

# **Staff Handbook**

**Oklahoma Panhandle State University  
Goodwell, OK 73939**

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## **1.0 INTRODUCTION**

This staff handbook is intended as a guide to University policy for all staff members of Oklahoma Panhandle State University. It contains information of a general nature as well as the procedures and policies under which the University operates. If any policy statements in this handbook are in contradiction to policy statements of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges or of the University, such Board of Regents or University policy statements will be deemed to control over the references appearing in this document. The Board of Regents and the University reserve the right to alter the terms of official policy statements and/or this document at any time without advance notice.

A publication such as this can never be completely accurate as University policies, procedures, regulations, benefits and services will require periodic modification (unless otherwise stated). Every effort will be made to update employees as modifications occur.

This handbook is not to be construed as a contractual agreement and it can be altered without prior notice from the University or the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges. The statements appearing in this handbook are intended only as general information items to help inform staff employees of selected university policies.

David A. Bryant  
President

## 1.1 VISION

OPSU's vision for the future is to build on its century long legacy of educational quality and service, while addressing emerging challenges and opportunities.

## 1.2 MISSION STATEMENT

The mission of Oklahoma Panhandle State University is to provide higher education primarily for people of the Oklahoma Panhandle and surrounding areas through academic programs, cultural enrichment, lifelong learning experiences, and public service activities. The educational experiences are designed to prepare students for roles in agriculture, business, education, government, and industry and to enrich their personal lives. OPSU will accomplish its mission by focusing on the following goals:

OPSU will facilitate learning to a community of diverse learners in a variety of formats and in supportive and nurturing environments.

- Recruit, retain, and graduate students
- Promote OPSU's role as the educational, informational, and cultural center of the High Plains Region and address the broader educational needs of the area by exploring, initiating, and supporting partnerships within the community.
- OPSU will be accountable to its stakeholders through measurement, evaluation, and self study of educational programs and support functions.
- Promote excellence at OPSU by offering undergraduate programs grounded in scholarship with well-defined educational outcomes, which emphasize communication, thinking skills, and knowledge.

## 1.3 VALUES

Oklahoma Panhandle State University believes that education is the key to successful participation in society and is guided in its programs and actions by its values. As an institution of higher learning, OPSU believes:

- excellence in teaching, learning, scholarship, and service;
- that quality service underlies everything OPSU does;
- in rapidly disseminating and applying disciplinary advancements, discoveries, and knowledge through education, applied scholarship, and professional outreach;
- in identifying the diverse needs of learners and providing intellectual resources and appropriate experiences to assist them in meeting those needs;
- in the worth, dignity, and potential of all individuals;
- that our heritage is important to preserve;
- in a mutually beneficial relationship with the primary service area;
- that learning is a lifelong process.

## **2.0 UNIVERSITY GOVERNMENT AND ADMINISTRATION**

### **2.1.1 OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION**

Oklahoma Panhandle State University is a part of a statewide educational program called the Oklahoma State System of Higher Education. Having been established by constitutional authority in 1941, the state system is younger than Oklahoma Panhandle State University and includes all institutions of higher education supported wholly or partially by legislative appropriations.

The coordinating body, called the Oklahoma State Regents for Higher Education, is composed of nine members. Following appointment by the governor and confirmation by the state senate, board members serve nine-year terms. One member of the board is replaced each year.

Responsibilities of the Oklahoma State Regents for Higher Education include setting standards of higher education (including requirements for the admission of students), determining the functions and courses of study at each institution, granting degrees and other forms of academic recognition, recommending higher education's funding needs to the legislature, allocating state appropriations to individual institutions, and determining the fees of all institutions of the system. (Article III-A, Sections 2 and 3, Constitution of Oklahoma).

### **2.1.2 OKLAHOMA AGRICULTURAL & MECHANICAL COLLEGES BOARD OF REGENTS**

The Board; also referred to as the OSU/A&M Board of Regents consists of nine members, one of whom is the President of the State Board of Agriculture. The Governor, with the advice and consent of the Senate, appoints the remaining eight members. The members are appointed for eight-year terms.

Its functions are legislative in the establishing of all general policies affecting the institutions it governs, their relation one to another, and the prescribing of such rules and regulations as may bring these policies into effect. Its judicial functions are limited to acting as a court of final settlement for matters that cannot be satisfactorily adjusted by the presidents of the colleges. Its executive power is delegated in most instances to the presidents of the institutions and their authorized administrators.

## **2.2 GOVERNANCE PHILOSOPHY**

The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges has full constitutional responsibility and authority for the control and administration of the agricultural and mechanical colleges.

### **2.3 ADMINISTRATIVE ORGANIZATION**

The administrative organization exists to provide leadership and to facilitate OPSU goals, objectives, and services. As an operating philosophy, members of the University community can best achieve the University's purposes in an atmosphere of shared governance, mutual planning and implementation of decisions, and the recognition and encouragement of contributions. An Oklahoma Panhandle State University organizational chart is provided upon request.

### **2.4 PRESIDENT**

As the chief executive officer of the University, the President is responsible to the Board of Regents for Agricultural and Mechanical Colleges for the administration of the institution. All authority delegated by the regents is administered through the President, who may in turn delegate responsibility and authority to other institutional administrative officials.

### **2.5 STAFF LIAISON COMMITTEE**

The staff liaison committee represents all staff employees hired by OPSU. The purpose of the staff liaison committee is to provide staff employees a means to provide input to the administration concerning working relationships, working conditions, and employment practices or differences of interpretation of policy that might arise between the University and its employees. The staff liaison committee shall be made up of two non-exempt, two exempt employees and one at-large (exempt or non-exempt) elected by their peers. Exempt employees are those who are not subject to wage-hour laws and non-exempt are those who are subject to wage-hour laws.

### **2.6 COMMITTEES**

A system of committees is essential to the operation of the University. They are basic to a collegial environment and assure participation by all segments of the University community in the interest of achieving institutional goals and objectives. They also serve to keep the faculty and staff advised of current issues; to utilize the unique talents and expertise available on the campus; and to provide interaction among faculty, students, and staff.

Committees are given clearly stated assignments in writing, and they are asked to give periodic reports to their constituencies. The committee structure of the institution is kept flexible and is subject to periodic review and revision. A current listing of committees, their assignments, and their membership is available in the office of the President.

Standing committees provide the President and other members of the administration with advice and assistance regarding areas of university activity that are important to the fulfillment of an educational mission.

Officers of the University establish administrative advisory committees for subjects not covered by the standing committee structure. These committees are composed of members selected by the establishing official. The President regularly reviews the number and

purposes of these committees.

Task forces are established from time to time as *ad hoc* committees designed to accomplish a specific purpose. The appointing body or officer selects members of a task force. Dissolution occurs when the assigned task is completed or at the discretion of the appointing body, officer, or President.

Administrative search committees may be formed to assist in the identification and screening of candidates as deemed necessary. When needed, the governing board appoints the presidential search committee.

## **2.7 STAFF HANDBOOK REVISION COMMITTEE**

The President will appoint a committee to review the staff handbook as needed.

## **2.8 GOVERNANCE ACTIVITIES**

Since the University depends upon an effective system of councils and committees in reaching its goals and objectives, it is important that staff members be given encouragement and support to participate in such recommended governance activities. Managers and supervisors are expected to provide opportunities for their staff members to serve on university councils, committees, and task forces when appointed. Time taken during working hours to attend meetings and otherwise participate in the activities of such organizations will be considered work time and need not be made up.

## **2.9 ACCOMMODATION COMMITTEE**

The committee serves as a review board to evaluate cases where difficulty is being experienced in determining the need for an accommodation and/or to determine if the accommodation would cause the University undue hardship. The board includes the Human Resources Director, Safety Officer, Accounting Officer, and Medical Doctor or Staff Nurse. Meetings will be called whenever a case arises where a decision on an accommodation calls for input by officers representing these major areas of university policies or practices.

## **3.0 EMPLOYMENT**

### **3.1 STATEMENT OF NONDISCRIMINATION**

#### **3.1.1 Equal Employment Opportunity**

Oklahoma Panhandle State University is an Equal Opportunity Employer and offers a program of Equal Educational Opportunity. It is the policy of Oklahoma Panhandle State University to take every available opportunity to ensure that each applicant offered a position at the University has been selected on the basis of qualifications, merit, and professional capability alone, without regard to race, color, creed, religion, sex, age, national origin, disability, or status as a veteran.

#### **3.1.2 Affirmative Action Statement**

This institution (in compliance with Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 402 of the Readjustment Assistance Act of 1974, and Title VII Americans With Disabilities Act of 1990, and other Federal Laws and regulations) does not discriminate on the basis of race, color, creed, national origin, sex, age, religion, disability, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and education services.

