

AUBURN UNIVERSITY AT MONTGOMERY



Personnel Policies and Procedures Manual

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Approved by
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1.0 Introduction

1.1 General - Auburn University at Montgomery recognizes its legal and moral obligation to provide an environment in which an opportunity for employment is available to all qualified individuals without discrimination on the basis of race, color, sex, age, religion, national origin, disability, and Vietnam era veteran status. The University affirms its commitment to this principle and to an affirmative action program which not only will establish and sustain the criteria of equal opportunity for employment, but which will also detect and eliminate any elements of discrimination in employment which may be found to exist within the institution. The University also commits itself to maintaining on a nondiscriminatory basis the conditions for continuing employment and for individual advancement within the job structure of the University.

1.1.1 By performing his or her assigned duties, each employee of Auburn University at Montgomery contributes to the instructional, research, and outreach/extension activities of the University. The University desires to have in its employ reasonably content, industrious people who will serve courteously and efficiently. In return, the University endeavors to provide working conditions based upon fair and equitable standards.

1.1.2 Any employee or group of employees has the right, without discrimination or retaliation, to discuss with their supervisor(s) and/or the Senior Director of Human Resources/Affirmative Action the terms of their employment or working conditions.

1.1.3 Occasionally, the University, just as any other large organization, has to make decisions without prior consultation with its employees. The University must, therefore, maintain exclusive discretion to exercise the customary functions of management including, but not limited to, the discretion to select, hire, promote, transfer, demote, suspend, dismiss, assign, supervise, and discipline employees; to determine the work schedule; to determine the sizes of and composition of the work force; to establish, change, and abolish policies, procedures, rules and regulations; to determine and modify job descriptions and job classifications; to assign responsibilities to employees; and to establish and change salary and wage rates in accordance with needs and requirements determined by the University. This manual is not an employee contract, but rather a collection of university policies and information that will be of practical use to employees.

1.1.4 Responsibility for administration of the policies and rules in this manual is delegated by the Chief Operating Officer.

- 1) The Senior Director of the Office of Human Resources is responsible for the application, conformity, and coordination of the policies and procedures and the recommendation of changes when necessary.
- 2) The Senior Director of the Office of Human Resources is responsible for matters relating to implementation of the University's Affirmative Action Program and equal opportunity policies.

2.0 Employment Policies

2.1 Employees

2.1.1 **Coverage** - Employees covered by this manual include exempt Administrative/Professionals, nonexempt University staff, and adjuncts (staff) as long as they are not covered by the Auburn University at Montgomery Faculty Handbook at the Montgomery, Alabama, campus. Jobs designated as exempt under the provisions of the Fair Labor Standards Act (FLSA) are Administrative/Professional. Jobs designated as nonexempt are University staff, and these positions are subject to the overtime pay provisions of the FLSA. Covered employees are hereinafter referred to collectively as staff.

2.1.2 **Terms and Conditions** - Employment is subject to a variety of terms and conditions as identified by University needs and generally accepted personnel management practices. Employees will be designated either regular or temporary, full-time or part-time, limited term or continuing term, and bi-weekly, nine months or 12 months. Additionally, they will be assigned positions designated as exempt or nonexempt under the FLSA, and paid monthly, semi-monthly or biweekly. These terms are described below, and additional policies and procedures concerning the application of these terms are provided throughout this manual.

2.2 Definition of Terms

2.2.1 Status

- 1) **Regular** - One who has successfully completed an initial probationary period. Regular employees are subject to limited term or continuing appointments and are paid either biweekly or monthly, and are eligible for the employee benefit package.
- 2) **Temporary** - One who is scheduled to work less than 20 hours per week on a continuing basis or who is scheduled to work 20 hours per week or more but for a period of less than 11 months. Temporary employees are employed on a day-to-day basis, paid biweekly, and are not eligible for the employee benefit package accorded regular employees.

2.2.2 Work Schedule

- 1) **Part-time** - One whose normally scheduled work week is for an average of less than 40 hours.
- 2) **Full-time** - One whose normally scheduled work week is 40 hours or more.

2.2.3 Duration

- 1) **Limited Term** - One whose appointment is for a specific period of time, generally governed by the duration of a project, contract, or grant. Duration will be specified at the time of employment.
- 2) **Continuing Term** - One whose appointment is for an unspecified time but still subject to the availability of funds, rules of performance, and the business needs of the University.

2.2.4 Annual Schedule

- 1) **Nine Month** - One who is appointed to a regular schedule for a specific calendar period of nine months under the University's nine-month program for pay and benefits.
- 2) **Twelve Month** - One who is appointed to a regular schedule for twelve months.

2.2.5 Pay Method

- 1) **Monthly** - One who is paid once each calendar month.
- 2) **Semi-Monthly** - One who is paid twice each month.
- 3) **Biweekly** - One who is paid every two calendar weeks.

2.2.6 FLSA Designation

- 1) **Nonexempt** - One whose duties and responsibilities, and salary level does not meet the criteria for exemption under the FLSA and is not agriculture exempt. Employees in this category are subject to working time records and overtime payments (either cash or compensatory time off) at premium rates (one and one-half time).
- 2) **Exempt** - Typically refers to one who serves in a position having duties, responsibilities and a salary level which meet the FLSA criteria for exemption either as an executive, professional, or an administrative employee. Such employees are not subject to working time reports or overtime pay.

2.2.7 Hours of Work

- 1) The established regular hours of work comprising full-time employment for a nonexempt employee of the University is 40 hours per week.
- 2) The established university-wide standard work week begins at 12:01 a.m. Sunday and ends at 12:00 midnight the following Saturday.
- 3) All offices shall be open during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except on official University holidays. Changes in this schedule must have prior approval of the respective Dean, Director and appropriate Vice Chancellor and the Senior Director of Human Resources.
- 4) Time sheets must be posted daily by every nonexempt employee.

2.2.8 **Work Breaks** - Supervisors may authorize two 15-minute breaks, one midmorning and one mid-afternoon for nonexempt employees. Employees may leave their work area during their break unless notified otherwise by their supervisor. Where it is necessary to have someone on duty at all times, care should be taken to make sure the work assignment is covered. Breaks are not accumulative, and employees cannot forego a break time to use later.

2.3 Exceptions and Special Cases

2.3.1 **Volunteers** - Occasionally people may serve the University as volunteers. The University, as a public institution, may accept the services of volunteers as long as the individual receives no salary or wages and the services are not the same type of service the individual normally performs for the University as a University employee. A volunteer may

be paid expenses and nominal fees without establishing an employee-employer relationship. Volunteer work by nonexempt employees will be closely monitored by the home department to ensure compliance with the Fair Labor Standards Act.

2.3.2 Multiple Positions - University non-faculty employees, upon appropriate approvals, may engage in University activities for extra compensation. Such activity must constitute an employer/employee relationship, and will be titled as a multiple job. Multiple jobs shall not be considered as consulting, but rather a bonafide employment opportunity within Auburn University at Montgomery which is eligible for compensation. The primary department will be responsible for all payroll processing. Form HR-12 must be processed for approval prior to the beginning of the assignment. A sample form may be found at www.aum.edu/Administration/Human_Resources/index.aspx?id=2932

2.3.3 Independent Contractors - The University may engage independent contractors to perform professional type services for a fee. These contracts are subject to strict federal regulations and guidelines regarding employee-employer relationships. Department Heads are responsible for ensuring that an employee-employer relationship does not exist and the contract is executed in accordance with federal guidelines, policies, and procedures. For further information, please refer to the Auburn University Spending Policies and Procedures in the Auburn University Financial Policies and Procedures Manual.

2.3.4 Job Titles and Pay Grades - University Staff employees will be assigned a classification title, working description and salary band. A listing of classification titles and applicable pay salary bands maybe found at www.aum.edu/Administration/Human_Resources/Compensation/index.aspx?id=1281

2.4 Recruitment and Selection

2.4.1 Background - The recruitment and selection of new hire and promotions of current employees are subject to a number of public laws, agency guidelines, and executive orders applicable to employers in general. The University is subject to additional directives applicable to organizations doing business with a Federal agency as a contractor or grant recipient. The University is committed to developing, maintaining, and following action-oriented programs designed to provide equal opportunity for employment and promotion throughout our University system. University policies and procedures are established to comply with Federal and State laws, guidelines, and directives regarding employment.

2.4.2 Coverage - Recruitment and selection of employees for all regular appointments are covered in this section.

2.4.3 Responsibilities for Compliance - The Senior Director of Human Resources will be responsible for developing policies and procedures designed to comply with applicable law. Hiring supervisors are responsible for conducting their recruitment and selection activities consistently with the policies and procedures.

2.4.4 Selection Responsibilities - Selection will be initiated by the respective hiring supervisor. Selection recommendations will be reviewed at a next higher level in the organization. Positions which are funded by contracts and grants require approval by the Controller. The Senior Director or Associate Director of Human Resources will provide, counsel, advice and guidance to search committees prior to beginning each selection process.

2.4.4.1 A major focus of Auburn University at Montgomery's affirmative action program is the recruitment of qualified minorities and women to all job groups for which there is underutilization based on availability within the relevant labor pool. If utilization within specified job groups falls short of availability, affirmative action goals will be established to specifically address those cases. If an affirmative action goal exists for a vacant position, the Office of Human Resources will notify the hiring department. Every effort will be made to work with the department to identify qualified minorities and/or women applicants for such positions depending on the specific goal.

2.4.4.2 The hiring department will have the option of restricting the search to internal (on campus) applicants or conducting an internal and external search concurrently, unless an affirmative action goal has been established for the vacant position. Then, the recruitment area will be subject to approval by the Office of Human Resources.

2.4.5 Recruitment Area - Recruitment area decisions will be coordinated by the Office of Human Resources and the hiring supervisor. The recruiting area will include all department's University wide. External geographical areas and sources will be decided on a case-by-case basis and approval given to the smallest recruitment area necessary to ensure that a sufficient number of highly qualified candidates apply and that appropriate internal and/or external recruitment areas are considered whenever there is a vacancy in an underutilized category.

2.4.6 Advertising Media and Methods - Methods and media for advertising will be appropriately directed to internal and/or external recruitment areas in accordance with the University's approved Affirmative Action Plan. These will include one or more of the following: local, regional and/or national newspapers; trade/professional journals; electronic bulletin boards/announcements; listings forwarded to prospective source organizations; and local bulletin board postings. Additionally, vacancies will be registered with the local State Employment Office and at www.jobs.aum.edu. Advertising strategies will be coordinated by the Affirmative Action/Equal Employment Opportunity Office and the Office of Human Resources. All advertisements require approval from the Office of Human Resources. A purchase requisition must be approved by the Office of Human Resources for all vacant positions before an advertisement is placed.

2.4.7 Advertising Content - Position advertisements will include a brief description of the duties and responsibilities; minimum education, and experience levels required for consideration; specific knowledge, skills and abilities; special licenses; an organizational unit; salary range (optional); application review date; and instructions for applying.

Selected positions which are identified for continuous postings may be advertised to create an applicant pool with applications remaining active for a six-month period.

2.4.8 Application Forms - Interested persons can visit www.jobs.aum.edu to complete an application. Completed application forms are required for all staff positions so that the hiring supervisor can fully and totally evaluate applicants' qualifications. Failure to properly complete the application form shall result in the candidate being rejected from further consideration. Once the application pool has been reduced to a manageable number of candidates, the hiring department is encouraged to request the names of professional references or reference letters. The hiring department or search committee should obtain permission from the candidate to make contact with the references provided or other officials having job-related information.

2.4.9 Working Description - Since proper selection is dependent upon accurate statements of the qualifications, nature of the job, and selection criteria, supervisors will review the working description and minimum qualifications prior to initiating recruitment. Any concerns with the appropriateness of the documented job content or minimum qualifications should be brought to the attention of the Office of Human Resources for review and resolution.

2.4.10 Reference and Background Checks - To minimize the probability of hiring unsuitable candidates for employment, background checks will be conducted on all external candidates for employment. Excluded from the provisions of this policy would be those employees promoted through position reclassification and employees competing for other internal positions on campus. Background checks will include but may not be limited to criminal history including conviction and driving records, verification of education, and verification of occupational and professional licenses. Driver's licenses will be checked/validated whenever such action is job related. In all cases, reference and prior employment information shall be obtained by the hiring department. Consideration for employment will be contingent upon meeting all hiring criteria including eligibility to be bonded as defined by Auburn University's bonding company.

2.4.11 Status of Temporary Employees - Temporary employees are employed on a day-to-day basis and they will be treated as external applicants and considered for selection for regular employment only if the recruitment area is external to the University.

2.4.12 Clearance for Aliens - To comply with public law and the Department of Homeland Security regulations, applicants will be required to provide proof of eligibility for employment at the time an offer of employment is extended. All new employees will be required to complete a Form-I9 attesting to citizenship/alien status. The Office of Human Resources will have responsibility for working with new hires to complete the Form-I9.

2.4.13 Child Labor Provision - Employment of persons under 18 years of age is subject to the limitations contained in the FLSA as well as appropriate state law. Only persons age 18 years or older will be considered for regular employment. Persons 17 years old and younger may be considered for temporary employment.

2.4.14 Tests, Skills Assessments, Physical Examinations - Certain occupations, licensure, and identified jobs may require job-related tests, skills assessments, and post-offer physical examinations. Jobs subject to these requirements will be identified in Auburn University at Montgomery's Employment Opportunities.

2.4.15 State Law Concerning the Selective Service Act - As provided by state law, applicants for employment must certify compliance with the Selective Service Act requiring certain individuals to register for the draft.

2.4.16 Employees Returning from Military Leave - Employees completing an approved military leave (excluding weekend and two-week training obligations) will return to his or her regular University position or job of a comparable status (same grade; same professional, technical, or administrative status; and same compensation level). Procedures are stated in **Section 2.16**.

2.4.17 Continuous or Intermittent Job Postings - To facilitate recruitment and selection, continuous or intermittent job postings may be used whenever practical. The Office of Human Resources will identify those jobs with relative high vacancy rates for such action.

2.4.18 Procedures - Procedures for the recruitment and selection of new employees, processing employment forms, and submitting new employees into the payroll system are included in **Section 2.18** through **Section 2.23**.

2.4.19 Underutilized Jobs/Classifications - Job categories subject to numerical goals under the Affirmative Action Program in accordance with the Affirmative Action Plan will be identified on an annual basis.

