2. LEAVES OF ABSENCE

- a. Emergency or Short-term Leave With Pay. When one finds it necessary to be absent from regular duties at the University for a period not exceeding two (2) weeks, she/he shall secure approval from the immediate supervisor for the absence. A

temporary Leave for more than two (2) weeks, but not to exceed four (4) weeks, may be granted for good cause upon written recommendation of the appropriate administrative superior and with the approval of the President.

An individual making application for such Leave should submit a statement suggesting a plan for carrying on his/her work during the absence. Any Leave in excess of four (4) weeks, except for illness, shall require approval by the Trustees.

b. Leave Without Pay.

Upon recommendation of the appropriate administrative and/or academic officers and with the approval of the President of the University, Leaves of Absence Without Pay may be granted to academic personnel by the Trustees for a period normally not in excess of one (1) contract year. Arrangements for continuance of insurance coverage should be made with the Office of Human Resources.

c. Faculty Sabbatical Leave.

Sabbatical Leave may be granted to any tenured member of the University faculty for the purpose of increasing the recipient's professional competence and usefulness to the University. Sabbatical Leave time may be used for enhancement of teaching, research, writing, and/or study at a place of the recipient's choosing. University personnel holding faculty rank whose duties are primarily administrative in nature shall also be eligible for Sabbatical Leave.

A minimum of six (6) years of academic service at the University must precede each period of Sabbatical Leave although no right accrues automatically through lapse of time. The granting of such Leave is, in each case, within the discretion of the Trustees upon the recommendation of the President. Sabbatical Leaves shall ordinarily not be available for the purpose of seeking an advanced degree. Individuals initiate their request for Sabbatical Leave during the Fall semester preceding the academic year for which the Leave is requested. The request, which shall contain a statement concerning the purpose for which the Leave is requested, shall be forwarded to the President of the University through the appropriate administrative and/or academic officers, with a recommendation from each attached.

Sabbatical Leaves will normally be granted for either a full or half contract year. Leave for a full contract year shall be compensated at a rate equal to sixty (60) per cent of the faculty member's annual salary; Leave for a half contract year shall be compensated at the annual rate for the limited period. No faculty member shall receive supplemental salary from the University during the sabbatical period.

While on a full contract year Sabbatical Leave -- whether an academic or fiscal year -- outside compensation in the form of grants, contracts and other forms of funding may be accepted. However, in the event that a faculty member receives more than 40 percent of his/her salary from outside sources, the University will reduce its compensation so that salary monies received from University and external sources will total no more than 100 percent of base salary during the period of Leave.

If allowances for travel and other expenses directly related to the Leave are included in the outside grant or contract, the amount of these allowances may be disregarded in computing the contribution to be made by the University.

A faculty member who fails to return to the University for at least one academic year immediately following Sabbatical Leave shall be obligated to repay the amount of compensation received from the University during the period of his/her Leave.

d. Academic Professional Development Leave.

Academic professionals on extended-term appointments who have completed a minimum of six (6) years of academic service at the University shall be eligible for Professional Development Leave. The purpose of Professional Development Leave will be to enhance performance, to conduct special studies, or in some other way to undertake planned activities related in a substantial manner to the individual's role at the University. Procedures for applying for such Leave, funding requirements and approval processes are outlined in University Regulation 408.

3. SICK LEAVE

Full-time academic personnel, appointed either on a continuing or temporary basis, are eligible to accrue Sick Leave at a rate of eight (8) hours per paid month of service. Paid Sick Leave may be used for absences from duties due to illness, injury, pregnancy and/or childbirth, death in family or medical care of family.

Part-time academic personnel appointed either to a continuing or temporary position shall accrue Sick Leave based upon a pro rata basis in accordance with the percentage of appointment up to a maximum of 100 percent. Thus, for example, one working half-time earns Leave at 50 percent of the rate of full-time employees.