#### **3.1.3 Fair Labor Standards Act**

OPSU is covered under the Fair Labor Standards Act (FLSA). The FLSA sets basic minimum wage and overtime pay standards and regulates the employment of minors. Some employees are excluded from the minimum wage or overtime provisions, or both, by specific exemptions. Specific questions concerning FLSA provisions should be addressed to the University's Human Resources Office, or the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division at the nearest local office of that federal agency.

### **3.2 STAFF EMPLOYMENT POLICIES**

#### **3.2.1 HIRING NEW STAFF EMPLOYEES**

This policy was developed to provide a means for assuring: (1) that available human resources will receive full use; and (2) that all appointments, promotions, and transfers will be made on the basis of individual qualifications and merit. OPSU is committed to equal employment opportunity and to employment of only U.S. citizens and aliens authorized to work in the United States.

#### **3.2.2 HIRING POLICIES FOR NON-FACULTY**

Any vacancy for a position must be listed with Human Resources. Recommendations for appointments, reappointment, promotions, and transfers will not be approved until candidates for these positions have been approved by the President or his designee and have been

processed by Human Resources. Employment of persons for less than 90 calendar days should be coordinated with Human Resources for determining an appropriate compensation level.

Non-exempt positions must be posted for at least five working days or until an appropriate number of candidates have been referred. Exempt positions must be listed for at least 10 - 15 working days regardless of the number of applicants. Limited exceptions to this policy for promotion or transfer of current employees of the University are referenced below in the PROMOTIONS AND TRANSFERS section 3.3.2. Hiring officials should notify current employees simultaneously with, if not prior to, listing the job to give the current department staff first knowledge of promotional opportunities within the department. Upon making a hiring decision, Human Resources should be advised of the acceptance of the candidate selected. Human Resources should then notify all other applicants that the position has been filled.

All new employees will be required to provide identification and employability information in accordance with the Immigration Reform and Control Act and any applicable state law. All new employees must have an I-9 form on file in Human Resources. Questions regarding this issue are addressed below in CONDITIONS OF EMPLOYMENT Section 3.4.2, VERIFY, Employment Eligibility Verification (I-9), or should be directed to Human Resources. For assistance in filling a staff vacancy, refer to the New Hire Procedures, February, 2010 available at [http://www.opsu.edu/dwn/HR\\_New\\_Hire\\_procedures.pdf](http://www.opsu.edu/dwn/HR_New_Hire_procedures.pdf) and Job Vacancy Approval Form available at <http://www.opsu.edu/?page=Downloads&cat=Human%20Resources> or call the Human Resources Office. A criminal history background check will be engaged in prior to offering employment to a candidate. Where deemed appropriate, a credit history check may also be required. In all cases, consent and disclosure forms will be signed by the candidate prior to engaging in such checks. New Hire Procedures must be followed in detail; no steps may be skipped or omitted.

### 3.2.3 DEFINITIONS

**3.2.3.1. Appointments:** (a) Initial appointment refers to placing an individual on the payroll for the first time. (b) Reappointment refers to placing a former employee on the payroll. (c) A continuous appointment is one that is expected to continue for six months or more. (d) A full-time (FTE or full-time equivalent) appointment is one requiring 37.50 hours of work per week. (e) A part-time appointment is one that requires less than the designated hours of work per week. (f) Temporary appointments are expected to last less than 6 months. (g) Irregular appointments may last for an undefined period of time but require work on an irregular and uncertain schedule, totaling less than full-time. A designated schedule must be on file in the Human Resources office for anyone working less than full-time.

- 3.2.3.2. Promotion:** (a) The advancement of an employee to a classification with a higher pay range is a promotion. The term does not apply to pay increases for work at the same level. (b) An internal promotion is a change to a classification with a higher pay range within the same department.
- 3.2.3.3. Transfer:** (a) A promotional transfer is a change to a classification in a higher pay grade within another department. (b) A transfer occurs when an employee moves from one department to another or to a different position within the same department. A transfer may be made with or without a promotion.
- 3.2.3.4. Trainee Status:** Employment in a position where the individual does not meet the minimum qualifications for that position is designated as trainee status. The word "trainee" appears in parentheses after the title of the position for which the person is being trained. Positions in which a trainee status would be acceptable if full qualifications cannot be met should be advertised as such. A trainee's salary or wage should be less than the minimum rate established for that particular classification. The trainee designation will be removed from the title when the employee satisfactorily meets the qualifications for the position. The salary or wage rate should be increased to reflect the completion of the training period. A trainee should be expected to meet the basic qualifications for the position within the probationary period. Probationary periods for training will normally be for a period of six months.
- 3.2.3.5. Student Status:** This term applies to those employees currently enrolled full-time and regularly attending OPSU courses for credit and whose primary purpose for being at the University is to obtain an education. A student employee must be enrolled at a minimum as a half-time student with their primary function that of a regularly enrolled, in attendance student, where its educational activities is the primary purpose of pursuing a course of study to be considered eligible to be exempt from paying FICA (social security and Medicare taxes). The student FICA exception does not apply to services performed by an individual who is not enrolled in classes during school breaks of more than five weeks. By law, international students are not subject to FICA taxes; however, due to F-1 visa requirements, they cannot work more than 20 hours per week when classes are in session. The unit manager is responsible for determining the applicability of student status to the appointment and the work schedule to be met. International students are not allowed to work off campus without special authorization from the Bureau of Citizenship and Immigration (BCI). Prior to working on campus requires a valid United States social security card.

### **3.3 STAFF POLICIES:**

#### **3.3.1 AUTHORITY AND ADMINISTRATION**

The responsibility for administration of staff employment policies and procedures is delegated to the OPSU Human Resources Director under the executive authority of the President of the University.

The authority for employment policies stems from public laws, the Board of Regents and the President of the University. It is understood that any position made herein may be voided by action of a superseding authority.

Each staff employee has the right to discuss, with the OPSU Human Resources office, the terms of employment, including matters concerning hours, compensation, and working conditions.

Supervisors are responsible for communicating policies and procedures within their department. Policies and procedures not found in the staff handbook that are critical to departmental operations and/or unique to a department or work area should be communicated in writing and readily available to all affected employees.

#### **3.3.2 PROMOTIONS AND TRANSFERS**

The University encourages the upward mobility of staff employees to positions for which they are qualified and which meet their career interests and objectives.

1. Positions that are to be filled by promotional or lateral transfers will be listed in accordance with the University's Staffing Needs. Positions that result in a demotion for employees may be filled without listing.
2. Employees interested in promotional or lateral transfer opportunities should provide Human Resources with updated employment application material. Also, employees wishing promotional or lateral transfers are encouraged to discuss these possibilities with their supervisor.
3. Employees who have successfully completed the required probationary period of employment in their most recent position as described below in TERMS OF EMPLOYMENT will be referred to promotional opportunities for which they are qualified. Employees with less than six months of service in their current classification will normally not be approved for promotion or transfer.

Departments accepting employees by transfer will be responsible for the employees' accumulated paid leave and short-term disability benefits.

Salary increases normally will not be approved for employees moving from one position to another at the same or lower level. A decrease in salary may be appropriate when employees

accept transfers to lower level positions. Decreases in salary should be discussed with the Human Resources Director before the action is taken.

### **3.3.3 TERMS OF EMPLOYMENT FOR NON-EXEMPT STAFF**

1. Non-exempt employees serve a probationary period of one year from the date of initial employment. A one-year probationary period is also served each time such an employee receives a promotion or transfer. Such subsequent probationary periods do not affect an employee's eligibility for accruing or using university benefits.
2. The probationary period is a time for learning the job requirements and demonstrating the skill and abilities to perform the duties assigned. When the probationary period is completed employees are assumed to have demonstrated satisfactory performance in the position.
3. No property or contractual interests in future employment are intended to be extended to employees whose employment relationships with the University are governed by this Staff Handbook and no oral statements by any University official which are contradictory to the provisions of this section are enforceable. Neither this policy nor any person's employment with the University shall in any way grant such employee a claim to tenure in employment, or to any years of employment attributable to tenure with the University.

### **3.3.4 TERMS OF APPOINTMENT FOR EXEMPT STAFF**

(executive officers, administrative officers, administrative staff, and professional staff)

All exempt staff (executive officers, administrative officers, administrative staff, and professional staff) are "at-will" employees and serve at the pleasure of the University. Such employees have no contractual or property right to continued employment, and no expectation of continued appointment in such positions may be conferred by any University official. Such employees may be separated from employment with the University at any time without the need or requirement to give notice or cause for separation. No oral statement by any University official, which is contradictory to the provisions of this policy statement, is enforceable. Neither this Staff Handbook nor any person's employment with the University shall in any way grant such employees a claim to a property right to continued employment, to tenure in employment, or to any years of employment attributable to tenure with the University.