2.4.20 Nepotism - No person will be hired, either as a regular or temporary employee, for a position over which a member of the employee's immediate family exercises supervisory or managerial authority. Immediate family includes (as in **Section 4.1.2**): spouse, son, daughter, parents, stepchild, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandchild, grandparent, and grandparent-in-law.

2.5 Promotion

2.5.1 Definition - A promotion is any personnel action resulting in the movement of an employee to a position (or job) affording higher pay and grade and requiring greater skills and responsibilities.

2.5.2 Methods of Promotion - A regular employee may be promoted through competitive recruitment and selection to a higher position (or job); through a noncompetitive promotion due to a reclassification of his or her position due to the accrual or assignment of similar, higher level duties and responsibilities over time or through an administrative reevaluation of his or her position (or job) to a higher salary band.

2.5.2.1 Promotion through Competitive Recruitment and Selection - Competitive recruitment and selection will be made in accordance with the policies and procedures described in section 2.4. To be considered a candidate for promotion an employee will:

1) Have completed a period of one year in his or her current position;

or

2) Be a candidate for a promotion for a position vacancy within the same University department;

or

3) Have the approval of both the current and hiring supervisor to transfer before the end of the one year period. The respective vice chancellor(s) must also approve the transfer.

2.5.2.2 Promotion through Position Reclassification - This is a noncompetitive promotion through reclassification of the position to another job due to the accrual or assignment of similar, higher level duties. Reclassification actions generally occur as the result of a twenty-five (25) percent change in technology, methods, organization, and/or systems and are subject to the following conditions:

1) The employee must meet the minimum qualification requirements for the higher level job, and past performance must indicate an ability to perform the new responsibilities in a satisfactory manner.

2) The promotion is approved by the respective supervisor(s).

3) The promotion is approved by the respective Vice Chancellor/Chancellor in accordance with the policies and procedures for position reclassification, **Section 2.5.2.2.**

Requests for reclassifications as a result of changes in job content are to be submitted in conjunction with the annual budget process.

Requests for reclassifications as a result of organizational changes or restructuring may be submitted at any time during the year.

2.5.3 Job Reevaluation - In some cases to recruit and retain employees with required jobs skills, the salary band for specific jobs may need to be changed to maintain market competitive pay ranges.

2.5.4 Salary Administration - A sound classification and compensation plan is an integral part of progressive human resources management practices. Any good classification and compensation plan should be formed with consideration of both *external competitiveness* and *internal equity*. External competitiveness is the cornerstone of any classification and compensation plan, and refers to the idea that the organization must compete for employees within a market of many employers. Internal equity refers to the fairness of the plan across the organization, and implies that 1) classifications in the same salary band are considered to be of equal value to the organization, and 2) the ranking of salary bands reflects the relative values of the classifications in those grades to the organization. The

implementation of a sound classification system assumes that classifications are meaningful and are established for a specific reason. Each classification and the distinctions among classifications serve a purpose.

2.6 Compensation Philosophy - Auburn University at Montgomery seeks to attract, retain, and motivate well-qualified employees through the University's salary compensation plan. Within its fiscal resources and contingent on all applicable rules and laws, the goal of the University's salary administration plan is to pay faculty, administrative, and staff employees a salary that is:

- 1) competitive with like positions offered by other employers in appropriate geographic areas and by peer institutions; and
- 2) equitable among all employees with regard to position responsibilities and different performance levels recognized among individual employees.

2.7 Scope - The University is committed to quality and fairness in the process of hiring new employees. Moreover, the Staff Classification and compensation plan represents the University's concern for internal equity in establishing staff hourly wages and annual salaries as well as its commitment to provide a clear and consistent means for advancement in employment status. Thus, the University developed the Staff Classification and Compensation Plan as one means to ensure:

- 1) that AUM staff salaries compete with those offered in the external job market, as well as those offered at peer institutions of higher education; and
- 2) that hourly wages and annual salaries are equitable among all AUM employees with regard to qualification, job responsibilities, and level of performance.

2.8 Human Resources (HR) - The Senior Director of HR, Associate Director, and the HR Generalist in the Office of Human Resources are available to discuss classification and compensation issues and concerns. These individuals will make themselves available to all affected groups to discuss classification and compensation issues and concerns. The Office of Human Resources wants to ensure that all staff employees have a familiarity with and clear understanding of the Plan. For further information, contact the Senior Director of HR or the HR Generalist.

2.9 Pay for Employees

2.9.1 New Hire - The Senior Director of HR will approve all starting pay rates established through discussions with the supervisor and/or department/unit head. As a general rule, starting pay rates/salaries will be set at the minimum of the assigned salary band. There are two exceptions to this general rule. First, applicants who have qualifications that clearly exceed the minimum entry qualifications of the assigned job classification may be paid a starting salary above the minimum of the assigned salary band. This decision must be made by the Senior Director of HR after discussion with the supervisor and/or department/unit head to identify:

- 1) Whether the qualifications clearly exceed the minimum, and, if so, to what extent;

- 2) How the salary will impact internal equity of other employees; and
- 3) What the salary should be.

2.9.1.1 An additional exception, justifying a starting salary above the minimum may be made for applicants of a classification “impacted” by market conditions. Market impact and/or a special salary range assignment may justify a higher starting salary. This exception should be rare and should be presented only after discussions with the Senior Director of HR and the supervisor and/or department/unit head. Often directed recruitment efforts may preclude the need to make an exception for market impact. HR representatives should work with the supervisor and/or department/unit head to implement recruitment strategies to attract the best candidates.

2.9.1.2 The Senior Director of HR will work with the supervisor and/or department/unit head to establish the starting pay rates for employees. In determining the starting pay rate, these individuals will consider

- 1) the employee’s relevant training and level of experience as they relate to the minimum qualifications of the position for which he/she is hired,
- 2) internal equity issues,
- 3) special exceptions (noted above, if such exceptions exist), and
- 4) the number of dollars currently budgeted for the vacant position. As a general rule, employees meeting the minimum qualifications will start at or near the minimum of the assigned classification’s salary band range. Those employees exceeding minimum qualifications are placed appropriately in the salary band range, after approval by the Senior Director of HR.

2.9.1.3 The delegated administrative authority for setting starting salaries for employees:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Minimum to 1st Quartile • Above 1st Quartile to Midpoint • Above Midpoint | <p>Hiring Supervisor or Dept/Unit Head and Senior Director of HR</p> <p>Appropriate Vice Chancellor/Senior Director of HR</p> <p>Chancellor/Chief Operating Officer, in consultation with Senior Director of HR</p> |
|---|---|

Exceptions to these stated authorities require the approval of the Chancellor/Chief Operating Officer, and must be submitted in writing through the Senior Director of HR.

2.9.2 Individual Changes in Hourly Rate or Annualized Salary

2.9.2.1 **Temporary Assignments** - An administrator may, upon written approval from the Senior Director of HR, temporarily (1) assign an employee to a different position, or (2) assign responsibility for the work of a position vacated by reason of an incumbent’s extended leave. Such assignments may be made for a period not to exceed one year. An employee temporarily assigned for a time period of less than 30 days shall receive no

change in pay. If the temporary assignment exceeds thirty 30 days and involves a classification in a salary band higher than the grade of the employee's regular position, the employee's hourly rate or annualized salary may be increased *temporarily*. The temporary increase may be approved for the duration of the assignment. The temporary adjusted salary will equal the employee's current salary plus 10 percent of that salary or the minimum of the salary range of the temporary assignment, whichever is greater. If the salary band for the classification of the temporary assignment is the same as, or lower than, the salary band of the employee's regular position, the employee's hourly rate shall remain unchanged. Only the hourly rate shall be changed for temporary assignments. The title will not change.

2.9.2.2 Promotion - When an employee is promoted to a position classified in a higher salary band than the one he or she currently holds, the employee's hourly rate or annualized salary will be increased equal to an amount not to exceed 5 percent of the employee's current pay rate for each salary band increase or to the minimum of the new salary band, whichever is greater.

2.9.2.3 Voluntary Reassignment - When an employee requests, and is approved by the department/unit head, to be reassigned to a different classification in a lower salary band, the employee's hourly rate or annualized salary will be decreased to an amount appropriate to the lower band. The Senior Director of HR, in consultation with the supervisor and/or department/unit head, will determine the amount of the decrease.

2.9.2.4 Lateral Transfer - Lateral transfer to the same classification or to a classification in the same salary band will not result in an hourly rate or annualized salary change (increase or decrease). Regardless, the classification title may change.

2.10 Overtime Compensation - Pursuant to FLSA guidelines, all **non-exempt** employees are eligible for overtime compensation when required to work in excess of 40 hours per standard workweek. Overtime work should be approved prior to the employee's working the overtime hours. When possible, the employee who works overtime hours should receive compensatory time off instead of extra pay. The supervisor must approve payment for approved overtime service.

2.10.1 Nonexempt employees who are called back to work outside their regular schedule are guaranteed at least four hours of paid time. This policy does not apply when an employee still at work is asked to continue working past the normal quitting time or when an employee is called to start the work shift early.

2.11 Transfer

2.11.1 Definition - A transfer is the movement of an employee from one position to another position without change in salary band; a transfer may involve a change in classification description or working titles. Excluded are those actions which meet the definition of either a promotion or demotion as described in **Section 2.5** or **Section 2.12**.

2.11.2 Circumstances Leading to Employee Transfers - A transfer may be initiated by either the organizational unit or the employee, and may be facilitated by the Office of Human Resources.

2.11.2.1 Transfers Initiated by the Organizational Unit - A transfer within an organizational unit may be initiated and approved by the unit head at the convenience of the unit, generally to satisfy the needs of the unit or to serve the best interests/wishes of the employee. Transfer between two organizational units may be made by mutual consent of the heads of both units for the same reasons. Generally, the wishes of an employee will be considered prior to a supervisor initiated transfer; however, the unit head reserves the right to make transfers to meet the business needs of the unit even when the employee may not favor the change.

2.11.2.2 Transfers Initiated by an Employee - A transfer may result from the application and selection process for open, announced vacancies. Employees must meet the same eligibility requirements as outlined in **Section 2.5.2.1** Hiring decisions will be made by the selecting supervisor in accordance with policies and procedures. Employees wishing to transfer but not through application of open, announced vacancies may make their wishes known to the supervisor. The supervisor may initiate a transfer as described in **Paragraph 2.11.2.1** above.

2.11.2.3 Transfers Facilitated by the Office of Human Resources - Whenever it appears that the mutual interest of the University and the employee will be best served, the Office of Human Resources may facilitate and coordinate transfers following generally accepted principles and procedures for effective personnel management.

2.11.3 Special Consideration - Prior to initiating a transfer, supervisors will request assistance and guidance from the Office of Human Resources to ensure that such actions are according to current policies and generally accepted human resource management principles and will not result in a promotion as described in **Section 2.5**. or demotion as described in **Section 2.12**.

2.11.4 Timing - Effective dates of transfers will be subject to mutual agreement by the respective supervisors. Special, or extraordinary cases not resolved at lower levels will be referred to the respective Vice Chancellor/Chief Operating Officer/Chancellor for resolution.

2.11.5 Salary Adjustment - Salaries will not be adjusted for a transfer, unless otherwise approved by the Chancellor or his/her designee.

2.11.6 Forms and Reports - The Office of Human Resources will assist supervisors by providing appropriate information and guidance for completing transfers.

2.12 Demotion

2.12.1 **Definition** - A demotion is the movement of an employee to a position in a lower pay grade or lower rank.

2.12.2 **Circumstances Leading to an Employee Demotion** - An employee may be demoted when the employee's position is reclassified to a lower classification or the employee is reassigned to a lower classification. Demotion may be initiated by the supervisor to meet the operational needs of the unit; at the request of the employee; or made as a result of application by the employee for consideration of an open vacancy. For demotions initiated for operational reasons, the University will attempt to find reasonable alternatives for the employee's consideration.

2.12.2.1 **Demotion Due to Position Reclassification** - A position may be reclassified when lower level duties and responsibilities are assigned due to reassignment of an employee or elimination of work to accommodate restructuring; changes in technology or methods; inability of the employee to perform the higher level work; or upon request by the employee. Additionally, a position may be reclassified to a lower grade as a result of reevaluation of the assigned job responsibilities.

2.12.2.2 **Demotion Due to Reassignment to a Lower Level Position** - An employee may be reassigned to another position as a result of the elimination of the currently assigned position, the inability of the employee to perform in the current position, or upon the request of the employee.

2.12.3 **Demotion at the Request of the Employee** - An employee may request a demotion through an administrative reassignment to another lower level position; through a change in currently assigned duties and responsibilities; through the application selection process for filling vacancies; or through a request for an accommodation.

2.12.4 **Limitations** - Demotions initiated by a supervisor and not related to employee performance will be made only when business needs, available work, and available funding dictate and alternatives are not available. Demotion due to employee performance will be made in accordance with disciplinary action policies and procedures. Prior to initiating demotions, supervisors will request assistance and guidance from the Office of Human Resources to ensure that such actions will not be in violation of rules and procedures related to demotion and promotion and are according to generally accepted human resource management principles.

2.13 Probationary Period

2.13.1 **General** - All employees hired for regular employment will complete an initial probationary period. Continued employment is conditional and subject to satisfactory performance during this probationary period. Hiring supervisors will continually review the performance and suitability of the new employee and, prior to expiration of the

probationary period, decide to conclude the probationary period or terminate the employee. The employee may be terminated at any time following the initial date of employment. Employees terminated during the probationary period will not have access to the employee's grievance procedure; however, they may challenge their termination under our Equal Employment Opportunity Policy. After satisfactory completion of the probationary period, continued employment is conditional, consistent with other University regulations and rules. Performance standards continue after successful completion of the probationary period.

2.13.2 Probationary Period - Except for special cases, the probationary period is 90 calendar days commencing with the initial date of employment. This may be extended for an additional period of up to 90 calendar days for a total of no more than 180 calendar days. The probationary period for law enforcement officers is 180 calendar days and this period will not be extended.

2.13.3 Responsibilities - Hiring supervisors will provide leadership and training to support employees through the probationary period. Whenever the new employee fails to show satisfactory progress and to demonstrate work habits and an aptitude necessary for success in the job during the probationary period, the hiring supervisor may initiate action to terminate the employee. However, when the new employee's progress and work habits indicate a potential for success, the hiring supervisor may, at his or her option, extend the 90-day period for up to an additional 90 days. Supervisors will keep employees informed of their progress, either good or poor, during the probationary period. The supervisor is encouraged to seek the assistance and guidance from the Office of Human Resources whenever he or she plans to terminate the employee or extend the probationary period.

