

PERSONNEL POLICIES AND PROCEDURES FOR ADMINISTRATORS AND STAFF



Policy Manual Volume V

900 Chicon Street
Austin, TX 78702
512.505.3000
www.htu.edu

Celebrating a 141 year legacy

UNIVERSITY MISSION AND VISION

Mission

Huston-Tillotson University nurtures a legacy of leadership and excellence in education, connecting knowledge, power, passion, and values.

Vision

A connected world where diversity of thought matters.

Table of Contents
Volume V

**PERSONNEL POLICIES AND PROCEDURES FOR
ADMINISTRATORS AND STAFF**

5.0	INTRODUCTION	4
5.1	Employment-at-Will	4
5.2	Employment Relations	4
5.2.1	Employment Categories	4
5.2.1.1	Administrative Staff	4
5.2.1.2	General Staff	5
5.2.1.3	Faculty	5
5.2.2	Employment Status	5
5.2.2.1	Active	5
5.2.2.2	Leave	6
5.2.2.3	Terminated	6
5.2.2.4	Retired	6
5.2.3	Introductory Employment Period	6
5.3	Vacation and Leaves for Administrators and Staff	7
5.3.1	Vacation Benefits	7
5.3.2	Sick Leave	7
5.3.3	Administrative Leave	8
5.3.4	Personal Leave	8
5.3.5	Leave Without Pay	8
5.4	Employee Conduct and Work Rules	8
5.4.1	Background Checks	9
5.4.2	Sexual Misconduct	10
5.4.3	Children or Guests in the Workplace	10
5.5	Performance Appraisal	10
5.6	Promotion/Transfers and Vacant Positions	10
5.7	Working Conditions	11
5.7.1	Attendance and Punctuality	11
5.7.2	Work Schedule	11
5.7.3	Official Absence	11
5.7.4	Tobacco-Free Campus	11
5.8	Time Cards and Overtime	12
5.8.1	Time Cards or Time Sheets	12
5.8.2	Overtime and Holiday Time	12
5.9	Problem Resolution	12
5.9.1	Complaint Policy	12
5.9.2	Grievance and Appeals Policy and Procedures	12
5.9.2.1	Informal Process:	13
5.9.2.2	Formal Process:	13
5.9.2.3	Ad Hoc Grievance Committee	13
5.9.2.4	Grievance of Termination:	14

5.9.2.5	<i>Employee Rights and Responsibilities:</i>	14
5.10	Separation from Employment	14
5.10.1	Resignation	14
5.10.2	Retirement	15
5.10.3	Employment Termination	15
5.10.3.1	<i>Termination Procedures</i>	15
5.10.4	Terminating Employee Clearance	16
5.11	Miscellaneous	17
5.11.1	Return of Property	17
Appendix		
	Fair Labor Standards Act Guideline 5.2.2.1	18
	Employee Clearance Form 5.10.4.1	19

<i>Volume Number</i>	V
<i>Functional Classification:</i>	<i>Personnel Policies and Procedures for Administrators and Staff</i>
<i>Title/Topic:</i>	<i>University Personnel Policies and Procedures for Administrators and Staff</i>
5.0 INTRODUCTION	

This Volume V of the Huston-Tillotson University Policy Manual, together with Volume II Campus Community Policies and Volume III General Employee Personnel Policies is intended to provide staff and administrative employees with a general understanding of applicable University policies. Employees are encouraged to familiarize themselves with the contents of this Volume V of the Huston-Tillotson University Policy Manual, for it will answer many common questions concerning employment with the University.

However, the Policy Manual cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee covered by this Volume V nor the University is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

In order to retain necessary flexibility in the administration of policies and procedures, the University reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this Volume V of the Huston-Tillotson University Policy Manual, except for its policy of employment-at-will. The only recognized deviations from the stated policies are those authorized and signed by the President of the University.

5.1 Employment-at-Will

All staff employees in the categories of full-time or part-time, Administrative Staff and General Staff are employed At-Will. Each staff employee must sign and return to the Human Resource Office a Statement of Employment At-Will, which includes the following statement:

I understand and agree that my employment at Huston-Tillotson University is At-Will and is subject to the terms and conditions set forth in Volumes II, III and V of the Policy Manual, which I have read and with which I am familiar. I understand and agree that my employment and compensation can be terminated with or without notice, with or without cause, at the option of either Huston-Tillotson University or me, and that nothing contained in the Policy Manuals changes or modifies my employment at-will status.

5.2 Employment Relations

5.2.1 Employment Categories

The categories of employees at Huston-Tillotson are as follows: administrative staff, general staff and faculty.

5.2.1.1 Administrative Staff

Administrative staff are employed for the primary purpose of managing the institution or a recognized department thereof. Administrative staff assignments require the performance of work directly related to management policies or general business operations of the institution. Positions in this category customarily and regularly require the incumbent to exercise discretion and independent judgment, and to direct the work of others. By convention this category includes vice presidents, deans, department

chairs, directors, coordinators, librarians and other senior administrative officers of programs and services.

5.2.1.2 General Staff

General Staff are employed for the primary purposes of performing academic support, student service, and institutional support activities. Employees in this category include administrative assistants, counselors, secretaries, business office staff, and other technical and support personnel.