## **3.4 UNIVERSITY EMPLOYMENT**

The information in this section gives employment policies for executive officers, administrative staff, professional staff, and service and operations staff. These groups combined are known as staff employees.

### **3.4.1 EMPLOYMENT PACKET**

All OPSU employees, whether non-faculty staff or faculty in nature, shall complete and submit for their personnel files an employment packet, as well as such other forms as are

deemed necessary by the University. OPSU will follow all applicable state and federal laws regarding the use and safekeeping of such documents and the information contained on them. Such forms will include but are not limited to the Employee data Sheet, Personal Information, and Drug Free Workplace form.

### **3.4.2 CONDITIONS OF EMPLOYMENT**

#### **3.4.2.1 Loyalty Oath**

As required by Oklahoma state law; all individuals are required to sign a loyalty oath upon employment by the University.

#### **3.4.2.2 Employee's Withholding Allowance Certificate (W-4)**

All employees are required by federal law to complete and sign a W-4 form. Proof of social security number is required for completion of the W-4 form.

#### **3.4.2.3 Employment Eligibility Verification (I-9)**

OPSU is committed to employing only United States citizens and aliens who are authorized to work in the United States of America and comply with the Immigration Reform and Control Act of 1986. As a condition of employment, each new employee and each newly rehired employee must have a properly completed Immigration and Naturalization Service Form I-9 with appropriate original supporting documents to prove eligibility for employment. As required by Oklahoma HB1804, copies of supporting documents cannot and will not be accepted.

The above forms are to be completed in the Human Resources Offices or as otherwise designated. An employee must have the required forms completed and on file with the Human Resources Office within three working days of their first day of employment.

### **3.5 EXECUTIVE OFFICERS (Exempt)**

Dean of Students	President
Vice President for Academic Affairs/Outreach	Vice-President for Fiscal Affairs

### **3.6 ADMINISTRATIVE AND PROFESSIONAL STAFF (Exempt)**

Administrative Assistant to the President	Director of Counseling, Career Services and Testing
Administrative Assistants to the Vice Presidents	Director of Financial Aid
Admissions Counselor	Director of High School/Community Relations
Assistant Coach	Director of Hispanic Student Services
Assistant Director for Technology Services	Director of Housing

Assistant Director of Computer Services	Director of Human Resources
Assistant Farm Manager	Director of Information Technology
Assistant Grounds Supervisor	Director of Noble Center
Assistant Librarian	Director of Purchasing
Assistant to the Registrar	Director of the Library
Athletic Director	Director of the Physical Plant
Athletic Trainer	Director of Upward Bound
Bookstore Manager	Farm Manager
Campus Events Coordinator	Head Cashier
Chief (Claims) Accountant	International Coordinator
Comptroller	Maintenance Supervisor/Physical Grounds Maintenance Supervisor
Custodial Supervisor	Plant Superintendent
Director of Admissions/Registrar	Program Facilitator for Upward Bound
Director of Assessment/Institutional Research	Recruiters
Director of Campus Communications	Residence Halls Director
Director of Continuing Education	Staff Nurse

### **3.7 SERVICE AND OPERATIONS STAFF (Non-Exempt)**

Accounting Clerk	General Maintenance
Admissions Clerk	Grounds Maintenance
Assistant Cashier	Insurance Coordinator/Payroll Assistant
Bookstore Clerk	Records Clerk
Bus Drivers	Secretary I
Carpenter	Secretary II
Claims Clerk	Secretary III
Custodian	Security Guard
Financial Aid Clerk	Student Record Specialist

### **3.8 POSITIONS NOT SPECIFICALLY LISTED**

The above listings do not necessarily include all current positions, or positions, which may be, added in the future which are exempt or non-exempt. The status (exempt/non-exempt) will be based on the job description at the time the final determination is made.

### **3.9 EMPLOYMENT OUTSIDE THE UNIVERSITY**

A person who accepts full-time employment at OPSU assumes a primary professional obligation to the University. Any other employment or enterprise in which an employee

engages for income must have prior approval by the President and must be understood to be definitely secondary to his/her university work. After consultation with those reviewing requests for outside employment and extra compensation, the employee must be willing to accept the judgment of the President as to whether he/she may engage in such employment and retain full-time employment with the University.

University staffs that are on the fixed (monthly) payroll must request approval of outside employment prior to that employment. All activities performed inside the University for extra-compensation must be arranged as regular assignments are, with the agreement of the appropriate unit manager or Vice-President. Services performed outside the normal job description during normal scheduled working hours will not receive extra compensation.

Staff members should also be concerned to avoid possible conflict of interest with the University in all outside employment. Questions regarding potential conflict of interest should be addressed to the unit manager, who may wish to consult the University's legal counsel.

### **3.10 CONFLICT OF INTEREST**

A conflict of interest refers to situations in which financial or other personal considerations may compromise, or give the appearance of compromising an employee's professional judgment in carrying out university responsibilities such as teaching, research, contract administration, and purchasing or in which there is potential for such compromise. The term may also relate to a conflict of commitment (i.e., an employee's distribution of effort between obligations to official university responsibilities and obligations to one's outside activities). Employees must conduct University business within guidelines that prohibit actual or potential conflicts or interest. Conflicts of interest do not necessarily represent an impropriety by an employee. This policy identifies areas of conflict which are prohibited by the Oklahoma Ethics Commission and state law. It is not possible to completely eliminate the potential for all conflicts of interest but it is important to disclose possible conflicts that may compromise or be perceived to compromise an employee's professional judgment. As an employee of OPSU you may be required to fill out a CONFLICT OF INTEREST Disclosure form with the Assistant to the Vice-President of Fiscal Affairs / Purchasing Director. All information provided in that form is confidential and will be used only to manage and report conflicts of interests as stated above.

### **3.11 NEPOTISM**

Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity or by affinity shall not in itself be a bar to appointment, employment, or advancement by OPSU.

However, no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding appointment, employment, promotion, salary, or tenure for the other, nor shall either of two persons so related who hold positions in the same budgetary

unit be appointed to an executive or administrative position in that unit or to a position involving administrative responsibility over it as long as the other person remains in the unit without first receiving the written approval of the appropriate Vice-President and the President. In the event a waiver is granted, performance evaluations and recommendations for compensation and promotion will be made by one not related to the individual being evaluated. The A&M Regents will be notified at the next meeting of any waivers.

Relatives that are within the third degree of relationship by blood or marriage are as follows: spouse; parent; grandparent; great-grandparent; parent, grandparent, or great-grandparent of spouse; uncle or aunt; uncle or aunt of spouse; brother or sister; brother-in-law or sister-in-law; niece or nephew; spouse of niece or nephew; son or daughter; son-in-law or daughter-in-law; grandson or granddaughter or his/her spouse; and great-grandson or great-granddaughter or his/her spouse.

### **3.12 CANDIDACY FOR POLITICAL OFFICE**

A. All University employees enjoy the full rights and privileges of citizens to participate in partisan political activities in the State of Oklahoma and the United States. Employees are permitted to freely engage in lawful political activities of any kind provided such activities are conducted on the individual's own time, do not interfere with official duties and responsibilities, and are not inconsistent with other provisions herein.

However, students and other constituencies of the University may rightfully expect competent services from employees of publicly supported institutions. Therefore, the welfare of the University requires that each employee perform the duties and responsibilities assigned to his or her position as the first priority. Full-time political activities are prohibited while serving as an employee. Moreover, outside activities of any kind should not interfere with the fulfillment of assigned duties.

B. An employee who wishes to assume a major role in a partisan political campaign is obligated to discuss such plans well in advance with the appropriate supervisor. If the supervisor determines that the political activity might impinge to any extent upon the full discharge of the employee's responsibilities, the proposed political activity must be reviewed and approved through regular administrative channels to the President's Office. Through such a review, the President will determine whether the proposed political activity will impinge to any extent upon the full discharge of the employee's responsibilities. If approved, the employee shall take a leave of absence without pay (after exhaustion of any earned annual leave) prior to participating actively in political activity, including, but not limited to, actively campaigning for political office or directing the political campaign of another person seeking a political office.

C. Any employee intending to conduct a personal candidacy for a partisan elective office must obtain approval by the President prior to any announcement by the employee for

such office.

D. Employees are permitted to campaign for and hold non-partisan offices, the duties of which do not interfere with official responsibilities such as a member of a school board, city council, and/or other local offices.