2.13.4 Office of Human Resources - The Office of Human Resources will provide supervisors with forms and instructions for review of the employee's performance during the probationary period.

2.14 Acting/Interim Administrative Appointments

2.14.1 General - In order to promptly cover vacancies in a unit's senior supervisory positions and pending recruitment and selection efforts, it is occasionally necessary to give subordinate employees "acting" or "interim" appointments. Acting/interim appointments may be for a specific term or on a month-by-month basis. Employees who are given an appointment to a higher classification may receive a temporary increase in compensation for the newly assigned responsibilities. When the acting/interim period is completed, the salary adjustment will be removed. These administrative appointments will be approved by the respective Vice Chancellor or Chancellor. Any salary adjustment greater than 10 percent of current salary for acting/interim appointments will require the approval of the Chancellor, unless more than a 10 percent adjustment is required to take the employee to the minimum at the salary grade.

2.14.2 Special Guidance - If there is more than one subordinate employee qualified for an acting/interim appointment, special care should be taken to ensure compliance with our Affirmation Action Program. Typically, acting/interim appointments will not extend beyond six months.

2.15 Reemployment of Former University Employees - An employee who quits or is discharged by the University is not considered for reemployment earlier than six months after termination. Any extenuating circumstances which might justify an exception to this policy are subject to review by the Office of Human Resources.

A former University employee who is rehired by the University may receive credit for his or her service for the purpose of determination of annual leave accrual rates in accordance with the provisions of **Section 4.6.1**. Former University employees are advised to contact the Office of Human Resources to inquire concerning previous service credit for retirement purposes.

2.16 Procedures for Re-employment after Active Military Service

2.16.1 Employees who leave their jobs to enter military service may be guaranteed reemployment rights and other pay and job protections under federal law. In general, employers are obligated under the Uniformed Services Employment and Reemployment Rights Act (USERRA) to grant leave to workers to serve in the U.S. armed forces, the various reserve units, or the National Guard under federal orders. Upon completion of their military service, employees also are entitled to be restored to their former jobs with full seniority or to a position offering the same pay, rank, and seniority. Along with protecting employees' pre-service rates of pay, federal law mandates that returning service personnel be given any general increases, length-of-service, or cost-of-living pay hikes they would have received had their employment not been interrupted by military duty. USERRA further provided that employees cannot be discharged or denied promotions or any other employment benefits or advantages because of military service.

2.16.2 Application of the Law - The determination of whether an employee is protected by federal law hinges on a number of factors, including;

- 1) prior employment status
- 2) purpose and intent when taking leave
- 3) length of active duty
- 4) quality of military service
- 5) whether the required procedures are adhered to upon application for re-employment.

2.16.3 Prior Employment Status - The employee must have left employment in other than a temporary position for the purpose of military service, training, or medical examination to determine fitness to enter active duty or initial active duty training.

2.16.4 Employee's Purpose and Intent - The employee must have left his or her position for the purpose of performing service in a uniformed service. "Service" includes active duty, active duty for training, inactive duty training, full-time National Guard duty, or an absence to be examined for such service or training. Employees who leave a job for service in the uniformed services are expected to give advance written notice to their immediate supervisor. The notice can be given by the individual employee, an authorized representative, or by the uniformed service to either the employer or a responsible representative of the employer. However, employees are excused from the advance notice requirement if giving notice is "impossible or unreasonable" because of military necessity or for other legitimate reasons. The employee's terminating Change Form should clearly state that the employee is leaving the employment of Auburn University at Montgomery for the express purpose of performing in the uniformed services.

2.16.5 Length of Active Duty - Service limits are set by the law on the amount of time that an employee may spend in active duty and still be eligible for reemployment. In general, an employee may serve a total of five years on active duty with statutory protection. However, there are exceptions for training and involuntary active duty extensions.

2.16.6 Quality of Military Service - To qualify for protection under the reemployment statute, former employees must have performed satisfactory military service. Service leading to a discharge or release from active duty that is "honorable," "general," or "under honorable conditions" is considered satisfactory and meets the statutory standard. However, persons released from active duty with a dishonorable or bad conduct discharge are not entitled to the benefits provided under USERRA.

2.16.7 Application for Re-employment - The returning employee who wishes to be reemployed by Auburn University at Montgomery must contact the Office of Human Resources within the time frame established by USERRA. The time frames established are based on the amount of time the former employee has been away from the workplace and address periods of military leave as well as enlistment in active service:

1) **Service less than 31 days** - Employees must report at the beginning of the first regularly scheduled work day after release from service. Employees must be allowed, however, a "reasonable" time to arrive back at his or her residences, rest, and travel to his or her place of employment.

2) **Service from 31 to 180 days** - The individual must submit an application to the Office of Human Resources no later than 14 days following the completion of military service.

3) **Service over 180 days** - The individual must submit an application no later than 90 days after completion of the service.

2.16.7.1 These time limits may be extended up to two years if an individual is hospitalized or convalescing from an injury caused by active duty.

2.16.8 Documentation Requirements - Returning employees must provide DD Form 214, Certificate of Release or Discharge from Active Duty. Returning employees will also be

referred to the Federal Office of Veterans Employment and Training in Montgomery for assistance and any additional information. Any difficulties the returning employee may encounter in obtaining the required DD Form 214 need to be brought to the attention of the Office of Human Resources and the above referenced federal agency as soon as possible so that a determination can be made as to the proper handling of the employment issue until the documentation can be provided to the University. If documentation is received reflecting a dishonorable discharge after the reemployment has occurred, Auburn University at Montgomery has the right under law to terminate the employee at that time.

2.17 Jobs Included for Continuous or Intermittent Posting - Jobs identified to be filled from a pool of applicants over a period of time will be clearly identified in the position posting. Applications taken for these identified jobs will be active for the standard six-month period. As position vacancies become available, applications of qualified candidates will be forwarded to the hiring department.

2.18 Recruitment/Selection Procedures - These recruitment and selection procedures apply to regular Administrative/Professional and University Staff positions. The procedures are designed to assist departments in obtaining the most qualified and suitable candidates for position vacancies and to ensure all applicants equal opportunity in the employment process. All stages of the recruitment and selection process will be in accordance with applicable laws and regulations governing equal employment opportunity and nondiscrimination in employment. The Office of Human Resources will work on those matters relating to Affirmative Action and Equal Opportunity Employment.

2.18.1 Procedure for Initiating Search to Fill a Position - Please refer to the PeopleAdmin Guide to Manager's for specific information on how to initiate a search at http://www.aum.edu/Administration/Human_Resources/index.aspx?id=1184

2.18.2 Campus Only Recruitment - If recruitment for a position vacancy is limited to eligible Auburn University at Montgomery employees, the vacancy will be posted for a minimum of five working days. The employee must complete and submit an application in PeopleAdmin, (along with a resume, if desired) no later than the close of business as designated on the position vacancy list. Internal applicants must meet the minimum qualifications established for the position in order to be referred to the hiring department.

2.18.3 External Recruitment - If recruitment for a position vacancy is open to external candidates, the applicant must first complete an application on line at www.jobs.aum.edu. For external recruitment, vacancies must be posted for a minimum of ten working days.

2.19 Application Process - Persons interested in applying for non-faculty vacant positions at Auburn University at Montgomery should visit www.jobs.aum.edu to apply.

2.20 Procedures and Forms for Submitting New Employees into Payroll System

2.20.1 Completing and Processing the Hire Form/Change Form - The hire form is the primary personnel form used to record information for an employee. It is used for initial employment and to initial secondary jobs. The change form is used to record name changes, promotions, demotions, transfers, reclassifications, leaves of absence, and separations.

2.21 Underutilized Job Categories by EEOC Code - Each year the Office of Human Resources will identify EEO categories where there is underutilization for minorities and women. Recruitment and selection goals will be established for jobs within these identified categories.

2.22 Employment and Termination Dates

2.22.1 Employment Dates - If the first day worked is the first scheduled working day of the pay period, the employment date is the beginning date of the pay period. Otherwise the employment date for a new employee is the first date on which that employee works. Holidays are not considered to be scheduled working days.

2.22.2 Termination Dates - If the last day worked is the last scheduled working day of the pay period, the termination date is the ending date of the pay period. Otherwise, the termination date for an employee is the last date on which that employee works. Holidays are not considered to be scheduled working days.

The employee shall report to work at his or her assigned location on the last day worked. Annual leave may not be counted as the last day. Accrued and unused annual leave may be paid to the employee as terminal leave as described in **Section 4.6.6**.

2.23 Resignations - If an employee wishes to voluntarily resign from his or her position, an appropriate period of advanced notice should be given to afford the employing department an opportunity to recruit a replacement for the employee. For University Staff employees, a minimum notice of two weeks is expected, while for Administrative-Professional employees the notice should be at least one month.

For information on the Auburn Montgomery Classification and Compensation System Please go to:

http://www.aum.edu/Administration/Human_Resources/Compensation/index.aspx?id=4613

3.0 Performance Management

3.1 Policies for Performance Management

3.1.1 **General** - All regular employees shall receive written notification of the supervisor's expectations for future performance, be given feedback at least semi-annually about the supervisor's assessment of the employee's performance compared to those expectations, and be assisted or guided to improve any deficiencies that are identified. Expectations will be communicated through written standards or statements related to assigned responsibilities, and periodic reviews will assess the achievement of these written standards.

3.1.2 **Forms and Records** - To facilitate the performance planning and review process, supervisors will use Performance Planning Worksheets (PPW) to tailor performance standards to individual employees and to conduct and record the results of periodic reviews.

3.1.3 Responsibilities

- 1) The Office of Human Resources will maintain hard copy files of past performance evaluation records and current performance plans and provide forms and assistance for the planning and evaluation process according to approved schedules.
- 2) Supervisors will prepare and communicate performance plans in consultation with their employees and conduct and record periodic reviews according to schedules and instructions provided.

3.1.4 **Probationary Period Program** - The Probationary Period Program, covered in **Section 2.13**, is a performance evaluation program for new employees in addition to the Performance Development Program.

3.2 Procedures for Conducting and Recording Performance Development Actions

3.2.1 **General** - New or revised performance plans will be developed to cover periods of regular employment commencing with a new hire date or the date of a change in either job or supervisor. Subsequent performance reviews will be conducted whenever there is a change in the job or supervisor. In addition, supervisors will communicate to employees annual cycles for completing an evaluation period.

3.2.2 **Action** - The Office of Human Resources will assist supervisors with the planning and review process by:

- 1) Reviewing periodic reports of personnel changes for regular employees and providing Performance Planning Worksheet and Working Descriptions (WD) documents to the supervisor for new hires. Reviewing PPW documents and [Performance Management forms](#) for job changes and supervisor changes and assisting supervisors as requested.

- 2) Reviewing returned, completed PPW's and Performance Management forms and maintain a hard copy in the employee files.
- 3) Maintain hard copy files for subsequent use.

3.2.2.1 Supervisors will use PPW documents to prepare performance plans and use Performance Management documents to conduct evaluations and process these documents in accordance with stated guidelines.

3.2.3 **Sample Forms** - Sample copies of the [PPW](#) and [Performance Management forms](#) are contained under the Performance Management section of our website [http://www.aum.edu/Administration/Human Resources](http://www.aum.edu/Administration/Human_Resources)

4.0 Leave

4.1 Definitions and General Provisions:

4.1.1 **Eligible Employee** - Employees eligible for participation in Auburn University at Montgomery leave programs are:

- 1) Those on a regular appointment of 50 percent time or more and who are expected to be employed continuously for 12 months or longer.
- 2) Those not on a regular appointment who work 50 percent time or more and who have been employed continuously for 12 months or longer.

4.1.2 **Immediate Family** - includes spouse, son, daughter, parents, stepchild, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild, grandparent, and grandparent-in-law.

4.1.3 The number of hours of paid leave charged for a day's absence from work will equal the number of hours the employee would otherwise have been scheduled to work on that day.

4.1.4 All paid leaves will be allowed proportionately for an eligible employee on a part-time appointment.

4.1.5 Departments may not establish separate policies on leave use without written authorization from the Senior Director of the Office of Human Resources.

4.1.6 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving any paid leave except Annual Leave.

4.2 **Court and Jury Duty Leave** - Employees will be granted leave with pay when legally required to attend court when summoned for jury duty. Evidence of attendance (including applicable dates and time of service) in court is required before payment by the University. This documentation should be attached to the leave form. Employees are expected to

return to work if released from court prior to the end of their scheduled work day. Reasonable travel time will be allowed.

4.2.1 **Poll Workers** - Employees who serve as poll workers are entitled to unpaid leave.

4.3 **Military Leave** - An eligible employee who is an active member of the National Guard, State Guard, Naval Militia or the reserve components of the Army, Navy, Marine Corps, Air Force, or Coast Guard will be entitled to military leave of absence for training or other service (including short periods necessary to retain active reserve status or instances when one is called by the Governor to duty in the active service of the State). The employee must submit a request in advance for such leave, along with copies of his or her military orders, to the department head and the Office of Human Resources.

4.3.1 The first 21 working days of military leave per calendar year will be with full pay. Extended military leave (for more than 21 working days per calendar year) must be without pay and requires approval by the Senior Director of Human Resources.

4.3.2 An employee who joins or is drafted into military service will be terminated from University employment but will be eligible for re-employment as prescribed in the Veterans Reemployment Rights law. In cases where the employee's period of active duty is less than six months, he or she will instead be placed on Leave Without Pay for the term of enlistment. Such employee is not eligible for paid military leave.

4.3.3 An employee may elect not to take military leave. Affected employees are not required to use annual leave in lieu of paid or unpaid military leave; however, they may elect to use accrued annual leave or earned comp time at their discretion.

4.3.4 Salary differential for employees activated during war on terrorism: If the military base pay, (plus all military allowances), of an employee called into active service for the war on terrorism, beginning September 11, 2001, is less than the salary he or she would have continued to receive if not called to active service, he or she may receive a salary differential (pursuant to Ala. Code § 31-12-5 (2002)) that is equal to the difference between the lower active duty military base pay (plus all military allowances) and the higher University salary.

4.4 **Funeral Leave** - Eligible employees may be granted paid leave up to three working days for the funeral of an immediate family member. One additional day may be granted for travel purposes when the funeral is more than 100 miles from the regularly assigned work site or two additional days (i.e., five days total) when the funeral is more than 200 miles distant from the work site. Mileage will be determined using the University travel regulations.