An employee may also use up to six weeks of accrued or donated Sick Leave for the birth of a child and first year care of a child as well as for an adopted or state-placed foster child's care within the first year of placement.

Faculty, academic professionals or University officers are not eligible for Sick Leave until s/he has been in the employ of the University for one (1) month. Faculty, academic professionals and University officers are entitled to accrue an unlimited amount of Sick Leave.

University policy permits benefited employees to donate Sick Leave to assist another experiencing a long-term illness. If one is in an active pay status, and has accrued a minimum of eighty (80) hours of Sick Leave, he or she may donate up to sixteen (16) hours of Sick Leave per calendar year to any benefited University employee; the recipient must have an immediate and reasonable need for such assistance, have exhausted his/her available Sick and Vacation Leave and, finally, have a minimum of six (6) months of current continuous benefited service to the University. The Office of Human Resources will provide information on procedures for donating Sick Leave.

4. FAMILY AND MEDICAL LEAVE

After twelve (12) months of service, benefited employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any twelve (12) month period of service. All other non-benefited employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any twelve (12) month period if the employee has worked at least a total of twelve (12) months for at least 1,250 hours during that time before the Leave request.

Family Leave may be taken because of the birth or placement of a child with the employee. Medical Leave may be taken to care for a spouse, child, or parent if they have a serious health condition or because of a serious health condition that makes the employee unable to perform his/her job functions.

Any questions concerning what is considered a serious health condition should be directed to the Office of Human Resources.

Employees accruing University Vacation and Sick Leave may elect to substitute any part of their accrued Vacation Leave for any part of their twelve (12) weeks of unpaid Family or Medical Leave. However, they will be required to use their Sick Leave, and any donated Sick Leave, when the Leave is for a serious health condition or to care for a sick family member; any remaining portion of the twelve (12) weeks taken as Leave Without Pay.

Leave Without Pay taken under unpaid Family or Medical Leave does not require an employee to utilize Vacation Leave prior to Leave Without Pay. When Family Leave is taken, employees may not substitute paid Sick Leave for unpaid Family Leave.

The right to Family Leave usually expires twelve (12) months after the birth or placement of a child with the employee. Family Leave should be taken consecutively unless other arrangements are approved by the employee's appointing authority.

The Human Resources Director, or the employee's appointing authority, shall require certification issued by a health care provider to support an employee's request for Medical Leave. Certification shall include a statement of:

- a. The date the condition began;
- b. Expected date when medical treatment will begin;
- c. Probable duration of the condition;
- d. Appropriate medical facts;
- e. An assertion that the employee is needed to care for a sick family member for a specified time; and
- f. A schedule of the Medical Leave to be taken.

Employees are expected to give their immediate supervisor at least thirty (30) days advance notice of the intent to take Family or Medical Leave, unless such notice is not practical. Employees should try to schedule planned medical treatment so as to create a minimum disruption for their unit or department. They are also encouraged to report to their supervisor on a monthly basis their progress and intent to return to work at the end of the Leave.

Employees returning from unpaid Family and Medical Leave, in accordance with the federal act, have the right to be returned to their former job position or they may be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

State health insurance contributions will be made for all eligible employees who have elected coverage. Employees retain all accrued benefits while on Leave. Employees should direct benefit questions to the Human Resources Department.

Employees who do not return to work after their unpaid Family or Medical Leave entitlement has expired will be required to reimburse the University for any health insurance premium paid by the University during the period that the employee was on Family or Medical Leave if the failure to return to work is not due to the continuation, recurrence, or onset of a serious health condition entitling the employee to Leave or other circumstances beyond the employee's control. In the event that an employee is unable to return to work for health care reasons, s/he will provide the Human Resources Director with certification from the appropriate health care provider.

5. BEREAVEMENT LEAVE

Employees shall be granted up to three (3) days of Bereavement Leave upon the death of a family member or spouse's family member. (This includes and is limited to parent, spouse, child, sibling, grandparent, grandchild, son-in-law, daughter-in-law, or another member of your 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.