E. The political activities of an employee may not involve the University's name, symbols, or in any way imply University support or support of the Board of Regents pertaining to the political interest supported by the employee.

F. An employee may accept an appointed position in government requiring full-time service. However, before accepting such position an employee is required to request and be approved for leave without pay or resign from employment with the University. Any approval of leave without pay to accept an appointed position shall be for not less than the duration of the semester in which the approved leave is granted. Leave from University responsibilities for any period greater than one year shall be reviewed by the President and written justification shall be provided to the Board in requesting its approval.

If elected to such partisan political elective office, the employee shall resign (or retire, if eligible) from the University.

### **3.13 POLITICAL ACTIVITIES**

An employee who participates in political activities must do so in a manner that:

- does not imply, directly or indirectly, that the University endorses such activities,
- in no way interferes with the rights and privileges of other employees of the University,
- in no way interferes with the rights and privileges of students attending the University,
- in no way interferes or disrupts the normal routine operation of the University,
- in no way interferes with the assigned duties of the employee,
- does not utilize University materials or supplies (postage, stationary, telephone, E-mail, etc.)

### **3.14 OPEN RECORDS ACT**

All University employees are state employees; as such, they are subject to the Open Records Act (including, Title 51 section 24 A.5 of the Oklahoma Statutes: Personnel Records-Confidentiality Inspection and Copying).

Certain information is made available to inquiring individuals upon request; this includes:

position, date of hire, wage rate (gross figures only of former employees).

Schedule of reproduction and search fees chargeable under the Oklahoma Open Records Act are:

**Reproduction and Copying Fees:**

\$ 0.25 per page for any paper document 8.5 by 14 inches or smaller

\$ 1.00 per page for a certified copy

**Search Fees:**

As allowed by the Open Records Act, a requestor will be charged for any employees time (on an hourly basis according to the employees salary) used in searching for the requested records for retrieving documents pursuant to a request which is solely for commercial purposes or which causes excessive disruption of normal business operations.

Non-routine information may be accessible to inquiring individuals. All requests for documents shall be made during normal business hours and shall be made in writing. All requests must specify the document requested, the number of copies of the document, the name of the person requesting the document, and the date of the request. Sufficient time shall be allowed for retrieving and copying documents as requested.

**3.15 BENEFITS ELIGIBILITY**

Only those employees holding a part-time or full-time appointment and working at least 75% of the time are eligible for university-paid benefits. Persons working less than 75% are eligible for some benefits at their own expense. (See detailed information described in the EMPLOYEE BENEFITS section 5.0.)

Student employment is considered temporary; therefore, student employees are not eligible for employment benefits other than Workers' Compensation and voluntary election to contribute to a 403B account. Additional information is available from the Human Resources Office.

**3.16 BENEFITS DESIGNATION**

University employment benefits are linked to the primary position for which an employee is hired. If an employee is hired through the staff hiring process, but by the virtue of his/her skills or expertise is assigned an additional academic title, benefits accrue to the primary staff title only. The employee's total title would reflect an additional academic appointment, unless the Executive Officer, after consultation with the Human Resources Director, specifically determines that an exception is in the best interest of the University. Example: Staff Psychologist/Adjunct Professor is assigned professional staff status and benefits.

If a person is hired through the faculty hiring process and acquires a staff title because of additional responsibilities, then benefits are linked to the primary academic title. If

the primary responsibility shifts to staff or administrative activity, the benefits are linked to the primary administrative responsibilities.

### **3.17 TESTING**

Federal regulations require that employee testing be validated to show a direct relationship between test results and job performance. Employment tests are not to be used unless the Human Resource's office has approved them.

### **3.18 PERFORMANCE EVALUATION**

One of the most important responsibilities of university supervisors is conducting evaluations of staff employees in their work group. Performance evaluations are basic to good personnel management and are considered a fundamental part of each supervisor's job assignment.

Evaluations are useful to: (1) achieve desired work performance; (2) receive ideas and input; (3) assist employees in personal development; (4) correct performance problems; (5) assist employees to develop additional knowledge, skills, and abilities for job advancement; (6) document shortcomings for positive discipline procedures that may be necessary; and (7) provide compensation that is relative to work performance.

All staff employees (except student and other temporary employees) are to receive a performance evaluation at least once a year. Evaluations may be given on a more frequent schedule when supervisors believe them to be useful. Employees who complete probationary periods will be given an interim evaluation at that time. Each employee will receive an evaluation from his/her immediate supervisor.

Performance evaluations are to be separated sufficiently in time from the University's budgeting schedule so that the focus of performance evaluation is on employee development but timed sufficiently with the budgeting process that performance evaluation results are meaningful in terms of annual merit increase recommendations. For this reason, regular annual performance evaluations for staff members are to be given each year during the month of March. When justifiable because of the work cycle, exceptions may be made to this time period by the appropriate Vice-President. Each performance evaluation is to be discussed with the employee receiving it.

Performance evaluations are to be documented and signed by the employee's immediate supervisor, the employee, and the department head as appropriate. The employee's signature is not interpreted to mean agreement with the evaluation but rather acknowledgement that the evaluation has been discussed with the employee. A copy of the written evaluation is to be given to the staff member.

An organizational unit may use a performance evaluation considered most appropriate for the

kind of work performed in their workplace. Human Resources will assist departments in the development of evaluation instruments upon request. In addition to the department unit form, the University's Performance Summary Report is to be completed and signed by the employee's immediate supervisor, the employee, and the appropriate organization unit manager. An employee should have two working days after receiving a copy of this summary before he or she is required to sign it. One copy of the summary is to be given to the staff member evaluated, and the original is to be sent to Human Resources to become part of the employee's official personnel file. The summary forms may be obtained from the Human Resources office.

### **3.19 WORK SCHEDULES**

The University reserves the right to establish and change work days and hours as may be necessary for the orderly and efficient operation of the University. Employment with the University is considered the employee's primary employment in all cases. If it is deemed necessary or convenient for the University to call employees in to work additional hours to promote the efficient operation of the University, or to alter the hours of employees to meet the needs of the University, affected employees are required to conform to those directions, even where such actions might conflict with a "second job" or other personal interests of the employee. Failure to do so constitutes grounds for separation.

#### **3.19.1 Rounding Procedures**

Employees are required to indicate the actual and specific time the work day began and ended. However, for the purpose of figuring weekly hours the University does recognize the practice of rounding to the **nearest** quarter-hour (15 minutes).

**3.19.2 A student / hourly Excel timesheet** that automatically calculates time work is available at <http://www.opsu.edu/?page=Downloads&cat=Human%20Resources> and should be used by all hourly and non-exempt employees. Hourly employees are to turn these into the Human Resources Office no later than 12 noon on a specifically designated date as identified or the 16<sup>th</sup> of each month when no specific date is required. Non-exempt full-time employees are to turn in their timesheet on the first working day following the end of the reporting period monthly.

#### **3.19.3 Unreported Absence of Three or More Days:**

An employee's failure to notify (personally, in writing, or by telephone) his or her immediate supervisor and/or the Human Resources Office of an absence from work during the established shift or work period of three or more days shall be deemed to have voluntarily resigned their position.

### **3.20 TRAINING AND DEVELOPMENT**

Training and development activities/opportunities are available are open to staff employees. Workshops, seminars, and other developmental activities designed to improve the administration of university functions and individual employee skill sets will be announced

as they become available.

The University is committed to staff development and training for its employees. Departments are encouraged to promote the development and training of their staff. Time off during working hours may be given for individuals' participation that provides proof of attendance. Permission to enroll in and attend staff development training opportunities during normal working hours must be obtained through regular supervisory channels. Staff members are highly encouraged to take advantage of the free-tuition for coursework hours taken at OPSU.

While the University reserves the prerogative of scheduling staff development training time to meet its service requirements, it also expects each department and supervisor to make sure that each person under his/her supervision is allowed to participate in university-sponsored staff development opportunities. No employee should have to make up time spent attending these programs.

### **3.21 COMPENSATION**

The University attempts to pay employee's wages and salaries competitive with those paid for similar work in the areas from which we recruit. Positions requiring similar knowledge, skills, and abilities are given the same classification.

Human Resources are responsible for classification of each staff job (other than executive officer and administrative officer). Before a new position is filled, Human Resources should approve a classification. If a position has been previously classified but duties and responsibilities have significantly changed, a reclassification review should be requested. In general, institutional need will be the primary element in job classification or reclassification.

Requests to reclassify positions may be initiated by individual employees, manager/supervisors, other appropriate administrative officials, or Human Resources. After a review is completed, if it is determined that an employee is no longer appropriately classified, Human Resources will so advise the manager/supervisors and other appropriate administrative officials and an adjustment shall be made. That adjustment may mean reclassification of the position or alteration of the job functions being engaged in by the affected employee so that the employee is appropriately classified. Reclassification may also result in pay adjustments either up or down.