4.4.1 Funeral leave is separate from all other types of paid leave.

4.4.2 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving any paid leave except Annual Leave.

4.5 Sick Leave - Auburn University at Montgomery provides paid sick leave benefits to all eligible employees. Sick leave is defined as the absence of an employee from work for one or more of the following reasons:

- 1) Personal illness or injury which prevents the employee from performing his or her duties.
- 2) The employee's or immediate family member's appointment with a physician, dentist, optometrist, psychologist or other recognized health practitioner, hospital, or clinic. Employees are encouraged to schedule such appointments outside working hours whenever possible. Employees are expected to return to work as soon as the appointment is completed.
- 3) The illness, injury, or disability of a member of the immediate family when the presence of the employee is required.

4.5.1 Sick leave must be used for medical reasons. An employee must notify his or her immediate supervisor prior to the beginning of the scheduled workday if unable to report due to illness or injury. The employee assumes full responsibility for such notification.

4.5.2 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving any paid leave except Annual Leave.

4.5.3 An eligible employee accrues sick leave according to the following table, which is based on regular (not overtime) hours worked. Sick leave may not be used until it is accrued. "Hours worked" (for purposes of leave accrual calculation) includes holidays and paid leave but not unpaid leave.

Hrs/Yr	Lv/Hr	Hrs/40 Hr	Days/Yr
96.00	0.0462	1.85	12

Accrual of sick leave for eligible full-time exempt employees, during the month of initial hiring or the month of termination, is prorated according to the percentage of the month to be worked.

4.5.4 Sick leave accrues whenever an employee is in pay status, including payment for on-the-job injury loss wages. However, sick leave is not accrued by employees being paid under the salary continuation program. Sick leave does not accrue during any period of leave without pay.

4.5.5 In computing the use of sick leave for an employee, holidays, or non-work days will not be counted.

4.5.6 If an employee has advance knowledge of the need for extended (i.e., 30 days or longer) sick leave, he or she should immediately advise the supervisor (preferably at least one month ahead of time) so arrangements can be made for a temporary replacement if necessary. Included with such leave request must be a written document from the attending physician indicating the inclusive sick leave dates. The request will include a

statement of the anticipated date on which the employee is approved to return to work and a statement that the employee intends to return to work. Upon returning to work from extended sick leave, an employee must present written documentation from the attending physician certifying fitness to work. The employee is expected to give the supervisor as much notice as possible of the planned date of return to work.

4.5.7 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving any paid leave except Annual Leave. If the supervisor suspects that an employee is abusing the sick leave privilege, the supervisor should review the facts and, if necessary, take appropriate disciplinary action.

4.5.8 Sick leave requests must be filed by the first workday following the return from an absence.

4.5.9 An employee who transfers or is promoted from one department to another will retain any unused sick leave balance.

4.5.10 An eligible employee hired before October 1, 1990, may be compensated for unused sick leave at the rate of 25 percent, subject to a maximum of one additional month's pay or equivalent, upon terminating University employment. An employee will not receive credit for previously accumulated sick leave if rehired after an interruption of employment.

4.5.11 When it is apparent that injury, personal illness, or hospitalization will result in the use of all accumulated sick leave, the department head should contact the Office of Human Resources for verification of eligibility for benefits under the Salary Continuation Plan (SCP).

4.5.12 Leave accruals for exempt employees become available for use on the first day of the following pay period. For non-exempt employees, the leave becomes available on the Wednesday following the pay period.

4.5.13 Outside employment during an employee's sick leave is prohibited and may result in disciplinary action up to and including immediate termination of employment.

4.5.14 Employees who transfer to or from another school or agency which participates in the State Teachers Retirement system, on or after August 1, 2001, may retain their accrued and unused sick leave balances. Sick leave which is thus transferred to or from Auburn University at Montgomery may be used for any purpose normally permitted for sick leave.

4.6 **Annual Leave** - The University provides annual leave which an employee may use for recreation or other activities which provide a change from the pattern of day-to-day work. Employees are encouraged to take, not accumulate, annual leave. Annual leave may not be used until it is accrued.

4.6.1 An employee will not receive credit for previously accumulated annual leave if rehired after an interruption of employment. A former University employee who is rehired by the University may receive credit for his or her previous service for the purpose of determination of annual leave accrual rate if the following conditions are met:

- 1) The employee must have been eligible for annual leave during the earlier employment.
- 2) The employee must have terminated in good standing.
- 3) The employee must be re-employed in a nonexempt position eligible for accrual of annual leave.

The employee is responsible for requesting such re-employment credit, and must do so no later than 30 calendar days after rehire.

4.6.2 Eligible full-time, nonexempt employees earn annual leave according to the following table:

Years of Service	Seniority Level	Hrs/Yr	Lv/Hr	Hrs/40 Hr	Days/Yr
0 - 2	2	97.76	0.047	1.88	12.22
3 - 4	4	112.32	0.054	2.16	14.04
5 - 6	6	128.96	0.062	2.48	16.12
7 - 8	8	145.60	0.070	2.80	18.20
9 - 10	99	160.00	0.077	3.08	20.02

Leave accrues on hours worked per pay period. Seniority level indicates the number of years to elapse from the vacation accrual comp date before the next vacation accrual rate goes into effect. Code of 99 indicates maximum accrual rate has been reached.

Accrual of annual leave for eligible full-time exempt employees, during the month of initial hiring or the month of termination, is prorated according to the percentage of the month to be worked.

4.6.3 "Hours worked" (for purposes of leave accrual calculation) include holidays and paid leave but not unpaid leave.

4.6.4 Annual leave accrues whenever an employee is in pay status, including payment for on-the-job injury loss wages. However, annual leave is not accrued by employees being paid under the Salary Continuation Program. Annual leave does not accrue during any period of leave without pay.

4.6.5 The maximum annual leave balance for exempt employees on each January 1 will be no more than two years' accrual of leave. The maximum annual leave balance for nonexempt employees with less than 10 years of service on January 1 will be no more than one year's accrual of leave; the maximum annual leave balance for nonexempt employees with 10 or more years of service on January 1 will be no more than two years accrual of leave.

4.6.6 Eligible employees will be compensated for accrued annual leave at the time of separation from University employment (termination or retirement) to a maximum of one month's additional compensation.

4.6.7 Annual leave is to be scheduled at the mutual convenience of the department and the employee involved. If the dates of leave requested are incompatible with the needs of the department, the employee and his or her supervisor will schedule alternative dates, within a reasonable time frame.

4.6.8 Department Heads should schedule employees' annual leave within their departments so as to meet the seasonal workload of the department and to maintain adequate staff at all times.

4.6.9 Annual leave must be requested and approved by the supervisor, in advance; using the leave form. Annual leave may be taken in any amount up to the total of the employee's unused accrual.

4.6.10 Sickness occurring during an annual leave period may be charged to sick leave upon approval by the employee's supervisor and department head with documentation of the illness being forwarded to the Office of Human Resources.

4.6.11 An employee who transfers or is promoted from one department to another will retain any unused annual leave balance.

4.6.12 Leave accruals for exempt employees become available for use on the first day of the following pay period. For nonexempt employees, the leave becomes available on the Wednesday following the pay period.

4.7 Family and Medical Leave (FMLA) - In compliance with the FMLA, Auburn University at Montgomery will grant an eligible employee up to 12 work weeks of unpaid, job-protected leave within each calendar year (beginning on January 1 and concluding on December 31) for any one or a combination of the following reasons:

- 1) The birth of a child or to care for newly-born child.
- 2) The placement of a child with the employee for adoption or foster care.
- 3) The care of a family member (spouse, child, or the employees' parent) who has a serious health condition (as defined below).
- 4) A serious health condition of the employee that renders the employee unable to perform the functions of the employee's job.

Under the new law, FMLA-eligible employees will now be entitled to the following:

Family Leave Due to a Call to Active Duty—this benefit provides 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any “qualifying exigency” arising out of the service member’s current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation.

Caregiver Leave for an Injured Service member— this benefit provides 26 weeks of FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active-duty that may render the person unable to perform the duties of the member’s office, grade, rank, or rating.

Most of the provisions of the FMLA remain unchanged and will apply to these new types of FMLA leave, including employer coverage, employee eligibility requirements, health insurance continuation, and reinstatement rights. Employees can utilize the leave on an incremental basis or in the smallest increment that the employer’s payroll system tracks under both of these new leave requirements.

While the Department of Labor (DOL) will need to issue regulations to fully implement this new law, they have released guidance that indicates the caregiver provision of the law is effective as of January 28, 2008, but the call to active duty provision will not be effective until the Secretary of Labor issues final regulations defining “any qualifying exigency.” In the interim, the DOL encourages employers to provide this type of leave to qualifying employees.

4.7.1 Eligibility - Employees are eligible if they have been employed with the University for at least 12 months and have worked at least 1250 hours over the preceding 12 months. For salaried employees, a 60 percent (or greater) appointment for 12 months would equal at least 1250 hours. For part-time biweekly employees, actual hours worked as reported on biweekly time sheets will be calculated to determine if 1250 hours were worked in the preceding 12 months

4.7.2 Employees must substitute any accrued paid sick leave for the FMLA leave if the absence is for reasons as covered by the University's sick leave policy. Employees using salary continuation (short term disability) along with the Auburn University On-Job Injury program for FMLA qualifying reasons will be placed on FMLA leave, which will run concurrently with the short term disability or On-Job Injury Program. Employees may choose to substitute accrued paid vacation leave for FMLA leave that would otherwise be unpaid. The maximum FMLA leave allowed in 12 months is 12 weeks whether paid or unpaid.

4.7.3 Certification of the attending health care provider must be provided when FMLA is for your own or immediate family member's serious health condition.

FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

Eligible employees may take FMLA leave intermittently (in blocks of time), or by reducing your normal weekly or daily work schedule, when medically necessary for your own or immediate family member's serious health condition. Intermittent leave is not permitted for birth of a child, to care for a newborn or for placement of a child for adoption or foster care. Employees who require intermittent or reduced-schedule leave should try to schedule their leave to minimize disruption of their unit's operation.

4.7.4 Definitions

1) **Family Member**- The employee's child, parent or spouse. These terms are defined as follows:

a) **Child** - A biological, adopted, or foster child, a stepchild, a legal ward or child or a person standing in loco parentis who is either under 18 or older and incapable of self-care because of a mental or physical disability.

b) **Parent** - A biological parent or any individual who stood in loco parentis when the employee was a child as defined above. The term does not include parents-in-law.

2) **Serious Health Condition** - An illness, injury, impairment, or physical or mental condition that involves inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

a) **Continuing Treatment** - Includes a period of incapacity of more than three consecutive calendar days, as well as any incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term condition, or multiple treatments for restorative surgery.

3) **Health Care Provider** - Includes, but is not limited to, a doctor of medicine or osteopathy, clinical psychologist, podiatrist, dentist, optometrist, chiropractor, or licensed nurse practitioners. The University requires that a medical certification be obtained from the attending health care provider for any request for FMLA leave for a serious health condition of self or family member. Medical certification forms can be obtained from the Office of Human Resources.

4.7.5 Procedures

1) Eligible employees requesting FMLA leave should contact the Office of Human Resources.

2) The leave request form is to be completed as far in advance as possible (preferably 30 days) for foreseeable leave.

- 3) The medical certification form is to be completed by the attending health care provider and returned to the Office of Human Resources.
- 4) Supervisors who have questions about the employee's eligibility, the required forms, types of health care provided, or other aspects of the FMLA leave request should contact the Office of Human Resources.

4.7.6 Health or Life Insurance - During the FMLA leave, the University will maintain the employee's coverage for health and life insurance as follows:

- 1) If there is a sufficient amount in the pay period; the premium will be deducted from the employee's paycheck.
- 2) If the employee is not in a pay status, the amount of the premium normally deducted for the particular pay period must be received in the Auburn University Payroll and Employee Benefits Office on or before the last day of the month for salaried employees and on or before the biweekly pay date for hourly employees. Payment must be by check or money order made payable to Auburn University.

4.7.7 Other Benefits - Employees will not accrue any annual or sick leave while on unpaid leave for any reason. Employees receiving pay through an approved On-the-Job-Injury claim will continue to accrue leave at their regular rate. Those employees on intermittent or a reduced work schedule will accrue leave in proportion to the hours worked.

4.7.8 Reinstatement - An employee taking leave under this policy will be returned to the employee's same position if possible, and, if not possible, to an equivalent position. If the employee would have been terminated (e.g., layoff or termination of a temporary position), the employee will not be returned to his or her former position. For an employee taking FMLA leave for his or her own serious health condition, the University requires a certification from the health care provider that the employee is able to return to work.

4.7.9 Rights and Obligations

- 1) The University Reserves the right to request periodic reporting from the employee as to the status of the leave and the intent to return to work. The University may also request that a medical condition be recertified, but no more often than every 30 days.
- 2) The University may request that a second opinion be obtained from an independent medical provider selected by the University. The University will pay for the second opinion. If that opinion differs with the first one, a third opinion (by a provider agreed to by the University and the employee) will be obtained and will be considered final and binding. The University will pay for the third opinion.
- 3) This policy does not create any employment rights for any individual other than specifically stated in this policy.
- 4) Outside employment during FMLA leave is prohibited, and may result in disciplinary action, up to and including immediate termination of employment.

5) The University is the sole administrator of this policy and, as such, is the exclusive interpreter of its terms. All provisions of this policy will be interpreted consistent with the FMLA.

6) Employees and employers have various rights and obligations under the FMLA. For further information, a copy of the FMLA regulations is available for review in the Office of Human Resources.

4.8 Leave without Pay - Leave without pay (LWOP) has three major categories:

- 1) Extended sick leave without pay.
- 2) Voluntary leave without pay, which refers to employees who have exhausted applicable paid leave time, but who, for approved reasons, are not immediately returning to work.
- 3) Disciplinary LWOP.

4.8.1 An employee on either approved extended sick leave without pay or voluntary leave without pay is considered to be in inactive status. Certain restrictions and limitations apply regarding specific employee benefits relating directly to the assigned leave without pay category. If an unpaid leave is granted after FMLA has been exhausted, every effort will be made to return the employee to his or her former position, but such reinstatement cannot be guaranteed.

4.8.2 Extended sick leave without pay refers to certified personal illness, injury, or disability. The critical nature of an immediate family member's illness or injury may also justify the granting of extended leave without pay depending upon the circumstances. All accrued sick leave must be used before extended sick leave without pay may be considered. An employee is not required to exhaust his or her annual leave prior to beginning extended sick leave.