5.2.1.3 Faculty

Faculty are individuals employed for the primary purpose of performing or supervising instruction and/or research activities, and who hold academic rank. Specific policies that pertain only to faculty employees are provided in Volume IV of the Policy Manual.

An employee, because of the employee's assignment, may be designated as staff but may have some teaching responsibilities.

5.2.2 Employment Status

The status of an employee is Active, Leave, Terminated, or Retired. The definition of each status is as follows. Applicable Federal Fair Labor Standards Act Guidelines are set forth in Appendix 5.2.2.1.

5.2.2.1 Active

Active employees are current employees who are performing duties for the University and receiving compensation for their services. All active employees will be classified as either Exempt or Non-Exempt; and each will be appointed to work either full-time or part-time hours, or for a temporary period of time. The definitions of these classifications follow:

5.2.2.1.1 Exempt

Exempt employees are administrative staff, faculty, and those general staff members, who meet the exemption standards of the Fair Labor Standards Act. These employees are not eligible for overtime pay.

5.2.2.1.2 Non-Exempt

Non-exempt employees are general staff members who do not meet the exemption standards of the Fair Labor Standards Act. These employees are eligible to receive overtime compensation for all hours worked in excess of 40 hours in any seven day workweek.

5.2.2.1.2.1 Full Time

Full time employees are a staff employee in any category who works at least 35 hours per week or a faculty member who receives an academic year appointment and teaches at least 24 semester hours per academic year. All full-time employees are eligible for all employee benefits and may be required to participate in some benefit programs or show cause not to participate.

5.2.2.1.2.2 Part Time

Part time employees are an employee in any category who works less than full time, but at least an average of 20 hours per week. Part-time employees receive all legally mandated benefits (such as Social Security) but are not eligible for most University benefit programs.

5.2.2.1.2.3 Temporary (Full Time/Part-Time)

A temporary employee is an employee in any category who is paid at an hourly, monthly, or contracted rate, depending upon the nature of the assignment, who is appointed for a limited and specific time period, and who is designated in writing as a temporary employee. Temporary employees are not eligible for most employee benefits.

5.2.2.2 Leave

Employees who have been granted approval for extended absence from work under one or more of the designated leave categories, and in strict compliance with the conditions and terms as outlined in Volume III, Section 3.4, are on leave.

5.2.2.3 Terminated

Former employees whose duties and compensation have ceased, at the option of either the University or the employee, but whose personnel records are still maintained by the Human Resources Office, are terminated.

5.2.2.4 Retired

Former employees who have worked at the University for a significant period of their career, and not less than ten (10) years, and who have chosen to end their active duties and compensation at the University, are retired.

All questions regarding the Fair Labor Standards Act and other questions about employment and benefits shall be directed to the Director of Human Resources.

5.2.3 Introductory Employment Period

All newly hired and rehired staff employees are subject to a ninety (90) calendar-day introductory employment period. This period is designed for orienting the new employee to the University community, job training, and allowing a reasonable amount of time for the University and the employee to evaluate the employee's suitability for the job in question. During the introductory employment, as throughout employment, a staff employee is employed at-will. This means that an employee has the right to terminate employment at any time with or without cause or notice, and the University has the same right. At the end of the ninety (90) day period, the supervisor must complete a performance appraisal.

The introductory employment period may be extended for up to an additional 90 calendar days in certain circumstances at the University's discretion. The supervisor must first obtain the approval of the appropriate member of the senior administrative staff and must consult with human resources before administering such an extension. A written record of the extension will be filed with the human resources office. The supervisor must complete another performance evaluation at the end of the extended introductory employment period.

During the introductory employment period, new employees will be credited with time toward the length of service requirements of the University's vacation and sick leave programs. Employees will be paid for any University holiday that occurs during the initial review period.

Employees who are promoted, transferred, or whose jobs are reclassified are not recategorized to introductory employment period employment status; however, the transferred, promoted or reclassified employee must satisfactorily complete a 90-180 day evaluation period and its accompanying performance evaluation for the new position.

5.2.4 Nepotism

The policy of the University is not to employ persons in the same immediate family in a department where there would be a supervisory relationship between them.

Immediate family for these purposes is defined as husband, wife, father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, brother, sister, grandfather, grandmother, grandson, and granddaughter.

In no case will an employee serve as supervisor to or under the supervision of a relative as defined herein, unless approved by the President.

5.3 Vacation and Leaves for Administrators and Staff

5.3.1 Vacation Benefits

Vacation leave for eligible employees is regarded as important for the morale and general well-being of employees, their families, and the University. Employees are encouraged to take their vacation leave annually. Vacation leave will be scheduled at the mutual convenience of the employee and the University with the prior approval of the employee's supervisor and unit head. At full-time administrative staff and general staff employees are eligible to receive vacation leave at full salary. Part-time and temporary employees are not eligible for paid vacation leave.

All new eligible employees will begin earning vacation leave the first month following six months of service. Vacation may be taken as it is accrued.