Salaries and wages are reviewed periodically (generally once each year), and increases may be given on the basis of merit. On occasion, pay rate adjustments may result in across-the-board raises. The across-the-board adjustments may be minimized, however, in order to reward individuals in terms of work performance.

OPSU maintains a fringe benefit plan. These fringe benefits are an integral part of the pay package of the employee and generally add approximately 25% to 30% to the cash portion of

the pay of most employees and represent a payroll cost to the University.

### **3.22 PERSONNEL DATA CHANGES**

It is the responsibility of each employee to promptly notify the Human Resources Office in **writing** of any and all changes in personnel data. Name changes, personal mailing addresses, telephone numbers, changes affecting number and names of dependents on University insurance policies, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

### **3.23 ACCESS TO PERSONNEL FILE POLICY**

The Human Resource department is the sole custodian of personnel files. For the purpose of making staff employment decisions, the University maintains individually identifiable personnel files on persons who have been or who are its employees. This policy is intended to provide guidelines for access to those records necessary to protect the privacy of its employees and the interests of the institution in fulfilling its constitutional functions. Access to appropriate records shall be in accordance with the provisions of this policy and the University's open records policy.

#### **3.23.1 Contents**

Only information germane to the person's employment with the institution shall be retained in these files. Examples of this type of information are:

- a. information pertaining to bona fide occupational qualifications;
- b. service on university committees, councils, and task forces;
- c. Summaries of pre-employment recommendations and merit, tenure, and promotion recommendations;
- d. performance and discipline matters;
- e. personnel actions such as appointment, change of status, tenure, and promotion; and
- f. Awards, elected offices, service to outside organizations, and professional associations.

Individuals may ask that materials relevant to their employment be included in their personnel file by written request to the director of Human Resources or the appropriate administrative officer.

#### **3.23.2 Confidentiality**

The following personnel records may be withheld from public access: (a) those that relate to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, documentation leading up to a final disciplinary action, or resignation; (b) those where disclosure would constitute a clearly unwarranted invasion of personal privacy such as, but not limited to, employee evaluations, medical documentation, payroll

deductions, and employment applications submitted by persons not hired by the University; and (c) those that are specifically required by law or university policy to be kept confidential.

### 3.23.3 Access

Personnel files shall be made available to individuals to review in accordance with the following guidelines provided that the files may be inspected by persons so entitled only under the supervision of the custodian or his/her designee in the administrative office where they are maintained.

- a. Under the Oklahoma Open Records Act, the following types of records are public information:
  1. an employment application of a person who becomes a public official;
  2. the total compensation paid from public funds;
  3. the dates of employment, title, or position; and
  4. any final disciplinary action resulting in loss of pay, suspension, demotion of position or termination.
  
- b. Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in their areas of responsibility on a need-to-know basis and shall have authority to share the information with others responsible for personnel recommendations and/or decisions; further, other institutional officers or employees showing a legitimate need for the information shall be permitted such access.
  
- c. Except as may otherwise be made confidential by statute or university policy, an employee shall have a right of access to his/her own personnel file, provided:
  1. Letters of evaluation and/or recommendation that apply to pre-employment qualifications, tenure, and/or promotion that are solicited in confidence or sent with the expectation of confidentiality shall be deemed confidential and unavailable to the employee unless otherwise ordered by a court of law.
  2. An individual wishing to inspect his/her personnel file should submit a written request for inspection to the custodian of the file.
  3. If the file contains confidential records as set forth in (c)(1) above, they must be removed before the file is opened to the individual. Upon request, employees will be advised of the type and number of documents that were not made available to the employee for his/her review and that will be returned to the file after the review.
  4. An individual may not remove or add any records to his/her personnel file at the time of inspection.
  
- d. As per the U.S. Department of Labor authority, “under the regulations,

contractors are obliged to provide access to their books, records, and accounts for the purpose of determining compliance (41CFR 60-1.43; 60-250.53; 60-741.53).”

#### **3.23.4 Correction of Record.**

An employee may dispute the accuracy of any material included in his/her personnel file. Such questions should be directed to the custodian of the file in writing. If the questions are not resolved by mutual agreement, the employee may initiate a formal challenge through the employment grievance or discrimination complaint procedures as outlined elsewhere in university policy.

### **3.24 TIMEKEEPING**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require OPSU to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the time actually spend on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record any beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Tampering, altering, falsifying time records, or recording time on another employee’s time record will result in disciplinary action, up to and including discharge.

### **3.25 PAY**

All employees are paid on the last working day of each month. Staff members may receive a payroll warrant in one of the following ways:

1. Per State of Oklahoma laws, employees may have the check directly deposited to an account at a bank of personal choice. The Office of Personnel Management direct-deposits payroll warrants to the banks in time for deposit on the regular payday. A form, available in the Human Resources Office, should be used to indicate the bank and account number to which a payroll warrant should be deposited.
2. Until a bank account is established (at a period of no more than 2 pay periods), employees will be issued a paper warrant paycheck that may be picked up at the Business Office. Personnel are required to show proper identification when picking up payroll warrants. Paychecks will not be given to spouses, family members, or friends without a written signed and dated request by the employee to the cashier when picking up the paycheck. Employees should personally visit the Human Resources Office for annuity, insurance, bond, direct deposit, and W-4 changes.

**3.26 OVERTIME**

Overtime payments are made in accordance with the federal Fair Labor Standards Act (FLSA) for non-exempt employees. Overtime work must have prior approval from the President.

1. Exempt employees are not normally eligible for overtime pay.
2. Non-exempt employees are eligible for overtime pay at the rate of time-and-one-half for the time worked in excess of 40 hours per workweek. For the purpose of computing overtime pay, holidays will be treated as hours not worked. Any additional time worked over 37.50 hours per week, up to 40 hours will be credited as compensation time at the ratio of 1 for 1.
3. The normal workweek shall begin at midnight Saturday and terminate the following Saturday at midnight. The University may designate a workweek other than the normal week for certain positions if it is deemed in the best interest of the University to do so. A full-time employee is expected to work 37.50 hours during the workweek.
4. An hourly rate of pay is the basis of earnings computation for persons paid on the hourly payroll. A monthly salary is the basis of earnings computation for persons paid on the monthly payroll, and annualizing the monthly rate and dividing by 1950 determine the hourly rate for overtime.
5. Excluded from overtime compensation are scheduled leave and short-term disability leave.
6. See Appendix B for a detailed explanation of the Fair Labor Standards Act and overtime.

**3.27 COMPENSATORY TIME**

Compensatory time is an alternative method for compensating employees who work overtime. No overtime is to be worked unless the president approves it in advance. Exempt employees are not normally eligible for compensatory time. The President must approve exceptions to this policy in advance. Maximum compensatory time that may be awarded will be in accordance with the Fair Labor Standards Act. (Appendix B)

Terminating employees are to use or be paid for compensatory time hours prior to the effective date of their termination.

**3.28 EXTRA COMPENSATION AS ADJUNCT OR OTHER SPECIAL FACULTY**

OPSU administrators and staff members are encouraged to become involved in the instructional mission of the University by teaching courses. The expertise of OPSU staff can be of great benefit, and regular contact with students and ideas can help each of us to do our jobs better. Staff members and administrators should seek adjunct or other special faculty appointments when their qualifications and availability serve to meet the instructional needs of the University.

Teaching should complement and not interfere with or substitute for the primary duties of staff. Normally, teaching should be done on an in-load (normal assigned duties/responsibilities) basis. Extra compensation from the University clearly is inappropriate for staff members with full-time appointments. An adjustment in FTE appointment may be made to account for time spent in teaching. On a case-by-case basis, exceptions may be approved if the course is taught in the evenings or weekends. Requests for exceptions should be forwarded to the appropriate administrative officers.

**3.29 LEAVES OF ABSENCE WITH PAY****3.29.1 PAID LEAVE AND SHORT-TERM DISABILITY POLICY**

Paid leave benefits are available to staff who hold benefits eligible appointments. Employees on limited appointments and student employees are not eligible for paid leave time. Paid leave time may be used for vacation, personal illness, funeral attendance, illness of a family member, or other personal business. Employees working nine-, ten-, and eleven-month contracts will earn paid leave in proportion to their FTE appointment. Employees on the hourly payroll receive leave on the basis of the number of hours paid. Accrual will be given for weeks during which at least 37 ½ hours are paid. The 40-hour workweek will be the basis for the pro rata computations.