4.8.3 A memorandum of request for extended sick leave without pay will be submitted in advance through the department head to the Senior Director of the Office of Human Resources for approval. The employee should provide a statement of the date he or she intends to return to work. Such leave, once approved, will not exceed a period of six months.

4.8.4 If annual leave is carried forward, it will be available when the employee returns. If the employee does not return, the accumulated annual leave will be paid as terminal leave up to one month's salary (173.33 hours), if applicable. No annual or sick leave will accrue during any authorized leave of absence without pay.

4.8.5 No Request for Change Form will be processed for salary improvement until the employee returns to active work. Salary improvement will not be retroactive.

4.8.6 A medical practitioner's statement, certifying that the employee is able to resume normal work activities, will be required when an employee is returning from an extended leave without pay. This statement must be presented before resuming normal duties.

4.8.7 If the employee is not eligible for salary continuation benefits, the Department Head should place the individual in a leave of absence without pay status if the return of the employee is expected and desirable. In this situation, the employee may elect to use accrued annual leave before being placed on leave without pay status.

4.8.8 Voluntary leave without pay normally applies where an employee requires additional time off. Employees must have completed one year of continuous service to be eligible for such leave.

4.8.9 A request for voluntary leave of absence without pay will be submitted in advance through the Department Head to the Senior Director of the Office of Human Resources for approval. The employee will provide a statement of intention to return to work. Such leave of absence will normally not exceed a period of six months.

4.8.10 Except for military duty, leave without pay will not be permitted for an employee to work for another employer.

4.8.11 For the purposes of education, study, research and writing, consideration may be given to granting leave without pay for periods of up to one year. The employee must, in this instance, use all accrued annual leave before beginning any period of leave without pay.

4.8.12 No annual or sick leave will accrue during any authorized leave of absence without pay.

5.0 Records

5.1 **Types of Records** - The official personnel records for all employees of the University shall be maintained in the Office of Human Resources. Documents made a part of an employee's record shall include [application forms](#), [résumés](#), [vitas](#), [hire/change forms](#) and related materials. No document may be incorporated into an employee's record unless that employee has previously been afforded an opportunity to examine the document. Medical and payroll records shall not be placed in the official personnel file.

5.2 **Access to Personnel Files** - Personnel files are the property of the University and access to the information they contain is restricted. Generally, only management officials and representatives of the University who have a legitimate, verifiable reason to review information in a file are allowed to do so.

5.2.1 With advance notice of one business day, an employee may review material in his or her file but only in the presence of a representative of the Office of Human Resources. Such examination must be done within normal business hours.

5.2.2 Information in a personnel file will not be disclosed to anyone outside the University without a signed consent from the employee specifically authorizing the release of the information, except as listed below:

- 1) Basic information such as employment, work telephone number, and job title may be verified without notification to the employee.
- 2) The Office of Human Resources will comply with lawfully issued subpoenas and judicial orders.

5.3 Personal Data Changes - It is the responsibility of each employee to ensure that personal information is updated. Personal mailing addresses, telephone numbers, individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times. This information can be changed on line by accessing the Employee Self-Service area in Banner HR.

5.3.1 Any employee who questions the accuracy or completeness of information contained in his or her file should notify his or her supervisor, who will apprise the Office of Human Resources. The Office of Human Resources reserves authority to make the final determination as to the contents of such file. However, an employee is entitled to place a brief, signed statement in the file identifying the alleged errors or inaccuracies.

5.4 Retention of Records - Personnel files shall be retained indefinitely for all active employees. Records of employees who have terminated University employment shall be retained in archival form for 50 years after termination.

6.0 Human Resource Development

6.1 The Auburn University at Montgomery Educational Improvement Policy

6.1.1 **Policy** - In order to permit employees to further their education, Auburn University at Montgomery will allow full-time, regular employees to request to enroll for up to five credit hours per academic period of University courses (both at Auburn University and Auburn University at Montgomery) during the regular work day with the approval of the supervisor. While the primary purpose of an employee is to carry out job responsibilities during normal work hours, the University recognizes the importance of further education as a part of employee development. Therefore, the University has established this educational improvement policy to provide a course enrollment benefit for full-time, regular employees.

6.1.2 **General Provisions** - The educational improvement policy allows a full-time employee to take up to five credit hours per academic period of University courses during the regular work day and receive a waiver of some or all of the fees for such attendance.

- 1) For the purposes of this policy, the following definitions apply:
 - a) Academic period - Fall Semester, Spring Semester and Summer Term
 - b) Course or class - a lecture period or lecture period and related laboratory, even if listed separately.

- 2) Attending class during regular work hours:
 - a) Class attendance cannot take priority over the work to be performed. If class attendance is scheduled during regular work hours, approval to enroll in the class must be granted in advance by the supervisor, and time away from work should be made up after regular work hours.
 - b) However, when a department head requires an employee to enroll in a course which is directly related to the employee's assigned duties, time spent in class shall be considered a part of the regular work schedule for that employee.

- 3) What is paid? The benefit has two parts:
 - a) a 100 percent waiver of the administrative service fee and the student activity fee for all full-time, regular employees regardless of the length of employment and whether or not the employee is a full-time or part-time student, and
 - b) a waiver of tuition charges for up to five credit hours per academic period for full-time, regular employees who have 12 months continuous, full-time regular service with the University.

- 4) When to register: In order to preclude employees taking advantage of this benefit from displacing other students who are paying the full cost and from creating the need for additional faculty or more class sections, employees may not register for classes to be covered by the benefit until the first day of classes.

6.1.3 Specific Provisions for the Employee Educational Improvement Benefit (EEIB)

- 1) To prevent employees from displacing full-pay students or creating the need for additional faculty or class sections, employees who wish to receive the benefit will only be allowed to attend classes on a space-available basis. To preclude any complications, employees may not register for classes for which they wish to receive the benefit until the first day of classes. Employees who disregard this policy and elect to participate in advance registration in classes for which they wish to receive the benefit, will only be eligible for the waiver of the registration fee; thus forfeiting their eligibility for the tuition waiver portion of the benefit during that academic period even if it is later determined that space is available in the course selected.

- 2) Eligibility for the tuition portion of the benefit will begin during the academic period immediately following the full-time, regular employee's 12 month anniversary.

- 3) The waiver of tuition fees is granted for only a maximum of five credit hours per academic period regardless of the number of hours enrolled for the credit hours per course.
- 4) Employees are allowed to take up to five credit hours per academic period, subject to approval by the appropriate supervisor and contingent upon time being made up if the course is taken during the work day.
- 5) Part-time employees, temporary employees, student employees, graduate teaching assistants, graduate research assistants, adjunct professors and visiting professors are not eligible for this benefit.
- 6) Employees must meet the admission requirements expected of all entering students.
- 7) This benefit may be used for enrollment in any undergraduate or graduate program including cross-registration, between Auburn University and Auburn University at Montgomery.
- 8) Under this benefit, employer reimbursements for undergraduates will be treated as a non-taxable fringe benefit. For graduate students, if the educational assistance is not job-related, it will be included in the employee's wages and is subject to federal and state income tax, FICA, and Medicare withholdings.
- 9) Employees who terminate their employment for any reason will be allowed to continue under the provisions of this policy only until the end of the academic period in which termination occurs.

6.1.4 Interpretations of this policy and the procedure for its application are the responsibility of the Senior Director of Human Resources. Inquiries concerning individual bills for classes should be directed to the Bursar, and questions about student status should be directed to the Admissions & Records Office.

7.0 Employee Relations

7.1 Employee Conduct and Job Rules

7.1.1 General - Auburn University at Montgomery's rules concerning employee conduct and job performance are simple, common sense guidelines. They are necessary to ensure that all employees can work in an orderly, efficient, economical manner, free from disturbances which hinder job training, job production, and job enjoyment. It is the full responsibility of each employee to know what University and departmental rules and regulations do exist and to observe them at all times.

7.1.2 Classification of Rules and Regulations - Rules and regulations are classified by degree of severity so that corrective action can be consistently administered. The

classifications of severity and the rules are intended as general guidelines to good judgment and fair treatment. Rules are not restricted to those listed, for some are covered by specific departmental regulations which will be discussed with the employee by the supervisor. Employees shall know and understand what these other regulations contain as well as the general conduct and job performance rules listed here.

7.1.3 Group I - Employees found in violation of these rules and regulations will be subject to immediate discharge:

- 1) Intimidating or intentionally imposing on the rights and privileges of other employees.
- 2) On University property, drinking intoxicants or using drugs particularly when there may be an adverse effect or danger to other employees.
- 3) Changing or otherwise falsifying or forging any University records, permits, time cards or time sheets, licenses, certifications, passes, badges, or the approving signatures thereon.
- 4) Indulging in grossly offensive, obscene, or immoral conduct.
- 5) Deliberately restricting production output and/or University operations or concealing defective work.
- 6) Stealing or misappropriating University property or property belonging to other employees.
- 7) Intentionally defacing or damaging University property or the property of other employees.
- 8) Fighting on University property or creating disturbances which adversely affect morale, production, studies, or discipline.
- 9) Any other actions not listed in 1-8 above but considered by the University as constituting major misconduct, insubordination, gross negligence, or gross disregard of obligation to the University. Such actions will include violation of another employee's protection against discrimination or harassment as set out in the Equal Opportunity Affirmative Action Policy of Auburn University at Montgomery.

7.1.3.1 Note: Under certain circumstances, being convicted of a criminal offense outside of the University could lead to discharge. Specific action will be determined by the nature of the offense and the employee's job performance.

7.1.4 Group II - Employees found guilty of these actions, except where the circumstances are extremely aggravated, will be given a last Formal Written Reprimand which will show that any repetition of the violation or further violation of University rules, generally within six months, could result in discharge. Such written reprimands will be posted to the employee's individual record.

- 1) Sleeping while on duty during working hours.
- 2) Continually or intentionally disregarding any appropriate departmental or University rules.
- 3) Reporting to work under the influence of intoxicants, narcotics, or drugs particularly when there may be an adverse effect or danger to other employees.

- 4) Refusing to obey reasonable and necessary orders or job assignments or using abusive or threatening language.
- 5) Indulging in horseplay or malicious mischief in any form.
- 6) Smoking in nonsmoking areas or disregarding any University security or fire regulations.
- 7) Leaving University premises prior to the end of any normal work period without prior notice or approval.
- 8) Failing to return to work at the end of an authorized leave period unless supervisor has been advised of the reason for delay.

7.1.5 **Group III** - Employees who are guilty of these actions listed, except where circumstances are extremely aggravated, will be (in order and as repeated violations occur)

- 1) Given an oral reprimand.
- 2) Given a written formal reprimand.
- 3) Given a last formal reprimand showing the employee was advised that future offenses could be subject to demotion, suspension, or discharge.

7.1.5.1 These actions are:

- 1) Failing to immediately report to the employee's supervisor all injuries or illnesses occurring at work.
- 2) Continually disregarding normal safe work practices.
- 3) Contributing to poor housekeeping or unsanitary conditions.
- 4) Practicing poor personal hygiene.
- 5) Distracting or annoying other employees while they are performing assigned duties.
- 6) Damaging University property and equipment through improper use or lack of care.
- 7) Abusing sick leave privileges.
- 8) Failing to notify the employee's supervisor each day of any absence from scheduled work.
- 9) Failing to comply with a departments dress policy.
- 10) Having continued absences or tardiness from scheduled work for which the reasons for absence or tardiness are not considered valid.

7.1.5.2 **Note:** Employees serving in their probationary periods of initial employment or re-employment are considered to be on a trial basis, and they could be formally disciplined and/or discharged for any conduct or job performance rule violation during this probationary period. They also do not have a right of appeal except for grievances based on claims of discrimination or harassment because of race, color, religion, sex, age, disability, national origin, or veteran's status.

7.2 Progressive Disciplinary Procedures

7.2.1 Auburn University at Montgomery encourages open and informal discussion of complaints and problems between supervisors and employees. Supervisors should

encourage employees to discuss their complaints and problems with them. When a conflict between supervisors and employees cannot be resolved through normal channels, one or both parties may seek resolution and advice from the Office of Human Resources. Employees also have access to the employee grievance process contained in **Section 7.4**.

7.2.2 The supervisor is responsible for establishing and maintaining a work environment where employees can improve their job performance. The supervisor's continuing emphasis on developing correct work habits through effective orientation, training, and performance review and on regular and meaningful communication is essential in contributing to the productivity and well being of employees and developing good employee/management relations.

7.2.3 Disciplinary action should be corrective rather than punitive. A series of disciplinary actions may result in dismissal, unless dismissal is the result of a major act of misconduct. The kind of corrective action initiated by the supervisor depends upon the severity of the situation. Wherever possible, counseling should be used before formal corrective action is taken.

7.2.4 The supervisor needs to ensure that employees under his or her supervision have been informed in advance of poor performance or bad job conduct, so that if an occasion occurs that requires corrective action, there should be less of a chance for any misunderstanding on the employee's part concerning the action taken.

7.2.5 Before determining what form of corrective action to take, a supervisor should follow these procedures for progressive discipline:

- 1) Identify the job performance problem and discuss it with the employee as soon as possible; and use discretion: One single incident may not necessitate action, but deviation from acceptable job performance patterns should be identified early.
- 2) Be specific in describing the performance problem; make sure the employee understands exactly where he or she needs to improve and to what extent; and explain the consequences of continued job performance deterioration.
- 3) Keep discussions focused on job performance problems and keep emotions in check.
- 4) When reprimands are given, ask the employee what action he or she will take to solve the problem: Follow-up discussions should determine whether the employee is actually taking action, particularly in cases where the performance continues to deteriorate. The supervisor may use his or her discretion in deciding how direct to be in these matters.
- 5) Avoid diagnosing personal problems as causes of unsatisfactory job performance; and leave diagnosis to the professionals who are qualified to conduct assessments and provide referrals.

6) If a relapse occurs, treat it on an individual basis, depending upon the employee's progress and attitude.

7) In cases of dismissal, make sure the employee has a pre-termination hearing in order that they may give their side of the situation.

7.2.6 Informal Private Discussion of the Problem with the Employee - Review the problem (attendance, job performance, general behavior, etc.) with the employee; listen to the employee since there may be mitigating circumstances of which the supervisor is unaware, and be sure that the employee understands what is expected of him or her and point out expectations in order to gain understanding. Document the discussion for future reference; emphasize to the employee that confidentiality will be maintained; and keep the documentation in a personal file if needed for future reference. If improvement occurs, advise the employee accordingly.