During the employee's first four years of employment, vacation leave is earned at the rate of 6.67 hours per month; and an employee earns two weeks of vacation each year. At the beginning of the employee's fifth year of continuous employment, the vacation rate will be changed to 10 hours per month; and the employee earns a three-week vacation. At the beginning of the employee's tenth year of continuous employment, the vacation rate will be changed to 13.33 hours per month; and the employee earns four weeks of vacation. The maximum vacation leave which any employee earns as an employee of the University is four (4) weeks.

The schedule of Vacation Leave follows:

LENGTH OF EMPLOYMENT	VACATION HRS.	VACATION LEAVE
1-4.99 years	6.67 hrs.	80 hrs/yr. (2 wks)
5-9.99 years	10.00 hrs.	120 hrs/yr. (3 wks)
10 or more years	13.33 hrs.	160 hrs/yr. (4 wks)

Vacation leave shall be taken prior to the end of the fiscal year in which it is earned. An employee may carry-over up to 80 hours of vacation into the next fiscal year. Any carry-over of vacation leave exceeding 80 hours (two weeks) must be approved in writing by the employee's supervisor, unit head and President and must be taken on or before the end of the next fiscal year.

Employees are encouraged to schedule their vacation during the non-peak periods in the cycle of the office's responsibility. Supervisors may not approve or may cancel vacation leave during the opening and closing periods of school each semester; and all employees are expected to attend scheduled staff retreats, faculty and staff institutes, Charter Day and Commencement.

Upon termination of employment, the employee will be paid for any accrued, unused vacation time, with documentation from Payroll.

5.3.2 Sick Leave

Any full-time employee who has been employed by the University for at least thirty calendar days is eligible to receive sick leave at full salary on a prorated basis. Sick leave is earned at the rate of 8.67 hours per month, beginning with the first month of employment if the employee's first day of work was on or before the fifteenth of the month. Otherwise, accrual begins the following month. Sick leave may be accumulated up to a total of 240 hours (30 days).

The employee is responsible for reporting to the employee's supervisor as early as possible that the employee will be unable to report for work because of personal illness, injury, or illness in the immediate family. Unless physically impossible, this reporting shall be accomplished before or at the scheduled working hour of each day of sick leave requested. If an employee fails to comply with this requirement, the employee will be considered absent without authorized leave and subject to pay deduction and, perhaps, other disciplinary action unless it can be demonstrated to the satisfaction of the supervisor that it was physically impossible for an employee to have complied.

The supervisor is responsible for reporting to the payroll office any sick leave taken by an employee prior to the employee's regularly scheduled pay date. Prior to taking scheduled sick leave, or on the day an employee returns from an unscheduled absence, a completed leave form, signed by the employee, the supervisor, and the unit head, shall be forwarded to the Payroll office.

If an employee is absent for three (3) or more days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Upon termination of employment, the employee will not be paid for any accrued or unused sick leave.

5.3.3 Administrative Leave

The President may, on occasion, grant administrative leave with pay for a designated period of time to any employee or group of employees in recognition of meritorious compensatory service.

5.3.4 Personal Leave

All full-time employees are eligible for up to three (3) days of paid personal leave per fiscal year. Employees will be credited with all three days upon their date of hire or the date they become full-time.

5.3.5 Leave Without Pay

When an employee has no type of paid leave time available, but due to an emergency must be absent from work, unpaid time may be allowed on an individual basis. The employee's supervisor must approve each request for use of unpaid time in advance. A completed leave form, signed by the employee, the supervisor, and the unit head, should be forwarded to the Payroll office. As much advance notice as possible must be given, preferably at least 24 hours.

5.4 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the University expects employees to follow rules of conduct that will protect the interests and safety of all employees and the University.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in legal action, and/or disciplinary action, up to and including termination of employment:

1. Poor performance of duties, including failure to follow instructions or to maintain established standards of workmanship or productivity, because of an unwillingness to perform or carelessness;
2. Violation of an attendance policy involving unscheduled absence or tardiness for whatever reason, including failure to report to the work station at the beginning of the scheduled shift, leaving the work station prior to the scheduled conclusion of the work period, and absences that exhibit a pattern or trend;
3. Failure to inform the supervisor when leaving the workstation or failure to report back to the workstation at the scheduled conclusion of a work break or meal period;
4. Working overtime without prior approval by the supervisor and unit head;
5. Failure to conform to a departmental uniform or dress code policy, including the wearing of identification badges or nametags;
6. Use of profane, abusive, or loud/boisterous language on University premises, or actions that may be discourteous or harmful to others, including smoking in non-smoking areas;

7. Use of another's computer sign-on or computer access code or providing someone else with the use of an individual's sign-on code without proper authorization;
8. Any abuse of computer/technology resources or violation of the Intellectual Property policy;
9. Using the computer to gain unauthorized access to confidential or privileged information and/or the unauthorized disclosure of confidential information;
10. Failure of an absent employee to notify properly the supervisor on each day of absence, unless such notice requirement is waived;
11. Failure to adhere to University or departmental safety policies or procedures, including failure to immediately report an accident on University premises involving an on-the-job injury or property damage;
12. Insubordination, including refusal to accept instructions from supervisors, campus safety officers, civil defense personnel or other proper authorities;
13. Unauthorized or improper use of University property;
14. Failure to appropriately interact with anyone on University premises (including students, visitors, customers, or other employees) when such behavior violates another's privacy or dignity, including sexual or other unlawful or unwelcome harassment;
15. Being in an unfit condition to perform the duties of the job, including sleeping on the job and working under the influence of drugs or alcohol;
16. Falsifying University records, including intentional failure to accurately record time records and registering the time card of another employee without proper authorization;
17. Threats, fighting, or other physical action against another person while on University premises;
18. Commission of any crime on University premises, such as theft, unauthorized removal of or willful damage to property, unauthorized possession of alcohol/weapons/explosives, gambling, being found in possession of illegal drugs, and charging personal long distance phone calls to the University without authorization;
19. Commission of a work-related crime while off campus;
20. Behavior that compromises another's safety or privacy or discloses confidential University information, including medically related records;
21. Any activity that violates federal or state standards regulating the provision, continued licensure, commissioning, or certification in a profession.