**Paid leave time is earned on a monthly basis according to the following schedule:**

Employment Category	Years of Service	Monthly Hours	Annual Accrual	Maximum Accrual Allowance
Executive Officers	Each year	25	300 hours	432 hours
Administrative Officers, 12- month Faculty, Administrative Staff, Professional Staff	1 <sup>st</sup> – 15 <sup>th</sup> year	22	264 hours	336 hours
“	16 <sup>th</sup> – 20 <sup>th</sup> year	24	288 hours	384 hours

“	21st year & thereafter	25	300 hours	432 hours
9 – month employee*	Each year	8	72 hours	160 hours
10 –month employee *	Each year	9	90 hours	160 hours
11 –month employee *	Each year	10	110 hours	160 hours
All other employees	1 <sup>st</sup> - 5 <sup>th</sup> year	18	216 hours	240 hours
	6 <sup>th</sup> – 10 <sup>th</sup> year	20	240 hours	288 hours
	11 <sup>th</sup> – 15 <sup>th</sup> year	22	264 hours	336 hours
	16 <sup>th</sup> – 20 <sup>th</sup> year	24	288 hours	384 hours
	21 <sup>st</sup> year & thereafter	25	300 hours	432 hours

\*Accrual rate is less for 9-month, 10-month, & 11-month staff due to reduced annual work schedule. During the 9, 10 and 11 month non-contract period, if an employee works, PLB will be accrued.

Paid leave time can be accrued up to the maximum allowance listed. Time accrued beyond the maximum allowance will be deposited in a short-term disability account. A maximum of 1040 hours may be deposited as short-term disability. Short-term disability can be used for extended personal illness requiring more than seven days. An employee may transfer accrued leave time to the short-term disability account. Time deposited in the short-term disability account may not be transferred back to the paid leave time account.

Time away from work because of vacation, illness of a family member, funeral attendance, or other personal business is to be reported as paid leave time taken. Absence due to personal illness is to be reported as paid leave time taken for the first seven consecutive working days per incident. When there is no accrued time in the paid leave account, the first seven days per incident of illness must be leave without pay. Absence due to personal illness beyond seven consecutive working days will be deducted from the short-term disability account as long as accrued time is available. When there is no accrued time in the short-term disability account, absence due to personal illness will be deducted from paid leave time. Paid leave time taken and short-term disability time taken will not be considered as time worked for overtime purposes.

An employee who is hospitalized overnight may access the short-term disability account immediately without the requirement to use seven days of paid leave time. An employee returning to work part-time following a short-term disability may continue to draw from the short-term disability account for the time not worked until the physician gives a full release. Recurrence of

the same illness within 30 calendar days of returning to work from a short-term disability may be considered a continuation of the incident and charged to short-term disability.

Paid leave time and short-term disability should be reported on a Paid Leave Form. Changing the employee's status to short-term disability must be processed before any absence may be deducted from the short-term disability account. The University will require acceptable medical documentation of illness or disability before allowing any charges to short-term disability leave benefits whatsoever.

Leave for personal illness should be taken in the following order: seven days of paid leave time, short-term disability leave, remaining leave time, and leave without pay. Duration of the disability is to be medically determined. No supervisor should compel an employee to return to work without a medical release. The terms of the release should be explained. Medical releases should be explicit and clearly written by the physician. Pregnancy is to be treated as any other short-term disability. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation, or other discrimination.

For purposes of this policy, the immediate family is defined as spouse, children, parents, siblings, grandparents, grandchildren, or corresponding in-law relationships.

Vacation time is to be taken from paid leave time. Authorized holidays falling within an employee's vacation period will not be counted as vacation time. Paid leave time may not be used for vacation within the first four months of employment unless otherwise authorized by supervisor. Use of paid leave time for other than personal illness or emergency must be scheduled in advance with supervisory approval. Employees must comply with university policies for reporting absences and securing approval for time off work. Whenever possible, the University will grant earned paid time off at the convenience of the employee. However, institutional needs must be met.

Cash payment to an employee in lieu of paid leave time will not be permitted except upon termination. No cash payment will be made for time accrued in the short-term disability account. Nine-month, ten-month, and eleven-month employees will not receive cash payment for accrued paid leave time. Twelve-month employees who terminate their employment under satisfactory conditions and who have been employed by the University more than six months in a benefits-eligible position will be paid for paid leave time that they have accrued not to exceed 150 hours. Terminal pay will not include credit for university-recognized holidays falling within the terminal pay period. The manager/supervisor may recommend that terminal pay be denied to an employee discharged for serious cause. An exception to the above would be retiring employees who for the purposes of this policy must meet one of the following conditions: (1) be receiving TRS retirement or (2) be receiving Social Security retirement. These specified retirees or the beneficiaries of deceased employees will be paid for accrued paid leave time up to the maximum accrual allowance and will receive pay for holidays falling within the terminal pay period.

Employees appointed to grants and contract accounts are expected to use all earned paid leave time during the specified period of their appointment unless the grant or contract contains a separate account with sufficient funds to pay for accumulated leave time upon termination of the employee. If such funds are not available, paid leave time must be transferred into the short-term disability account at the time the employee terminates or the grant or contract is discontinued. Twelve-month employees changing to a nine-month, ten-month, or eleven-month appointment must transfer all accrued paid leave time in excess of 12 days into the short-term account.

### **3.29.2 HOLIDAYS**

Official University holidays are as follows:

- a. New Years Day ( January 1)  
 Memorial Day (last Monday in May)  
 Independence Day (July 4)  
 Labor Day (first Monday in September)  
 Thanksgiving Day (fourth Thursday in November)  
 Friday following Thanksgiving  
 Six workdays at Christmas
- b. When an official holiday falls on a Saturday, Friday preceding will be observed as a holiday. When an official holiday falls on a Sunday, Monday following will be observed as a holiday.
- c. If the holiday is not a regularly scheduled workday, the regularly scheduled workday nearest the holiday will be selected as a day off with pay. In the event no single regularly scheduled workday is closest to the holiday, the President will make a determination of the day off with pay one-week prior to the holiday and all affected employees so notified.
- d. The Christmas holidays are observed as follows:  
 If Christmas falls on: the six holidays are:  
     Sunday – December 23, 26, 27, 28, 29, 30  
     Monday – December 22, 25, 26, 27, 28, 29  
     Tuesday – December 24, 25, 26, 27, 28, 31  
     Wednesday – December 24, 25, 26, 27, 30, 31  
     Thursday – December 24, 25, 26, 29, 30, 31  
     Friday – December 24, 25, 28, 29, 30, 31  
     Saturday – December 24, 27, 28, 29, 30, 31
- e. Official holidays are observed through the closing of all offices and facilities provided functions or other essential activities can be discontinued without adversely affecting services to students and the public.

- f. The President of the University may designate any other workday as a holiday.

### **3.29.3 COURT DUTY LEAVE**

A staff employee who is required to appear on a regular workday as a member of a jury panel shall be granted a leave of absence from regular duties. The compensation that such an employee will receive during such an absence shall be the employee's regularly scheduled pay, less an amount equal to any juror's fees that the employee is entitled to receive for the period of time spent on jury duty. Employees will be required to verify to the University the amount of juror's fees that they are entitled to receive in order to receive pay for court duty leave.

A staff employee who is required through subpoena or direction by proper authority to appear before a federal, state, or local court or administrative agency to testify as a witness before such body as a result of an act performed in the scope of official duties will be granted leave with pay at regular compensation provided that such appearances pertain to the official duties that the employee engages in for the University. Under state law, employees are not entitled to receive any fee for serving as a witness pertaining to their OPSU employment.

Staff employees who are subpoenaed to appear as a witness or party in private litigation not pertaining to their official duties are not entitled to leave with pay. The time spent absent from work in such cases shall be taken from the Paid Leave Bank or leave without pay at the employee's discretion.

When court duty occurs while an employee is on leave without pay, or on a day other than a regularly scheduled workday for the employee, the employee is not entitled to leave with pay.

### **3.29.4 MILITARY LEAVE**

The University's military leave policy is in conformance with applicable federal and state law. In accordance with an opinion given by the attorney general, all continuous (temporary excluded) university employees working 30 hours per week or more are entitled to a leave of absence with pay for the first 30 regularly scheduled working days of military duty during any federal fiscal year (October 1 through September 30), as stipulated in the law, when ordered to active or inactive duty. The leave with pay shall not be charged against paid leave or other accrued benefits.

### **3.29.5 FUNERAL LEAVE**

Time required for absence from work to attend a funeral of an immediate family member would be 3 days. This would be determined by a supervisor/manager and will not be charged to Paid leave. The time required for absence to attend a funeral of a friend or distant family member may be charged to available paid leave. See Paid

Leave, section 3.29.1.