7.2.7 Written Reprimand

1) Review the problem with the employee and make sure that he or she understands that the action is taken because of unsatisfactory job performance or workplace behavior.

2) Review what is expected of the employee and why; explain to the employee why his or her performance is unsatisfactory or below required standards; and offer suggestions and set goals for improvement.

3) Document the discussion and furnish a written copy of the reprimand to the employee within one week covering the points discussed during the meeting; and ask the employee to sign the reprimand. The employee's signature does not necessarily mean agreement with the reprimand, but that the employee is aware of it; and send a signed copy of the reprimand to the Office of Human Resources to be placed in the employee's file.

4) Establish a follow-up date to review progress with the employee and document whether steps have or have not been taken toward correction. The appropriate time frame will vary with each employee, depending on his or her abilities and the severity of the problem.

7.2.8 Note: It is important in these first two steps to encourage the employee to give his or her views on the performance problem in order to avoid any misunderstandings. The supervisor should encourage the employee to acknowledge that there is a current job performance problem on his or her own or with normal supervisory guidance. The supervisor should not assume that personal problems are the cause of low performance, nor should the supervisor attempt to diagnose such problems. If the employee admits to a personal problem, the supervisor should ask whether the employee would like to discuss the problem with a counselor.

7.2.9 Written Final Reprimand

- 1) If the problem is not corrected, issue a written final reprimand to the employee; make sure the employee understands the significance of the written reprimand and why he or she is receiving one; ask the employee to sign the reprimand and send a signed copy of the reprimand to the Office of Human Resources to be placed in the employee's file.
- 2) The written final reprimand must outline steps for improvement of the employee's work performance and state that without significant improvement, action for dismissal, demotion, or suspension will be taken.
- 3) Establish a follow-up date; and review progress with the employee on the established date and document that progress or the lack thereof.

7.2.10 **Job Action** - If previous steps have not resulted in improved job performance, specific action should be taken. It may take one of these forms:

- 1) **Suspension** - Occurs when an employee is not allowed to work for a specific period of time. This is usually without pay. However, there are times when an investigation of an employee's alleged wrong doing is needed, and in these cases the employee may be suspended with pay until the investigation is completed and a decision is made. Supervisors must get approval from the Senior Director of Human Resources or his/her designee to suspend an employee.
- 2) **Demotion** - May be appropriate when an employee is otherwise in good standing but is in a job for which he or she is not qualified to perform. It may also occur as part of the result of corrective action that is taken against an employee. A demotion results in a downgrade in classification and/or pay.
- 3) **Dismissal** - Occurs when an employee is relieved of his or her duties as an employee of the University. Dismissals should be closely coordinated with the Office of Human Resources and the appropriate Dean, Director, Department Head or Vice Chancellor before termination of an employee is completed.

7.2.11 An employee who receives formal written reprimand, or is suspended or discharged, has full recourse through the appropriate Staff Grievance Procedures, found in **Section 7.4**.

7.2.12 Individual counseling and corrective actions are necessary motivating steps for employees to improve their conduct or job performance. It is equally important that full recognition be given to employees who do make real and successful efforts to correct their deficiencies.

7.3 **Involuntary Terminations** - Auburn University at Montgomery reserves the right to manage its workforce as stated in **Section 1.1.3**. However, consistent with sound

management practices, employees are generally only subject to discipline or dismissal for cause. Each individual case for dismissal will be evaluated on its own set of circumstances. Proper procedures for dismissing an employee from the University are essential to ensure that an employee's rights are protected. This protection is accomplished through an appropriate hearing which is conducted to ensure that the employee's position is heard and evaluated by supervision before any final decision is made. The following steps will be taken prior to making a decision of dismissal.

- 1) The employee will be advised that he or she has allegedly committed a serious violation of University work rules and that the circumstances are being reviewed. The employee will be provided an approximate time for the review to be completed.

- 2) Upon completion of the review, the employee and the supervisor will establish a time for a conference. During the conference, the details of the rule violation will be explained to the employee, and the employee will be given an opportunity to explain his or her action and to present evidence in addition to his or her own statements. At the conclusion of this meeting, the supervisor will establish the time by which he or she will reach a final decision on this matter.

- 3) If the decision is one of dismissal, the supervisor will inform the employee of that decision and of his or her rights to appeal that decision through the respective grievance procedure.

7.3.1 Pre-termination hearings and dismissals will be coordinated through the Office of Human Resources and the appropriate Dean, Director, Department Head or Vice Chancellor.

7.3.2 **Categories for Involuntary Termination** There are three categories for involuntary termination of employment from Auburn University at Montgomery:

- 1) **Termination for Cause with Immediate Discharge** - Rules for general conduct and job performance are listed in **Section 7.0**. Employees committing Group I actions will be subject to immediate discharge from Auburn University at Montgomery and will not be eligible for reemployment.

- 2) **Termination with Notice** - Employees may be terminated with notice for reasons related to substandard performance or for inappropriate job behavior. For substandard performance, the supervisors must have a record of appropriate employee counseling; and for inappropriate job behavior, the supervisor will have exercised the four steps of the progressive discipline procedure. A minimum of 30 calendar days notice will be provided to the employee prior to the scheduled date of termination.

- 3) **Termination Resulting from Employee Layoff** - Employees may be placed in layoff status for a period of 180 days as a result of reduction in force. Reduction in force may result from major restructuring or realignment, organizational

downsizing, outsourcing of programs or services, changes in work volume, or reductions or elimination of funding. Following the 180 days in layoff status and the lack of an employment opportunity, the employee will be terminated from Auburn University at Montgomery employment. No employee will be laid off without the written approval of the appropriate Vice Chancellor.

7.3.3 Layoffs - Within each job classification in each recognized Auburn University at Montgomery division or unit, layoffs will be initiated considering University seniority (date of last continuous full-time employment) beginning with the least senior date.

1) Where affected employees have the same University seniority, unit seniority (date of last continuous full-time employment in the unit) will be the guiding factor.

2) Employees affected by layoff because of their seniority who, on the effective layoff date, may be on authorized Sick Leave or Leave Without Pay, will not be reassigned elsewhere nor placed on layoff status until their Sick Leave or Leave Without Pay period has been completed.

3) Announcement of force reductions and pending layoffs will be provided in writing to affected employees as much in advance as possible before the effective date for such action, with two-full workweeks being the minimum notification period.

4) No new job applicant will be considered for regular employment in any job classification or reasonably comparable job classification if there is someone in layoff status who qualifies for consideration. Qualified employees in layoff status have first priority for consideration.

5) Employees may be in layoff status for a period up to 180 days from date of layoff.

7.3.4 Fringe Benefits for Employees in Layoff Status

1) Accrued unused Sick Leave and Annual Leave balances for affected employees will be "frozen" effective with the layoff. If recalled from layoff, these unused balances will be reinstated. No Annual or Sick Leave will accrue while in layoff status. Should the employee be terminated from employment, he/she will be paid as terminal leave any unused accrued Annual and Sick Leave balances in accordance with normal terminal leave pay practices.

2) There will be no Holiday pay for paid holidays observed while in layoff status.

3) Group hospital/medical and life insurance benefits in effect prior to layoff may be continued during the layoff period provided arrangements for prepayment of premiums are made by the employee with the Auburn University at Montgomery Office of Human Resources.

4) Long Term Disability: No benefits can be claimed nor will any be paid during the layoff period. However, if recalled during the layoff period, the employee will not be required to again satisfy the one-year waiting period if employed on a full-time basis.

5) State Teacher's Retirement Plan: Contributions cannot be withdrawn until employees either resign or are terminated. If recalled during the layoff period, contributions will automatically be resumed if otherwise eligible.

7.3.5 Employee Reassignment

1) Employees scheduled for layoff will have priority consideration for any reasonably comparable job vacancies elsewhere in the University for which they are qualified.

2) Employees in layoff status who are offered reasonably comparable positions but who decline such positions will be considered as having "resigned" from University employment unless extenuating circumstances provide justifiable reasons for non-acceptance and are approved by the Dean/Director with the endorsement of the Senior Director, Office of Human Resources.

3) Employees eligible for reassignment to another unit by virtue of being affected by layoff will be reassigned at the direction of the University's Administration. Compliance with such administrative reassignment will be expected unless extenuating circumstances provide justifiable reasons for non-acceptance.

7.3.6 Recall from Layoff

1) Employees in lay off status, including those who volunteer for layoff, will be recalled by University seniority date on the principle of "last out, first in." They will be recalled to their regular or to a reasonably comparable permanent position.

2) The salary level for a recalled employee will be the same as prior to layoff, unless there has been a general pay change for that classification in the interim or unless the employee's pay rate would create inequities within any new job assignment as determined by the Senior Director of Human Resources with concurrence by the Dean/Director.

3) After 180 days on layoff status, the employee will be terminated from University employment.

7.4 Staff Grievance Policies and Procedures

7.4.1 Purpose - Auburn University at Montgomery is committed to providing a harmonious working environment for all employees. Thus, the University has established fair and consistent workplace policies and procedures, while realizing that, as in all human

relationships, conflicts may arise. Usually, these conflicts can be resolved through informal discussions between the employee and his or her immediate supervisor. However, misunderstandings and problems may occur that cannot be resolved through an informal process. Therefore, the University has established formal policies and procedures for those times when informal discussions have not led to a satisfactory resolution for the employee.

7.4.2 Definitions

- 1) *Employee*: Employees covered by this manual include exempt Administrative/Professionals, non-exempt University staff, and adjuncts (staff) as long as they are not covered by the Auburn University at Montgomery Faculty Handbook at the Montgomery, Alabama, campus. Jobs designated as exempt under the provisions of the Fair Labor Standards Act (FLSA) are Administrative/Professional. Jobs designated as nonexempt are University Staff and these positions are subject to the overtime pay provisions of the FLSA.
- 2) *Grievance*: A grievance is an allegation by an employee that there has been a violation, misinterpretation, misapplication, or unreasonable application of a University policy, procedures, rule, or regulation regarding the staff employee's employment conditions.
- 3) *Staff Grievance Committee*: This term denotes a committee of the staff employee's peers formed to assist in the resolution of conflicts related to employment.
- 4) *Staff Grievance Hearing Panel*: The Hearing Panel is a subcommittee of the Grievance Committee selected to review and make recommendations for the resolution of a specific grievance alleged by a staff employee.

7.4.3 General Policy - A staff employee who is seeking a solution concerning a disagreement which constitutes a grievance, as defined in **Section 7.4.2 Definitions** above, may seek such a resolution using this policy.

7.4.3.1 Employees who feel they are being discriminated against because of race, color, sex, national origin, religion, age, veteran's status, or disability should immediately and directly take the issue to the Office of Affirmative Action EEO, 244-3638.

7.4.3.2 While the University recognizes the employee's right to file a grievance, the employee must discuss his or her concerns with the immediate supervisor and/or department head before filing a grievance. If the immediate supervisor is the alleged cause of the grievance, the grievant will take the concern to the next level of management. Experience shows that most concerns can be resolved informally at the supervisory level without the need for a formal grievance. The Office of Human Resources provides mediation services to assist an employee in resolution of a problem or conflict.

7.4.3.3 Grievances based upon the termination of a non-probationary employee or the significant or continued reduction of pay as result of disciplinary action qualify

automatically for a hearing if a timely request is made by the grievant.

7.4.3.4 The grievance process is not a formal court proceeding, but is a peer review process for employees who want to seek an internal resolution of grievance. It is not intended to supersede the legal rights of any employee.

7.4.4 Pre-Grievance Mediation - Grievances that are not settled through discussion as required in **Section 7.4.3.2** above can be submitted to mediation by any party to the grievance. This procedure requires notification to the Senior Director, Human Resources of a party's willingness to submit the grievance to mediation. Mediation is a less formal means of settling a dispute and is strongly encouraged as an alternative to filing a grievance. All parties to the grievance must agree to mediation; otherwise, the process cannot go forward. Within fifteen (15) working days of the occurrence of a dispute, all parties to the grievance must notify the Senior Director, Human Resources of their willingness to submit the grievance to mediation. The Senior Director, Human Resources will provide access to trained mediators available to facilitate the process. Any person needing assistance with the mediation process should consult with the Senior Director, Human Resources (244-3638).

7.4.5 Forms - Copies of the official Auburn University at Montgomery *Grievance Form* are available from the Office of Human Resources. The form is to be used by all staff employees seeking a resolution of grievance under the grievance procedure. The Staff Grievance Committee will not consider the merits of a grievance unless it is submitted on the *Grievance Form*. The completed form must be submitted to the Senior Director, Human Resources. He or she is responsible for providing copies to the Chair of the Staff Grievance Committee and to all parties to the grievance.

7.4.6 Time Limits - The time limits established in section **7.4.13 Steps in the Grievance Process** below must be strictly followed unless they are extended by mutual written agreement among the parties prior to the beginning of a hearing by the determination of the Chair of the Staff Grievance Committee that the time limits should be extended. Failure of the employee to adhere to the time limits shall result in his or her waiving all rights under the grievance procedure for the issue(s) raised in the grievance. Failure of the person(s) against whom the grievance is filed to adhere to the time limits will authorize the employee to move to the next step of the grievance procedure.

7.4.7 Examples of Actions Which Are Not Subject to a Grievance

- 1) Salaries
 - a) Hiring salaries
 - b) General salary adjustments
 - c) Promotional salary adjustments
 - d) Other salary adjustment
- 2) Performance reviews
- 3) Verbal counseling
- 4) Voluntary resignations

- 5) Position elimination due to restructuring and/or layoffs
- 6) Position classification/reclassification decisions
- 7) Hiring and promotion decision
- 8) Actions that fall within the purview of the AA/EEO Office
- 9) Termination from employment during initial probationary periods.
- 10) Termination from employment based on felony conviction or unavailability for work due to incarceration.
- 11) Termination from employment while in temporary employment status
- 12) Any action that cannot be substantiated with facts (i.e., an employee cannot bring forth a grievance based on assumptions, rumors, innuendo, or gossip)
- 13) Matters that are already under review or for which a decision has been rendered under another process

7.4.8 Employee Advisor - Employees shall have the right to have one advisor of their choice present at each step of the grievance procedure. This advisor may observe all proceedings but may confer only with the staff employee. The advisor has no formal voice in the process. The advisor, if also a University employee, shall, at such times as approved by the advisor's supervisor, be granted the necessary time off during working hours to attend formal proceedings without loss of pay and without charge to annual or compensatory pay. The time used to prepare grievance materials must be that outside the employee's normal work schedule.