Disciplinary actions for some of these infractions are addressed in Section 5.7 of this Volume V of the Policy Manual.

5.4.1 Background Checks

Huston-Tillotson University promotes a safe work environment to protect its most important assets: the people we serve and the people with whom we serve. Therefore, current HT employees will be subject to background checks, periodically, based on position exposure or length of service. All prospective HT employees ("Applicants") must consent to and pass a background investigation prior to any appointment relating to regular full-time, part-time, temporary, volunteer and/or key student positions within the institution. The type of background investigation varies by position and is intended to protect the interests, employees and students of Huston-Tillotson University. Convictions, charges or other issues disclosed or discovered in the employment process may influence the selection of the applicant. Likewise, failure to be forthcoming about criminal history or any misrepresentation of education or work history may also influence the selection of the applicant.

Huston-Tillotson University reserves the right to perform background checks in any situation when it is deemed appropriate to protect the interests of the University.

5.4.2 Sexual Misconduct

Sexual misconduct is unacceptable and will not be tolerated at Huston-Tillotson University or institution sponsored events. Accordingly, Huston-Tillotson University urges an individual to make a formal report if that individual is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct. A report of sexual misconduct will be dealt with promptly. Confidentiality will be maintained to the greatest extent possible.

All members of the Huston-Tillotson University community, including but not limited to students, faculty (including adjunct faculty), staff, volunteers and independent contractors are subject to this policy. (see also Volume III)

Violators will be subject to disciplinary action that may include termination, expulsion, suspension, removal from campus, cancellation of contract, other appropriate institutional sanctions or any other means necessary to address the behavior. Prosecution by civil and/or criminal authorities may also occur.

5.4.3 Children or Guests in the Workplace

Huston-Tillotson University values an atmosphere that fosters a healthy balance between workplace obligations and family matters. However, frequent recurring presence of visitors or family members during work hours is not permitted. Faculty, Staff and Students with dependent children are expected to make external arrangements for proper care of their children while at work.

The University does not permit continual presence of children who require direct supervision in the workplace in lieu of other childcare arrangements. Emergencies should be discussed with your supervisor and may be accommodated on an individual basis. This policy applies to all campus buildings, including the Residence Halls where children are not permitted.

This policy is not intended to prohibit family members, minors, and dependents from attending official University events.

5.5 Performance Appraisal

It is the policy of the University for each staff member to participate in performance evaluations on an annual basis. Performance evaluations are intended to stimulate the morale and effectiveness of employees through joint planning of objectives with supervisors; additionally, they are used as an integral part of the decision making process to administer annual salary increases.

Newly hired employees will be appraised at the end of their introductory employment period. When an employee starts in a new position, the supervisor will discuss with the employee the performance criteria and standards upon which the evaluation will be based. In the last week of the ninety (90) calendar-day introductory employment period, the supervisor will complete an evaluation of the employee, communicate the outcome of the assessment to the employee, and submit the evaluation to the Human Resources Office for placement in the employee's personnel file.

The performance appraisal program will be explained to all new employees during their orientation and each employee will be given a copy of the appraisal form by the supervisor.

5.6 Promotion/Transfers and Vacant Positions

All employees may apply for any vacant positions at Huston-Tillotson University for which they meet the minimum requirements. In general, all vacant and new positions are posted at the University for at

least one week before a unit head may submit to the President a recommendation for appointment of any candidate for that position.

5.7 Working Conditions

5.7.1 Attendance and Punctuality

It is the responsibility of the employee to notify the immediate supervisor of the inability to report for work at least thirty (30) minutes prior to the scheduled report time. The employee is also responsible for keeping his/her immediate supervisor informed on a daily basis of the anticipated date of return to work from an illness. Absence without notice for three (3) consecutive days is considered job abandonment and grounds for immediate termination.

It is also the responsibility of the employee to be at work on time. Emergencies are understandable but frequent absences, tardiness, and failure to give proper notice of absences impairs the value of services and may result in disciplinary action leading to eventual release from University employment.

It is the employee's responsibility to ensure that proper notification is given to the supervisor. Asking a relative, another employee, or a friend to give this notification is improper, except under emergency conditions, and does not release the employee from this responsibility. On the day an employee returns from an unscheduled absence, a completed leave form, signed by the employee, the supervisor, and the unit head, should be forwarded to the payroll office.