### **3.29.6 EMERGENCY LEAVE**

Time required for serious illness in the immediate family, emergency personal business that cannot be handled at another time, or similar emergency situations may be charged to paid leave. See Paid Leave, section 3.29.1.

### **3.29.7 ADMINISTRATIVE LEAVE**

An administrative leave with pay is sometimes given when it is determined to be in the University's best interest that an employee or employees not return to work for a specified period of time or for designated emergency closing of the University. Time approved, as administrative leave will not be charged to paid leave.

An exempt or non-exempt employee may be placed on administrative leave of absence with pay pending a final decision on discipline. An employee may then be placed on disciplinary leave without pay when it is in the best interest of the University to do so. Non-exempt employee leave with pay will normally not exceed one working day. Non-exempt employee leave without pay may not exceed five working days. This disciplinary action will be coordinated with the OPSU Human Resources Office and the immediate supervisor.

### **3.29.8 WORKERS' COMPENSATION LEAVE**

An employee sustaining an on-the-job injury will be provided an applicable recovery time in accordance with the Oklahoma Worker's Compensation Act. Each case will be individually evaluated and determined by the work comp adjustor.

## **3.30 LEAVES WITHOUT PAY**

The budget manager/supervisor may recommend leaves of absence without pay for personal reasons when it appears to be in the best interest of the University and the employee. Such leaves may not exceed one year in length. A period of leave of absence without pay does not count as service time for computation of benefits other than for retirement as specified.

When employees are granted leaves without pay for personal reasons, the University is obligated to re-employ the individual in either the same or a similar position within the university. If a position cannot be provided at the conclusion of the leave, the University may be obligated for costly unemployment compensation benefits. Therefore, prior to granting a leave without pay, the department should carefully consider whether they will be in a position to re-employ the individual at the conclusion of the leave.

The OPSU Human Resources Office must be consulted, and all recommendations from the OPSU Human Resources Office must be complied with, prior to granting leaves without pay. OPSU Human Resources Office will consult with university legal counsel prior to making

recommendations.

### **3.31 FAMILY MEDICAL LEAVE ACT**

The Family Medical and Leave Act of 1993 (FMLA) gives certain job protection to employees in an attempt to equitably balance work responsibilities with the demands of personal illness or serious injury or in caring for certain family members. Appendix A outlines the general provisions of the Act, but is not intended to be an exhaustive overview of the Act. Employees who have need for clarification of the Act's many detailed terms should contact the Human Resource's Office for assistance. In the event of future amendment to the Act, such amendments will be deemed to automatically take precedence over terms that might be contained in this statement. The University reserves the right to change its policies regarding FMLA at any time, without prior notice.

### **3.32 PROGRESSIVE DISCIPLINE**

University employment policy is designed to give each employee a full opportunity for work success. This objective is dependent upon good employee selection procedures, meaningful employee orientation, appropriate on-the-job training, periodic performance evaluations, and a positive approach toward employee discipline by university supervisors.

Disciplinary action is considered a dimension of performance evaluation and employee development. It is a corrective process to help employees overcome work-related shortcomings, strengthen work performance, and achieve success. When problems occur, they should be handled in reasonable ways that jointly support the concept of positive discipline and minimize the interruption of university services. Employee discipline may be needed and, as a corrective procedure, is an integral part of university employment policy. Underlying discipline, however, is an expectation that supervisors will direct their efforts toward employee development and success.

When discipline is necessary, the positive guidelines below should be used as part of employee development. The guidelines are not expected to be rigidly applied but will be suitable for most university discipline situations. Depending upon the circumstances and the supervisor's judgment in individual cases, repeating a step, jumping a step, or moving to immediate discharge may be appropriate.

Supervisors are expected to document disciplinary action taken. The documentation should contain a clear description of the behavior that prompted the discipline, the action taken by the supervisor, and how and in what time frame the employee's conduct must change. Even verbal warnings should be documented in the employee's departmental file to record that the warning was in fact given. All documentation must be factual and complete. A form for documenting disciplinary action is available in the Human Resources Office. The Human Resources office is responsible for maintaining all disciplinary files. At the item of disciplinary action the original should be brought to the Human Resources office.

**3.32.1 Oral Reminder**

This is the first step in the procedure. It involves a discussion between a supervisor and an employee about a work performance problem. The objective is to correct the problem by indicating in a friendly but serious manner how actual performance falls short of desired performance. This step should ensure that no employee is disciplined for violation of a policy or procedure he/she might reasonably not know about.

**3.32.2 Written Reminder**

This is usually the second step in the procedure if an oral reminder has not corrected the problem. If the offense is of a serious nature, a written reminder is an appropriate first step. It formalizes a discussion between a supervisor and an employee about a performance deficiency.

**3.32.3 Disciplinary Leave**

An employee may be placed on disciplinary leave of absence with or without pay when it is in the best interest of the University to do so. Leave with pay will normally not exceed one day. Leave without pay may not exceed five working days, however it may be for a longer period of time with the approval of the President. This step is usually taken after unsatisfactory performance has not been corrected following the application of an oral and written reminder. It may be taken as a last and final step before discharge in the event of a major offense. An employee returning to work following disciplinary leave must agree to work in a manner that includes following rules and regulations and correcting unsatisfactory performance.

**3.32.4 Discharge of Non-Exempt Staff**

This is not a step in the progressive discipline procedure. It is one that may be taken when positive steps have been used but performance has not changed or when an employee has committed a major offense. A major offense is one that involves willful misconduct, dishonesty, or insubordination; one that seriously threatens university operations or the safety and well being of the individual or other employees; or behavior that is unacceptable to the institution. Examples would include, but are not limited to, falsification of records, stealing university property, threatening or striking another person on campus, and violation of the Drug-Free Workplace Policy, section 6.13; and Harassment, section 6.14. Prior to termination an employee should be notified of concerns and given a reasonable chance to correct any factual errors that management may be operating under. The manager will contact the Human Resource Office or a designee before discharging an employee.

Documentation should include the employee's name, date of the incident, explanation of the circumstances resulting in the discharge, and reference to any

previous disciplinary steps taken.

### **3.33 TERMINATION FOR CAUSE**

The most severe form of disciplinary action, such action shall be taken when in the opinion of the University, based upon recommendations of relevant supervisors and the Human Resources Director, it is in the University's best interest to terminate the employment relationship with an individual.

Disciplinary action, to include termination, may be necessary because of the following actions:

- assault or battery of a person on University property or at a University sponsored event,
- theft of or on University property,
- unexcused absence of three or more days,
- falsifying employment applications, or time or leave records,
- immoral conduct or indecency on University property or at a University sponsored event,
- use of intoxicants during working hours, at a University sponsored event, or on campus at any time,
- insubordination,
- unauthorized use or duplication of a University key,
- responding to work under the influence of alcohol or drugs, excessive absenteeism or tardiness,
- violating a safety rule or practice,
- sleeping or inattention to duty or inefficiency,
- violation of law or university regulations,
- lack of integrity,
- other conduct inappropriate for an employee of the University.

Disciplinary action for violation of University policies or procedures or for actions detrimental to the University, University property, or University personnel, not described herein, shall be determined by the President (or designees) of the University.

Note: The unwillingness or deliberate refusal to comply with a direct order or any established work assignment of immediate supervisor or higher level supervisor or the use of obscene or otherwise objectionable language to such personnel in a threatening manner shall be considered in violation of University policy and subject to disciplinary action up to and including terminations. The refusal to perform an illegal act shall not be regarded as insubordination. Any employee requested to perform an illegal act should report such information to the Human Resources Office.

**3.34 VIOLENCE IN THE WORKPLACE**

OPSU recognizes the fact that violence in the workplace is a growing phenomenon in the American workplace. The National Institute for Occupational Safety and Health states: “Homicide is reported as the second leading cause of death on the job, second only to motor vehicle crashes, and homicide is the leading cause of workplace death among females.” Additionally, “an average of 1.7 million people were victims of violent crime while working or on duty in the United States each year from 1993 through 1999 according to the Bureau of Justice Statistics.” In response to this disturbing trend OPSU has adopted a policy which establishes violence of any nature in the workplace will not be tolerated.

The University strictly forbids verbal or written threats, or any behavior that is likely to lead to violence. Any employee who feels they have been the victim of a violent act should notify their immediate supervisor and/or the Human Resources Director. In severe instances, where immediate response or assistance is required the employee should contact local law enforcement by dialing 911.

Employees who are the victim of a violent act should be prepared to report who the assailant was, names of witnesses, and information detailing the events that led up to the violent act.

OPSU is strongly committed to providing a work environment that is free of violence. Towards this goal all employees are encouraged to report any act of violence which occurs to them in the workplace.