7.4.8.1 The advisor may also be an individual selected from outside the University. However, if the person selected by either party as an advisor is an attorney-at-law, notification of such selection must be provided to the Chair of the Grievance Committee who will be responsible for notifying all other parties to the grievance that such a selection has been made. In those cases where a grievance is filed by a subordinate against a supervisor, the supervisor may not select an attorney-at-law as an advisor unless the person filing the grievance has chosen an attorney-at-law as his or her advisor. As with all other advisors, an attorney-at-law selected as an advisor is not permitted to participate in the hearing process and is allowed to confer only with his or her client.

7.4.9 Witnesses - Employees shall have the right to submit a list of potential witnesses to support their allegation(s). The Grievance Hearing Panel will make the determination as to which witnesses will be called to testify. In the event that a witness is unable to attend the formal grievance proceedings, and the Hearing Panel has determined the witness has relevant information, an affidavit may be submitted.

7.4.9.1 Witnesses will not be required to testify under oath. However, each witness who is an employee of the University should be aware that any deliberate falsehood can result in a disciplinary action against the witness.

7.4.9.2 The Staff Grievance Hearing Panel may grant adjournments of reasonable length to enable either party to investigate evidence if the Hearing Panel believes a valid claim of surprise is made concerning that evidence.

7.4.9.3 All grievance hearings shall be closed. No witness (except the parties themselves) will be allowed to hear the testimony of any other witness.

7.4.10 **Retaliation** - No employee, staff or faculty member, in a supervisory position is to take reprisal action against any employee who uses the grievance procedure, serves as an advisor, or participates in any way (e.g., witness) in the grievance process. Any person violating this prohibition against retaliation may be subject to disciplinary action, up to and including, termination. Additionally, no employee, staff or faculty member, is to use an official position to attempt to exert improper influence in the grievance process.

7.4.11 **Dismissal or Withdrawal of a Grievance** - Any one of the following circumstances is adequate cause for the dismissal or withdrawal of a grievance:

- 1) The allegation does not meet the definition of a grievance as stated in **Section 7.4.2 Definitions**.
- 2) The person filing the grievance voluntarily withdraws it or voluntarily resigns from the University.
- 3) The parties to the grievance have not fully complied with the procedures set forth in *Grievance Policies and Procedures for Staff*.
- 4) Under the provisions of section **7.4.13 Steps in the Grievance Policy (2)** below the allegations are determined to be frivolous and thus do not merit a formal hearing.

7.4.12 **Staff Grievance Committee** - The selection of the nine (9) members of the AUM Staff Grievance Committee must emphasize diversity and be broadly representative of the staff job classifications throughout the University. Members will be selected through a nomination and election process established and conducted by the AUM Staff Council. It represents that group of staff members from whom, in the grievance process, a Staff Grievance Hearing Panel will be selected. Criteria for membership on the Staff Grievance Committee require that all members be AUM staff employees in good standing, with a minimum of two (2) years of full-time employment at AUM. Members of the Staff Grievance Hearing Panel will serve one (1)-year terms and may serve up two (2) consecutive terms. Subsequent terms may be served after a one (1)-year hiatus from serving on the Panel. By a process which it deems appropriate, the AUM Staff Council will select the Chair of the Staff Grievance Committee.

7.4.13 **Steps in the Grievance Procedure**

- 1) Any staff employee filing a grievance must complete in all required details a *Grievance Form* and submit it, along with all supporting documents that he or she deems necessary, to the Senior Director, Human Resources within forty-five (45) calendar days of the alleged occurrence. Once the grievance has been filed, the Senior Director, Human Resources will forward a copy to the Chair of the Staff Grievance Committee.

- 2) In consultation with the Senior Director, Human Resources, the Chair of the Staff Grievance Committee has five (5) working days to determine whether the

issue is grievable. If the Chair of the Staff Grievance Committee determines that the issue is not grievable, he or she will indicate this decision in the appropriate place on the *Grievance Form*, sign and date the form, and return it to the Senior Director, Human Resources. The Senior Director, Human Resources will notify the staff member of the decision.

3) If after the consultation with the Senior Director, Human Resources, the Chair of the Staff Grievance Committee determines that the allegations merit a formal hearing, he or she will indicate that decision on the *Grievance Form*, sign and date, and return the form to the Senior Director, Human Resources. The Senior Director, Human Resources will forward this copy of the *Grievance Form*, along with all supporting documents, to the person against whom the grievance has been filed. Upon receipt of this material, he or she must within ten (10) working days provide a rebuttal statement, and forward it, along with all supporting documents, to the Senior Director, Human Resources and the Chair of the Staff Grievance Committee.

4) During the same ten (10) day working period, the Chair of the Staff Grievance Committee will work with the grievant and the person against whom the grievance is filed to select a Staff Grievance Hearing Panel from among the members of the Staff Grievance Committee.

5) The Chair of the Staff Grievance Committee will supply both parties to the grievance with a list of all Grievance Committee members who have not been recused as provided for in step (8) below.

6) Within two (2) working days of receiving the list, each party to the grievance will select one person from the list as a representative on the Grievance Hearing Panel. In the event that both parties choose the same person, the grievant will have two (2) working days to choose a second member. The two persons selected will then select the third person to serve on the Hearing Panel. The three persons selected will choose the Chair of the Hearing Panel.

7) Once the Hearing Panel has been established and its Chair selected, the Chair of the Staff Grievance Committee will distribute all appropriate documents to all parties to the grievance and will determine and announce the date, time, and location of the hearing.

8) At his or her discretion, the Chair of the Staff Grievance Committee may recuse any staff employees in the following categories from service on the Staff Hearing Panel:

- a) Any person named in the written allegation.
- b) Any person employed in the same department or unit of any party to the grievance.
- c) Any person related to any party to the grievance.

- d) Any person who claims that there is bias or the perception of bias in his or her consideration of the matter to be heard.
- e) Any person unable to meet the time commitment necessary for the hearing.

9) The Hearing Panel will conduct its proceedings informally. It may admit any evidence that it considers to be of value in determining the issues, this subject to the Hearing Panel's judgment of the relevance, credibility, and weight of the evidence. The Hearing Panel may ask the parties to produce evidence on specific issues, may examine witnesses selected by the parties to the grievance, and may call and examine its own witnesses. Both parties to the grievance and the Senior Director, Human Resources will cooperate with the Hearing Panel in obtaining witnesses and in ensuring their presence, as well as in ensuring that documents and other evidence are made available as needed by the parties to the grievance and the Hearing Panel. If there is any question about the confidentiality of documents or other evidence, the Chair of the Hearing Panel will ask the Senior Director, Human Resources to consult with university counsel about their release. Each member of the Hearing Panel will avoid any discussion of the charges with the parties or their advisors before the hearing.

10) All proceedings will be confidential and closed to the public. The Hearing Panel will keep only one official record (tape recorded or otherwise) of the hearing.

11) The Hearing Panel will base its findings and recommendations solely on relevant facts pertaining to the issues and the material presented during the hearing. A ruling on the matter heard may be a consensus of the members of the Hearing Panel. The members of the Hearing Panel will prepare a written statement of their findings and their statement of recommendation and submit this statement to the grievant, the person(s) against whom the grievance was filed, the Chair of the Staff Grievance Committee, and the Senior Director, Human Resources within fifteen (15) working of the completion of the hearing.

12) Within five (5) working days of their receipt, the Senior Director, Human Resources will report the findings and recommendations to the appropriate Vice Chancellor(s). If the person against whom the grievance was filed holds faculty rank, the findings and recommendations will be submitted to the Vice Chancellor for Academic and Student Affairs. Otherwise, the findings and recommendations will be submitted to the Vice Chancellor(s) of the unit employing the individual filing the grievance and the person against whom the grievance was filed. If either Vice Chancellor was the person grieved against, the findings and recommendations will be submitted directly to the Chancellor, whose decision on the matter will be final.

13) Upon receipt of the Hearing Panel's findings and recommendations, the Vice Chancellor to whom the findings and recommendations were submitted will have

thirty (30) calendar days to record his or her response on the *Grievance Form*, sign it, and forward it to the Senior Director, Human Resources, the Chair of the Staff Grievance Committee, and the members of the Hearing Panel of the University's disposition of the grievance.

14) No employee will be entitled to more than one formal hearing on the same grievance.

15) All records, tapes, notes, and any other written or tape recorded material will be sent to the Chair of the Grievance Committee who will submit this material to the Office of Human Resources for final retention.

8.0 Employee Benefits

8.1 Unemployment Compensation - Unemployment Compensation coverage is provided for all eligible employees. The purpose of Unemployment Compensation is to pay benefits to those employees who lose their job through no fault of their own. Persons who voluntarily terminate or persons discharged for "just cause" may be disqualified for unemployment Benefits for a period of time or altogether. The University contributes the total cost for this coverage.

8.2 Liability Insurance

8.2.1 Auburn University at Montgomery as an instrumentality of the State of Alabama may not be a defendant in any State court. The constitutional immunity of the institution does not prohibit suit against a faculty member or employee for negligence causing injury or damage to third parties. Even though claims may be made against the University through the State Board of Adjustment and settlements may be made on behalf of the institution in this way, an injured party may also elect to file suit against the faculty member or employee individually.

8.2.2 In order to protect Trustees, Officers, Faculty, and University Staff employees from potential liability suits, Auburn University at Montgomery has implemented a Comprehensive General Liability Insurance Plan. This plan provides insurance protection in accordance with the terms and conditions of the policy, from the legal liability which could result from events occurring during the course of performing their duties for the University.

8.2.3 Educators Legal Liability Coverage is provided for the Board of Trustees, Officers, Faculty, Administrative/Professional and University Staff employees and will pay in accordance with the terms and conditions of the policy any claims that an insured may become legally obligated to pay as damages resulting from claims arising from a wrongful act of an insured in the performance of his or her duties for the University.

8.2.4 Auburn University at Montgomery also carries Automobile Liability Coverage which extends to the Board of Trustees, Employees, Students and Volunteers while driving a University owned vehicle on University business. There may also be non-owned coverage for individuals when driving personal vehicles on University business.

8.3 **Benefits While on a Leave of Absence** - Group health care and group life coverage may be extended for employees while on official leave without pay as follows:

8.3.1 **Involuntary Leave Without Pay** - Coverage will continue with no change in the premium provided the employee requests continuation of coverage and arranges for advance premium payment. Periodic reviews will be made for employees to maintain this status. The employee must request continuation of coverage and arrange for advance premium payment.

8.3.1.1 Employees approved for leave under the Family Medical Leave Act will be permitted to continue their group health insurance coverage with no change in the premium in accordance with the University's policy and procedures.

8.3.2 **Voluntary Leave Without Pay** - Coverage will continue for the pay period for which their last premiums were deducted.

8.3.2.1 Employees with at least three years of service can request coverage up to three full months beyond the last premium period deduction provided the employee pays 100% of the total cost. Group health insurance may be continued after the three month period under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Additional information is available in the Office of Human Resources.

8.3.2.2 Employees with less than three years of service can request coverage under COBRA paying 102 percent of total cost.

8.3.2.3 Long Term Disability benefits will not be effective while on Voluntary or Involuntary Leave Without Pay.

8.4 **Auburn University Federal Credit Union** - Payroll deduction is permitted for savings and loans but all arrangements must be made with the Credit Union office. To contact the Credit Union Office, call 844-4120.

8.5 **United States Savings Bonds** - Monthly payroll deductions are available for United States Savings Bonds. Employees may request application forms from the Office of Human Resources.

8.6 **United Way** - All faculty and staff on the Auburn and Montgomery campuses are invited to participate in the annual United Way Fund Drive. The necessary pledge cards are distributed each fall by the United Way local representatives. These cards should be returned to the local representatives who will forward them to the Payroll and Employee Benefits Office for payroll deduction.

8.7 Athletic Events Discounts - Eligible employees may receive discounted tickets for Auburn home games with the purchase of a season ticket book. Please contact the Auburn Athletic Department for further information.

8.8 Bookstore/Dining Services Discounts - A 20 percent discount off the total purchase price is offered to staff at the University Bookstore and in Dining Services. Please call the Retail Sales Office, 244-3578 for further information.

8.9 Direct Deposit - The salary check of a monthly, semi-monthly, or biweekly employee (excluding undergraduate students) must be automatically deposited into his/her bank account. For more information, contact the Office of Human Resources, (334)244-3638.

8.10 Disability - Group Plan

8.10.1 Eligibility - Full-time non-student employees are eligible if the most recent employment period is continuous for a minimum of one year (nine or twelve months as appropriate to the appointment).

8.10.2 Coverage - The plan consists of two parts:

- 1) Salary Continuation during the first six months of disability; and
- 2) Long Term Disability Insurance beginning at the end of the 6-month period.

8.10.2.1 Both parts provide coverage up to 60 percent of the employee's monthly salary with a maximum amount of \$3,000 per month and minimum of \$100.

8.10.2.2 Both parts are subject to the "Non-Duplication Off-set Provision" which requires that any payment through Social Security, Teachers' Retirement, etc., must be coordinated with disability payments from the plan. This coverage is provided by the University at no cost to the employee.

8.10.3 Definition of Disability - For the purpose of the insurance, total disability means that during the first two years of any period of disability, a person is unable to perform the duties of his/her occupation. During the continuation of the period of disability beyond two years, the person is unable to engage in any business or occupation or to perform any work for compensation, gain, or profit for which he/she is reasonably fitted by education, training, or experience.

8.11 Supplemental Disability - Individual Plan

8.11.1 Eligibility - All full-time regular (non-student) employees are eligible to participate in this supplemental disability insurance plan on a voluntary basis.

8.11.2 This supplemental plan gives Auburn University at Montgomery employees the opportunity to complete their disability insurance program in accordance with their individual financial needs. It provides coverage during the one-year waiting period before

the group plan takes effect; since it would not be coordinated with the group plan, provided additional monthly benefits during the total period of disability.

8.11.3 The employee is responsible for the cost of the coverage. Further information may be obtained by contacting Johnson Sterling Paul and Company at (334) 887-5533 or 1-800-824-6256.

8.12 Life Insurance/Accidental Death and Dismemberment

8.12.1 **Eligibility** - Full-time regular (non-student) employees are eligible if the most recent employment period is continuous for a minimum of one year (nine or twelve months as appropriate to the appointment).