Unexcused absences, repeated tardiness, or failure to report such absence of one or more days in a calendar month may subject the employee to disciplinary action. Any unauthorized absence after the time limit of an authorized vacation or other approved absence may result in discharge or other disciplinary action unless satisfactory evidence of inability to report for work is shown.

5.7.2 Work Schedule

The regular office hours each day are 8:30 a.m. to 5:30 p.m., Monday through Friday, with one hour for lunch. In order to accomplish a unit's mission, supervisors may find it necessary to schedule employees to work other than these regular hours. Administrative and general employees are expected to work other than these regular hours. Administrative and general employees are expected generally to be available as needed or required to accommodate the responsibilities of their respective program or office and may be asked, on occasion, to work longer or additional hours. On these occasions, as much advance notice as possible will be given to these employees.

5.7.3 Official Absence

Any employee of the University may be authorized or granted permission by the employee's unit head, or by the President, to be absent from the campus or other designated worksite, for official University business or Work-Related Travel. Employees on Official Absence are eligible to receive all benefits of employment and will not be penalized because of their absence. Prior approval for official Absence for a designated period of time must be obtained on the appropriate personnel form.

5.7.4 Tobacco-Free Campus

Effective 3.21.2011, before, during and after work hours and applicable to:

- All campus faculty, staff, students and visitors;
- Customers, vendors, clients, consultants, contractors, and all other visitors; and
- Members of committees, including our Board of Directors.

Smoking and tobacco use of any kind will be prohibited on all Huston-Tillotson University owned and/or leased locations/premises; all internal and external areas, including private space within residence halls, and parking lots; all entrances and exits; and all company owned and/or leased vehicles. Additionally, the policy will be in place at all company-sponsored events – both on our

premises and at external locations. Students, faculty and staff who choose to use tobacco products must do so on their regularly scheduled breaks or meal periods and off University property. Tobacco products refer to all forms of tobacco, including but not limited to, cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco and any non-FDA approved nicotine delivery device.

5.8 Time Cards and Overtime

5.8.1 Time Cards or Time Sheets

Time cards or time sheets are required for all hourly employees and must be submitted on designated due dates. A schedule will be supplied to all employees and department heads. Late time cards or time sheets will be paid on the next scheduled pay date. Incomplete and unsigned time cards or time sheets will be returned to the supervisor for correction.

5.8.2 Overtime and Holiday Time

Huston-Tillotson University discourages overtime and working on official University holidays by non-exempt employees except those in positions that provide 24 hour coverage such as residence hall staff and campus safety officers. **Under no circumstances are non-exempt employees to work overtime or on official University holidays without prior knowledge of and approval by the supervisor and the unit Vice President.** Non-exempt employees who work overtime without prior approval will be subject to disciplinary action.

If University operations require non-exempt employees to work overtime, advance notice will be provided by the supervisor. Compensation will be provided at a rate of one and one-half times the regular rate of pay computed on a 7 day, 40 hour workweek.

Some essential employees, such as Lobby Monitors, will be required to work during official school breaks because of the necessity for their service. Work performed during official school breaks is not considered overtime, unless the employee works more than 40 hours in the work week, nor is it considered holiday time.

5.9 Problem Resolution

5.9.1 Complaint Policy

A complaint is defined as any issue of dispute or dissatisfaction, or employee-employee conflict, or employee-supervisor disagreement, other than one defined as a grievance. Such complaints are not subject to the University's grievance policy and may not be processed through the University's formal grievance procedures. Complaints may include personality conflicts between employees, or employee dissatisfaction over wages, hours, working conditions and evaluations, or work-related problems that are not matters of established University policy.

A complaint shall first be presented informally to the supervisor for discussion and consideration and then formally in writing to the supervisor if satisfaction is not achieved. If a complaint is not satisfactorily resolved by the supervisor, the employee shall inform the supervisor of the intent to present the complaint in writing to the unit head for consideration and action; the employee shall do so immediately if resolution of the problem can not be achieved. Upon receipt of a formal complaint, the unit head will attempt to resolve the dispute and may call upon the resources and services of the Director of Human Resources or external professionals.

In all complaints, the decision of the unit head represents the final hearing and appeal.

5.9.2 Grievance and Appeals Policy and Procedures

A grievance is a complaint by an employee regarding the interpretation or application of the University's rules and regulations, working conditions, or alleged improper treatment that has not been resolved satisfactorily in an informal manner between the employee and his/her immediate supervisor.

A grievance must set forth a clear indication of unfairness resulting in harm or damage to the aggrieved person, arising out of management failures, working conditions, or employment relationships. The grievance must be concerning a matter within the control of the supervisor and must state the relief sought. This relief must also be within the authority of the supervisor to grant in whole or in part. Employees can raise concerns and make reports without fear of reprisal.

Grievances shall be taken up in the following manner:

5.9.2.1 Informal Process:

The employee shall first attempt to address the grievance informally by discussing it with his/her immediate supervisor. If the employee's immediate supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee shall contact the immediate supervisor's supervisor.

Although the University encourages the resolution of problems by informal discussion between employee and supervisor, the employee is free to discuss the grievance with the Director of Human Resources in an attempt to resolve the issue(s) in an informal manner. However, any informal discussions must be held before a formal grievance is filed.