8.12.2 **Enrollment** - A Statement of Health is not required if application is made within 30 days following the date of employment. Participation in the program is optional. If an employee rejects the life insurance when employed and elects later to accept it, they may make application at any time by furnishing a satisfactory statement of health. Coverage is subject to approval or disapproval by the life insurance company. Amount of coverage:
Employees

8.12.3 Coverage

Base Group Life Insurance - All employer paid.

Amount of coverage: Employees receive 1 X salary (rounded up to next \$1,000) with a cap of \$35,000.

Optional Life and AD&D for Employees and their Spouses - All employee paid.

Amount of coverage:

Employee: 1, 2 or 3 X Salary to a maximum of \$450,000
(Round Salary up to next \$1,000 then multiply).

Spouse: \$10,000 increments to a maximum of \$100,000

(\$20,000 without evidence of good health during first 30 days of employment or marriage.)

AD&D: Same as the optional life amounts for Employees and Spouses. The employee does not have to purchase the optional life in order to purchase the AD& D coverage.

Optional Dependent Child(ren) Life and AD& D

Amount of Coverage: Employees may purchase either a \$5,000 or a \$10,000 policy.

Eligible children are unmarried from live birth up to age 19, or up to age 25 if a full-time student.

8.12.4 **Cost** - The University and the employee participate in the cost of the coverage.

8.12.5 **Conversion** - Upon termination of employment, life insurance may be converted without evidence of insurability into any form of insurance available, except term insurance, if application is made within 30 days from the time insurance expires. Such

employees will not again become eligible for insurance under this group policy upon reemployment.

8.12.6 Disability Benefit - In the event of permanent and total disability prior to age 60 as outlined in the contract, after the most current policy has been in force one year, all future premiums will be waived during duration of disability. Additional information is available upon request from the Office of Human Resources.

8.13 Voluntary Retirement Plans

8.13.1 Tax Deferred Annuities - University personnel have a means of deferring federal and state income tax that is unique to colleges, universities and other nonprofit organizations. Under Section 403 (b) of the Internal Revenue Code, tax deferred annuity plans are made available to make up for the tax and retirement benefit advantages that are lost by not working in private industry. These plans reduce the employee's gross wages before federal and state taxes are computed. Theoretically, when these funds are withdrawn later in life and subject to taxation, the employee is usually in a lower income tax bracket.

8.13.1.1 Eligibility - Full-time, non-student employees are eligible if the most recent employment period is continuous for a minimum of one year (nine or twelve months as appropriate to the appointment).

8.13.1.2 University's Contribution and Additional Amounts that can be vested Auburn University at Montgomery will match up to \$1650 per year of a qualifying employee's contribution. This equates to 5 percent of gross salary with a maximum-covered salary of \$33,000 per year. All employees enrolling in one of the University's tax deferred annuity plans will not vest in the University's matching portion until they have completed five years of full-time continuous service. Upon completion of the five-year requirement, the University's matching contribution and interest earned will be credited (or vested) to the participant's accounts. Nonparticipating employees with full-time continuous service will be given credit toward the five-year requirement upon joining the tax deferred annuity programs. The appropriate company will compute the maximum amount that may be tax sheltered through payroll deduction. The total investment in the annuities is determined by Section 403 (b) of the Internal Revenue Code.

8.13.1.3 Investment Options Available - There are several investment options available, giving the investor a wide spectrum of opportunities ranging from fixed and variable annuities to mutual funds. Detailed information is provided by the following approved companies:

- 1) VALIC
- 2) TIAA-CREF
- 3) Johnson Sterling Paul & Company
- 4) Fidelity Management & Research Company
- 5) Company telephone numbers may be obtained by calling the Office of Human Resources.

8.13.2 Deferred Compensation Plan - The Retirement Systems of Alabama have implemented a Deferred Compensation Plan available to all members of the Teachers' and Employees' Retirement Systems. According to federal law, annual contributions may not exceed \$8,000 or 25 percent of your compensation whichever is less. The amount must be coordinated with any Tax Deferred Annuity contributions, health insurance deductions, and flexible spending account plan deductions. The income deferred is not included in the employee's taxable wages for federal and state income tax purposes. This plan only allows employee contributions.

8.14 Mandatory Retirement Plans

8.14.1 Retirement Systems of Alabama - As a condition of employment at the University, all eligible employees in at least a 50 percent time position for 12 months or more are required to join the Retirement Systems of Alabama. This program provides retirement allowances for eligible members in accordance with the option the member designates at the time of application for retirement. All contributions to the retirement system are tax deferred for federal income tax purposes until retirement or withdrawal from the plan.

8.14.1.1 Teachers' Retirement System of Alabama - All non-student employees, except Civil Service employees, who are employed for a year in at least a 50 percent work capacity on a continuing basis, must be participants in the Teachers' Retirement System. Each member will have a payroll deduction equaling 5 percent of salary. Those employees appointed on a temporary basis for no longer than one year may be exempt for that period.

8.14.1.2 Employees' Retirement System of Alabama - All Civil Service employees employed by the Alabama Cooperative Extension Service must participate in the Employees' Retirement system. Each member will have a payroll deduction equaling 5 percent of one-half of gross salary from his or her monthly compensation.

8.15 Federal Insurance Contribution Act (FICA)/Medicare - A deduction is made from all employees' wages, except Civil Service employees, for Social Security. The noted Civil Service personnel are only eligible for Medicare and have a deduction from wages to cover the Medicare portion.

8.15.1 Monthly Benefits - A retired worker receives monthly Social Security retirement payments based on the worker's Social Security earnings record. In addition, a spouse and/or eligible children can receive benefits of one-half of the retired worker's benefits. The law allows for retirement as early as age 62.

8.15.2 Medicare - The Federal Social Security System makes available a broad program of health insurance for people age 65 and older. In certain circumstances this insurance is extended to individuals under age 65. The program popularly known as "Medicare" provides two kinds of health insurance:

8.15.2.1 **Hospital Insurance (Medicare Part A)** - provides a basic coverage designed to help pay hospital bills. It covers hospitalization, post hospital extended care, post hospital home health care, outpatient hospital diagnostic services, drugs and health supplies, and most other items ordinarily furnished by a hospital or an extended care facility.

8.15.2.2 **Supplemental Medical Insurance (Medicare Part B)** - is a voluntary plan designed to help pay for doctors' services and for a number of other medical items and services not covered under the hospital insurance program. These items and services include physicians' and surgeons' services, home health visits, and other medical and health services, such as diagnostic tests, x-ray or radium treatments, surgical dressings, splints, casts, certain ambulance services, and rental of medical equipment. Special enrollment in this plan is necessary and should be completed three months before reaching age 65.

8.16 **Health Insurance** - Auburn University at Montgomery has a self-insured group health insurance program with Blue Cross/Blue Shield of Alabama acting as an administrator for the processing of medical claims. A booklet is available to explain the benefits in detail and a copy of the contract is available in the Office of Human Resources.

8.16.1 **Eligibility** - Active, full-time regular (non-student) employees are eligible if their most recent employment period is continuous for a minimum of one year (nine or twelve months as appropriate to the appointment.) Participation in the program is optional. **There is no waiting period for preexisting conditions.**

8.17 **Summary of Benefits** - Below is a brief overview of the benefits. Each benefit is more fully explained in the Group Health Care Plan booklet that is given to all new employees.

1) **Cost** - The University contributes a portion of the biweekly, semi-monthly, or monthly premium. The employee's share is deducted from his or her paycheck and is exempt from federal, state, and FICA/Medicare Taxes.

2) **Continuation of Coverage through COBRA** - Continuation of your group health benefits as provided by the Consolidated Omnibus Budget Reconciliation Act of 1986 is available for employees, spouses and dependents after certain qualifying events occur. Additional information including cost and application for applying for coverage is available in the Office of Human Resources.

3) **Continuation of Coverage through Family Medical Leave Act** - Employees approved for leave under the FMLA will be permitted to continue their group health insurance coverage with no change in the premium in accordance with the University's policy and procedures.

8.17.1 **Blue Cross/Blue Shield Traditional Plan** - For updated information on plan benefits, please call the Office of Human Resources at 244-3253.

8.17.2 **Alcohol and Drug Abuse Rehabilitation Benefits** - This benefit provides comprehensive rehabilitative treatment in a participating substance abuse facility. A list of

those facilities is available in the Office of Human Resources. Benefits include 100% of covered services with no deductible and 120 residential days or 120 outpatient visits in a participating facility per benefit period. There is a maximum of two benefit periods in a lifetime.

8.17.3 **Blue Cross/Blue Shield Personal Choice** - An HMO Plan (Personal Choice) is available. Contact the Office of Human Resources at 244-3253 for more information.

8.17.4 **Dental Insurance Programs** - Auburn University at Montgomery provides a voluntary diagnostic and preventive dental insurance program. Total premiums are paid by the employee. For further information regarding this program, please contact the Office of Human Resources at 244-3253.

8.17.5 **Vision Insurance** - Auburn University at Montgomery provides a voluntary vision insurance program. Total premiums are paid by the employee. For further information regarding this program, please contact the Office of Human Resources at (334) 244-3253.

8.18 Termination of Coverage

8.18.1 Upon termination, an employee and his/her dependents will be covered for the time period for which his/her last premium was deducted. Coverage will cease automatically and without notice unless coverage is continued under COBRA.

8.18.2 The coverage of the spouse of an employee will terminate automatically and without notice as of the date of divorce or other termination of the marriage, and on such date the spouse will cease to be a member unless coverage is continued under COBRA.

8.18.3 The coverage of a child as a member will terminate automatically and without notice as of the date such child ceases to be a dependent unless coverage is continued under COBRA.

8.19 **On-the-Job Injury Program (OJI)** - Copies of the Auburn University at Montgomery OJI Program are available in Office of Human Resources. The following are procedures for filing an on-the-job injury claim:

- 1) An employee must notify his or her supervisor of an injury as soon as possible.
- 2) The supervisor and the injured employee must call 1-800-913-8643.
- 3) All medical bills must be filed first with the employee's health insurance. **In order to receive OJI benefits, all injured employees at Auburn University at Montgomery are required to seek medical attention from Auburn University at Montgomery's Nursing Care Center.** Medical emergencies should be directed to the nearest emergency facility. After the employee's insurance has paid its portion of the claim, the medical expenses not paid may be submitted to GBA Robins.
- 4) For questions on the status of a claim, employees may contact Barbara Prince at GAB Robins at 1-800-587-3773, ext. 250.

5) If the injury was a result of a safety issue that needs to be addressed immediately, contact the Office of Human Resources at 244-3253 to report the incident and receive consultation.

9.0 Other Rules/Regulations and Guidance

9.1 Solicitation and Distribution: Distribution, canvassing and placing of signs and posters for solicitation purposes, chain letters, and collection of any kind, and sales of tickets or merchandise are not permitted on University property unless prior approval is granted by the respective Vice Chancellor or the Chancellor's designee.

9.2 Political Activity - Each employee of Auburn University at Montgomery is specifically exempted from any obligation or compulsion to support any candidate or cause even though the support of such candidates or cause may be urged or suggested by any other employee of the institution, or division, school, or department. An individual employee of the University who may be expressing personal support for a candidate or partisan issues should do nothing to suggest or imply that he speaks as a representative of Auburn University.

9.2.1 Auburn University at Montgomery recognizes the constitutional rights of its employees to participate in and to assume the responsibilities of citizenship in government affairs. These rights include that of seeking public office in local, county, state, and federal governments. It must be recognized, however, that this participation must not interfere with the performance of the employee's work obligations to the University.

9.2.2 Employees who decide to qualify for full-time elective office in federal, state, county, or municipal governments will submit their resignation at the time they present their request for qualification as a candidate of election. Such resignations will be upon the standard forms and will be processed in the same manner as all other resignations. Such persons, so resigning, will do so without any guarantee by Auburn University that they may be re-employed in the event they are not elected; or, if elected, they may be re-employed while holding an elective office; or, that they may be re-employed at the expiration of the term of office for which they have been elected.

9.2.3 Full-time employees of Auburn University at Montgomery may serve in nominally remunerative local and county elective offices provided the duties and responsibilities of such offices do not interfere with the proper performance of the duties of such employees to the institution. In such cases, it will be the duty of the employee, before qualifying for such nominally remunerative local or county elective office, to receive the approval of Auburn University. Such approval will depend only upon the effect of the elective office on the employee's ability to perform his or her University duties. However, in no case will such approval carry with it any obligation of Auburn University at Montgomery to support any such candidate. Approval will require a letter of understanding signed by the respective department head and Vice Chancellor.

9.3 Supervisor Identification/Responsibilities - Identifying exactly who is a supervisor is a persistently difficult job since titles are not always helpful; however, recognition of who has the authority to act for the University in personnel policies and procedures and who should be identified as being a supervisor according to the FLSA is a crucial factor. In some instances, University positions with professional and administrative titles have supervisory responsibilities while other positions with a "supervisor" title are not responsible for or designated to act in a supervisory capacity. Additionally, some supervisory jobs may be nonexempt positions, such as "working supervisors/foremen" jobs, and be in the University Staff employee group. Because of these difficulties and of the critical nature of supervisory responsibilities under the FLSA as well as the need for employees to be clear as to who is a supervisor empowered to act for the University in personnel policies and procedures, this definition of a supervisor is established.

Generally, a supervisor is a regular University employee who is designated, authorized, and accountable to act for the University to carry out those duties and responsibilities described for the "supervisor" in the Personnel Policies and Procedures Manual. The supervisor is one who is required to regularly use independent judgment and be directly involved in decisions to interview, hire, promote, or terminate an employee; to initiate/approve personnel action forms (PAF's); approve work schedules, leave/absences and travel; assign and review work for quality and compliance; develop performance standards and periodically review individual performance and prepare reports; initiate disciplinary action; provide technical/administrative assistance and counsel; identify training/development needs and provide/arrange to meet these needs; account for and report hours worked for nonexempt employees; and, provide personal counsel and hear complaints.

Supervisors are accountable to know and follow University policies and procedures and exercise generally accepted leadership principles. This accountability will be reflected in written performance standards and periodic performance reviews for designated supervisors. Supervisors are responsible to take advantage of all training/development opportunities available.

"Leaders" should not be confused with "supervisors." While designated leaders may assign and check the work of others and provide technical guidance and training and recommend personnel action, they are not given the same authority and charged with the same accountability as a designated supervisor to exercise independent judgment to act for the University to approve personnel transactions/actions, set goals and establish performance standards, resolve problems/complaints, and such.

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