5.9.2.2 Formal Process:

5.9.2.2.1 Step One

If the matter is not resolved to the employee's satisfaction through the informal discussion, the employee may proceed to the first stage in the formal grievance procedure by presenting the grievance in writing to the immediate supervisor, clearly identifying this action as a formal grievance and as the first step in the grievance procedure and describing the resolution desired. The grievance must be submitted in writing, and only one subject matter shall be covered in any one grievance. The written grievance must be presented to the immediate supervisor within five working days of the last informal meeting to resolve the grievance with that immediate supervisor. Upon receipt of this written grievance, the immediate supervisor shall have five working days in which to provide the employee a written answer to the employee's grievance. If the employee's immediate supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee shall begin with step two of this process.

5.9.2.2.2 Step Two

If the employee is not satisfied with the answer from the immediate supervisor, the employee may, within the next five working days of receiving a reply from the immediate supervisor, present the grievance in writing to his/her immediate supervisor's superior or the department director, with a copy forwarded to the Director of Human Resources. Upon the receipt of this written grievance, this administrator shall have five working days in which to provide the employee an answer in writing, with copies forwarded to the Director of Human Resources.

5.9.2.2.3 Step Three

If, upon receipt of the answer from the supervisor's superior or the department director, the employee remains unsatisfied, the employee may take the grievance to the final level of review by a grievance committee appointed by the President. To do so, the employee must provide written notification of such dissatisfaction to the President, with a copy to the Director of Human Resources, within five days after receiving the answer from the supervisor's superior or the department head.

5.9.2.3 Ad Hoc Grievance Committee

Upon receipt of a written grievance, the President shall appoint an ad hoc grievance committee to investigate the grievance. The President will submit a written grievance to the grievance committee which shall promptly investigate and, if necessary, conduct a hearing upon the grievance. The grievance committee shall render a written recommendation to the President concerning the matter

within thirty (30) calendar days and furnish copies thereof to the parties involved, including the Director of Human Resources.

In all grievances, the decision of the President represents the final appeal.

5.9.2.4 Grievance of Termination:

Any non-academic employee who has been terminated from employment and who believes that the action was improper may appeal in writing, within ten (10) days of the action, to the President for a review of the termination. This appeal must set forth specific allegations that provide a clear indication of the unfairness that resulted in the termination of the aggrieved person. Additionally, the appeal must provide a description of the factual basis for such allegations and must specify the relief sought. At the time the written appeal is filed with the President, copies thereof shall be furnished to the administrator who recommended the termination, and the Director of Human Resources.

Upon receipt of a written appeal of termination, the President shall appoint an ad hoc grievance committee to investigate the appeal. The grievance committee will promptly investigate all facts regarding the appeal. The administrator who recommended the termination shall provide a written response to such appeal to the grievance officer with a copy to the aggrieved person.

Within ten (10) days of receiving the written appeal, the grievance committee will present its findings and recommended action to the President who will make a final determination. In all grievances, the decision of the President represents the final appeal.

5.9.2.5 Employee Rights and Responsibilities:

If an employee engaged in the grievance procedure requires time away from the department for counseling or discussion of the grievance with University official(s) or the grievance officer, the employee will be required to provide adequate advance notice to the supervisor. Such notice ensures that the employee's absence will not unduly interfere with departmental operations.

An employee may be given a reasonable amount of time to present the grievance to management. In scheduling the time, place, and duration of any grievance meeting, both the employee and the administration will give due consideration to the duties each has in the essential operations of the department. No employee shall lose his/her rights because of the administration's imposed limitations in scheduling meetings. An employee engaged in the grievance procedure and still on the job will be expected to maintain acceptable performance levels in the discharge of the employee's duties and departmental responsibilities.

Employees who utilize the grievance procedure are assured freedom from reprisal as a result of the airing of their grievance. Any employee who fails to follow the grievance procedure as outlined in the staff handbook shall lose any right to pursue the grievance, and the grievance will be subject to dismissal.

5.10 Separation from Employment

5.10.1 Resignation

All employees who plan to resign their employment with Huston-Tillotson University are asked to give written notice in advance of their resignation to their supervisor. This written notice shall be addressed to the President of the University. Notice shall be given in the following manner:

A general staff employee is requested to notify the applicable supervisor at least two weeks prior to the date of planned resignation by submitting to the supervisor a letter of resignation addressed to the President.

An administrative staff employee is requested to notify the applicable supervisor at least 30 days prior to the date of planned resignation by submitting to the supervisor a letter of resignation addressed to the President.

The preferred procedures for resignation are as follows:

1. Immediately upon receipt of a notice of resignation, the supervisor will prepare a Change of Status form to be attached to the notice of resignation. If no written notice is given, the supervisor will prepare the Change of Status form immediately upon any verbal notice. Appropriate signatures will be obtained and the signed Change of Status form and notice of resignation will be given to the Director of Human Resources.
2. The Director of Human Resources will review the file to ensure all of the University's policies and procedures have been followed by the supervisor and unit head. The Director of Human Resources will then compute any unused vacation, in collaboration with the Business Office, sign the Change of Status form within twenty four (24) hours of receipt of the form, and draft the letter of acceptance for the President's signature.
3. The President may request a conference with the employee; and any employee who resigns may request an Exit Interview with the unit head and/or President to share any concerns, to discuss succession and the status of projects in progress, and to bid farewell.
4. The President will sign the letter of acceptance of the resignation and the Director of Human Resources will forward it to the employee, along with a copy of the checkout procedures. The Director of Human Resources will also send a copy of the signed Change of Status form to the supervisor, the unit head and the payroll officer. The original Change of Status form, and copies of the letter of resignation and the acceptance letter will be placed in the personnel file.

Upon receipt of the signed Change of Status form, the payroll officer is authorized to prepare a final paycheck for the employee no later than the employee's next pay date after the last scheduled work day. The check will be given to the Director of Human Resources, who will either mail the employee's final paycheck or give it to the employee after the employee has received the final check-out form signed by all appropriate staff persons.

5.10.2 Retirement

All general and administrative staff employees who plan to retire from their employment at Huston-Tillotson University are asked to give written notice at least 90 days in advance of their retirement. The procedures for resignation will be followed for a retiring employee as outlined in Volume V, Subsection 5.10.1.

5.10.3 Employment Termination

No one – including faculty, administrative staff, and general staff – shall be terminated from employment with or at Huston-Tillotson University, or with any of the University's special programs or research projects, except by the signed prior approval of the President. The President, in the President's discretion, may confer upon another official of the University the authority to terminate University employees.

All employees terminated by the University will be given written notice of their termination and its effective date.

5.10.3.1 Termination Procedures

1. The supervisor shall prepare a written recommendation for termination, with attached documentation of progressive disciplinary steps, and submit it to the unit head. Only in extreme situations will termination be considered without documented proof the employee was given an opportunity to correct performance problems. The supervisor shall discuss the recommendation with the Director of Human Resources and the unit head.
2. The unit head will review the recommendation and justification for termination. The unit head may also request a copy of the employee's personnel file, which includes the employee's job description and job performance appraisal, and may request to discuss the recommendation and justification with the employee.

3. The unit head will determine if support will be given to the recommendation and inform the supervisor. If the unit head does not support the recommendation, the unit head and the supervisor will meet to discuss the recommendation. If no agreement can be reached, the President will make the final decision on the termination.
4. If the decision is not to terminate the employee, the unit head will convene a conference with the employee and supervisor for the purpose of resolving the dispute.
5. If the unit head supports the recommendation, or if the President determines the employee will be terminated, the unit head will instruct the supervisor to prepare a termination file folder, which includes a completed and signed Change of Status form, the recommendation and justification for termination, and any other relevant reports, and then return the file to the unit head.
6. The unit head will sign the Change of Status form and deliver the file to the Director of Human Resources.
7. The Director of Human Resources will review the file to ensure all of the University's policies and procedures have been followed by the supervisor and unit head. The Director of Human Resources will then compute any unused vacation, in collaboration with the Business Office, sign the Change of Status form within 24 hours of receipt of the form, and draft the letter of termination for the President's signature. The Director of Human Resources will then deliver the file to the President's Office.
8. The President will review the file, within 24 hours of receipt of the form, and either sign the Change of Status form or request a conference with the Director of Human Resources, unit head, and supervisor to discuss the recommendation.
9. If the President approves the termination, the President will sign the Change of Status form and the letter of termination, accompanied by a copy of the checkout procedures for the employee.
10. Once a decision to terminate an employee has been reached by the President, the supervisor will meet with the employee to give him/her the letter of termination and discuss the reasons for the action. If warranted, the supervisor may request that Campus Safety be present and that they escort the employee from the campus. Every attempt should be made to give the employee the notice of termination in person. If the employee refuses to make him/herself available, the supervisor will send a certified letter requesting to meet with the employee. If the employee does not respond to the request for a meeting and continues to be unavailable, the University will send the termination letter to the employee by certified mail.
11. The employee may appeal the decision following the grievance of termination process.
12. The Director of Human Resources will send a copy of the signed Change of Status form to the following staff: supervisor, unit head, and payroll officer.
13. Upon receipt of the signed Change of Status form, the payroll officer is authorized to prepare a final paycheck for the terminated employee no later than the sixth day after discharge. The check will be given to the Director of Human Resources. The Director of Human Resources will either mail the employee's final paycheck or give it to the employee after the employee has received the final checkout form signed by all appropriate staff persons.

The Director of Human Resources will include the termination file with the employee's official personnel file.

5.10.4 Terminating Employee Clearance

Upon termination of employment, the employee will use the Employment Clearance Form for clearance. If the terminated employee is not available to complete the Employment Clearance Form, it is the supervisor's responsibility to ensure the completion of this form.

The Employee Clearance Form is provided in **Appendix 5.10.4.1**

5.11 Miscellaneous

5.11.1 Return of Property

Employees are responsible for items issued to them by the University or in their possession or control, such as the following:

1. parking pass
2. library books
3. credit cards
4. equipment
5. identification badge
6. keys
7. manuals
8. pager
9. uniforms

All University property must be returned by employees on or before their last day of work to the appropriate office or department using the University's Clearance Form. In case of terminations, the supervisor is responsible for collecting University property from the terminated employee and returning it to the appropriate office or department using the University's Clearance Form. Where permitted by applicable laws, the University may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The University may also take all action deemed appropriate to recover or protect its property.

Appendix 5.2.2.1: Fair Labor Standards Act Guideline

Appendix

5.2.2.1 Fair Labor Standards Act Guideline

The Federal Fair Labor Standards Act outlines the following tests for the determination of exempt **executive, administrative, and professional positions**:

EXECUTIVE

The following six tests must be met:

1. Primary duty is the management of
 - a. the enterprise in which the individual is employed, or
 - b. a customarily recognized department or subdivision thereof.
2. Customarily and regularly directs the work of two or more other full-time equivalent employees.
3. Has authority to hire or fire other employees or to make recommendations as to the hiring, firing and the advancement, promotion, or change of status of employees.
4. Customarily and regularly exercises discretionary powers.
5. Receives payment on a salary basis at a rate of not less than \$455 per week.
6. Does not devote more than 20% of the hours worked in the workweek to activities which are not directly and closely related to the performance of exempt work.

ADMINISTRATIVE

Tests 1, 2, 4 and 5 below must be met along with one of the tests in paragraph 3 below:

1. Primary duty is the performance of office or non-manual work directly related to management policies or general operations of the individual's employer or the customers of the individual's employers.
2. Customarily and regularly exercises discretion and independent judgment.
3. Regularly and directly assists a proprietor, or an employee employed in a bona fide executive or administrative capacity, or performs, under general supervision, work along specialized or technical lines requiring special training, experience, or knowledge, or executes, under only general supervision, special assignments and tasks.
4. Does not devote more than 20% of hours worked in the workweek to activities which are not directly and closely related to the performance of the work described in tests 1-3 above.
5. Receives payment of a salary or fee basis at a rate of not less than \$455 per week.

PROFESSIONAL

One of the alternate requirements under test 1 must be met along with all of the requirements in tests 2 through 5.

1. Employee must have as the employee's primary duty either work requiring knowledge of an advanced type in a field of science or learning, or original and creative work in an artistic field.
2. Work requires the consistent exercise of discretion and judgment.
3. Work must be predominately intellectual and varied in character as opposed to routine, manual, mental, mechanical or physical work, and of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.
4. Time spent in activities not "an essential part of and necessarily incident" to professional duties may not exceed 20% of employee's own weekly hours worked.
5. Receives payment on a salary or fee basis at a rate of not less than \$455 per week.

Appendix 5.10.4.1: Employee Clearance Form

5.10.4.1 Employee Clearance Form

	CLEARANCE IN	CLEARANCE OUT
Library Services	Signature indicates librarian and staff are aware of new employee.	Signature indicates any library materials the employee may have checked out have been returned and the employee does not owe any library fines to the University. If the employee should possess library materials or owe a library fine, the Director of Library and Media Services will note the details on the checkout form and sign it.
Facilities Management	Signature indicates the employee has been issued all keys and other property assigned to the employee.	Signature indicates the employee has returned all keys and other University property assigned to the employee.
Business Office	Signature indicates the Payroll Officer will open a payroll account for the employee.	Signature indicates the employee has fulfilled all fiscal obligations to the University (including the accounting for any travel advances), outstanding fines or other financial commitments have been deducted from the employee's final paycheck, and the Payroll Officer has reconciled and closed out the employee's account of unused vacation compensation and prepared a final paycheck for the employee.
Campus Safety	Signature indicates identification card has been issued.	Signature indicates identification card has been returned and any outstanding safety violations have been cleared.
Information Technology (IT)	Signature indicates the University's IT hardware and software have been issued and e-mail access initiated.	Signature indicates the University's IT hardware and software have been accounted for and secured and e-mail access terminated.
Telecommunications	Signature indicates employee will be given a telephone number and directions on how to use the campus telephone system.	Signature indicates telephone number will be reassigned as needed and all personal telephone charges have been cleared.
Mail Room	Signature indicates mailbox has been assigned and key (or combination) issued.	Signature indicates mailbox key has been turned in or combination will be changed.
Registrar (faculty only)	Signature indicates employee has been briefed on the employee's responsibilities to the Registrar.	Signature indicates grades, summary of absences, and roll books have been received.
Unit Head	Signature indicates the employee has	Signature indicates acknowledgment

Appendix 5.10.4.1: Employee Clearance Form

	been made aware of all expectations of employment, and is cleared to begin work.	that the employee has fulfilled all reasonable expectations of transition and exit and is cleared to depart.
Supervisor	Signature indicates the employee has been briefed on the employees work hours, job expectations, conduct in the workplace, any other issues relating to the employee's assigned duties and has obtained the necessary signatures from those listed above.	Signature indicates the employee has collected the employee's personal belongings, returned any department items or property which belong to the University, has obtained the necessary clearance from those listed above and is cleared to depart.
Human Resources	Signature indicates all of the University's personnel policies and procedures have been followed, the employee has been briefed on health, dental, and other benefits; the employee has completed the I-9, W-4, and any other personnel paperwork for the file; an employee file has been initiated; and the employee is cleared to begin work at the University.	Signature indicates all of the University's personnel policies and procedures have been followed, the employee has been briefed on continuation of health and dental benefits and the conversion of other benefits, that an exit interview has been conducted, and that the employee is cleared for release from any remaining obligations to the University.