**3.36 DISCHARGE OF EXEMPT STAFF**

The employee has the right to receive an explanation concerning the separation if so requested and the right to a post-action hearing before an administrative authority. The employee also has the right to appeal the administrative decision up to and including the A&M Board of Regents. The A&M Board of Regents may decline to hear the appeal. If so, the employee’s internal due process is exhausted.

**3.37 STAFF GRIEVANCE PROCEDURE**

The University Staff Grievance Procedure can be found in Appendix D. Employees who have a question or concern regarding this policy should contact the Human Resources Office.

**3.38 SEPARATION FROM EMPLOYMENT****3.38.1 Resignations**

When an employee resigns from employment with the University, he or she should give the supervising unit administrator as much advance notice of the departure as possible in order that satisfactory arrangements for a replacement can be made. At least two (2) weeks notice shall be considered as minimal good business practice for employees paid on an hourly rate of pay and at least one months notice shall be

considered as minimal good business practice for employees paid on a monthly basis.

Wherever possible, resignations should be presented to the supervising unit administrator in writing with a statement of the reasons for the action. Resignations; once tendered, whether orally or in writing, are not rescindable by the employee except where expressly approved in writing by the University.

### **3.38.2 Immediate Discharge**

Employees may be discharged immediately as set forth in detail in TERMINATION FOR CAUSE, section 3.33,(verify) PROGRESSIVE DISCIPLINE, section 3.32(verify), or when deemed to be in the best interest of the University. The appropriate executive officer or his/her designee will review termination of employees with five or more years of university service before becoming final. A copy of each written notice of termination, layoff, or resignation is to be sent to Human Resources.

It is not the policy of OPSU to give referrals for any separated employee. Employment information given about former employees who have separated employment with OPSU are: department worked, dates of employment and if the prior employee is eligible for rehire.

## **3.39 REDUCTION IN WORK FORCE**

While the University strives to provide stable employment for its employees, financial limitations or organizational interests sometimes require administrative reorganizations or reductions in force. A "reduction-in-force" is the abolition of positions within any of the administrative units of the University and the corresponding non-disciplinary removal of affected employees from such positions through the separation from employment or through displacement to other positions. Reduction-in-force may be instituted in cases of bona fide budget reduction, lack of work, lack of funds, program discontinuation, technological replacement, or other bona fide reasons. Reduction-in-force may also include administrative reorganizations, with or without being related to financial reasons.

A reduction-in-force resulting in layoffs of employees shall be among the last options implemented by the appropriate unit administrator. Alternatives to layoffs of personnel shall be considered before implementing any layoff of employees. Such alternatives include, but are not limited to:

1. Reductions in operating expenses other than payroll;
2. Moratorium on further hiring within the University in the affected job class(es);
3. Separation of employees appointed for less than full time;
4. FTE status;
5. Reassignment of employees to comparable or other positions

6. in unaffected areas;
7. Retraining of qualified employees;
8. Encouragement of leaves without pay or FTE reduction;
9. Encouragement of early or phased retirement;
10. Demotions with reductions in pay.

The above outline is required only to be considered as possible alternatives. It is not required that such alternative options be exhausted before determining to implement a reduction in the workforce or reorganization that results in laying off employees.

At any time reduction-in-force becomes necessary, the appropriate unit administrator supervising the affected budgetary unit(s) shall develop a proposed plan for layoff. Such plan shall consider all pertinent factors prior to making the decision as to which function and/or job classes or pay grades are to be affected, plus a determination as to how many persons are to be laid off in each affected area. When options are available as to which job classification(s) to select for reduction, the appropriate unit administrator shall select the classification(s) where reduction will have the least amount of negative impact upon the vital programs of that budgetary unit, in addition to the least amount of negative impact upon equal employment gains of the unit. Specific job skills within pay classes may be taken into account.

Following the determination as to which functions and/or job classes are to be affected, and the number of persons to be affected. The manager/supervisor shall develop a listing of employees within the affected job classifications. Both seniority and competence are to be considered in making layoff determinations. In the affected classifications, the most recent employee evaluation will be used to measure competence. Employees also will be listed according to University-wide seniority as determined by personnel records maintained in the Human Resources Office. Seniority shall be determined as University-wide continuous service as opposed to departmental or classification continuous service. Layoff(s) will be accomplished within each affected budgetary unit by job classification, removing from the University payroll the least senior employee(s) within the lowest performance level and repeating the procedure until the number of persons to be laid off equals the number of persons to be removed from the payroll. In small units where preparation of such a listing is not practical, the unit administrator shall use reasoned administrative judgment in accomplishing the layoff.

Prior to implementation, the layoff plan shall be submitted for review and approval to the University Affirmative Action Officer, the Human Resources office, and the appropriate Vice President.

Employees who are scheduled for layoff shall not have "bumping rights" to positions in either the same or in lower classification(s) in any budgetary unit in which another job position may happen to be filled by an employee with less university seniority.

All persons affected by a layoff action shall be notified in writing as early as possible. A copy of the layoff notice shall be transmitted to the Human Resources Office. The written notice shall contain the following information:

1. The effective date of the layoff;
2. A statement advising the affected employee of eligibility to apply for unemployment compensation at the Office of Oklahoma Employment Security Commission;
3. The right of the laid off employee for callback in accordance below;
4. The right of the laid off employee to continue to maintain eligible insurance coverage is subject to cobra guidelines.

Employees affected by a layoff shall be placed on Leave without Pay. A review on a case-by-case basis will be done at the appropriate time for employees.

Employees who are scheduled for layoff do not routinely have the right to enter formal grievance charges in regard to layoff action, except for reasons of alleged violation of the policies and procedures governing such reduction-in-force or for alleged acts of illegal discrimination. This provision supersedes normal grievance procedures adopted by the University.

Whenever it is determined that a reduction in work force is necessary, the appropriate Vice President shall, after consultation with the appropriate unit administrator, have the discretion and authority to place the affected employee(s) in vacant positions within the University for which the employee is qualified without such employee having to compete with others in the appropriate applicant pool. Such reassignment can be through demotion in rank, lateral transfer in rank, or promotion, so long as the employee is qualified to hold the position and is considered well suited for the position by the unit administrator. Such reassignment possibilities are designed to protect current employees who are faced with layoff from always having to compete with outside applicants from the appropriate applicant pool, and it is not intended to provide a "loophole" from the University's affirmative action efforts.

Persons affected by layoff for any reason shall have the right to "callback" in the inverse order of the layoff(s) within the budgetary unit within the same classification in which the layoff(s) came. Persons called back to work shall not suffer loss of previously accrued seniority or loss of any benefit previously earned by such seniority. Classification, and departmental and university seniority shall again begin to accrue on the first day of employment after the callback.

Persons separated for such reason shall be eligible for new employment with the University, but such new employment will be under the same conditions applicable for all new employees at the time.

At the time of the layoff, all earned but unused Paid Leave Bank and/or compensatory leave will be paid in full prior to, or at the beginning date of the layoff if financially feasible. In every case, such leave must be paid in full prior to separation of employment. Regardless of the date of payment of the unused leave, the date of layoff will be the next day following the last day worked by the affected employee.

When a vacancy occurs in a budgetary unit, which has experienced a reduction in force, and there are still employees in layoff status, an offer of callback employment shall be made to the first laid off employee(s), within that unit who hold the same job classification. Callbacks shall be in the inverse order of the layoffs (last person laid off shall be the first person called back, etc). If the first eligible person on the callback list is unavailable or does not choose to return to work, the offer will be made to the next available person on the list and repeated as often as necessary until all persons on that classification list have had the opportunity to fill the vacant position. Second priority shall be to those who meet the qualifications for the position, but do not hold that job classification. Callback of second priority persons shall be in inverse order of layoff.

Vacancies not filled through the callback procedures will be listed with the Human Resources Office.

First priority for referral shall be given to those persons with the same job classification that have been laid off from other budgetary units. Second priority shall be to others who meet the qualifications for the position but do not hold that job classification. A person who refuses an offer of callback reinstatement to a position in which the person holds layoff status will be removed from layoff status at that time and will be separated from employment. Acceptance of a callback opportunity must be exercised within five (5) days of the offer. If no suitable applicant is available from the pool of layoffs, normal recruitment and referral procedures will be followed.

### **3.40 EXIT INTERVIEW**

The University recognizes leaving the University may have questions and concerns to address prior to their final day of employment. To assist in the transition of leaving employment an exit interview will be scheduled with all employees leaving the University's employment.

Areas which are addressed during the exit interview include pay eligibility for unused paid leave bank, retirement, insurance, and return of University property and keys.

Additionally, the leaving employee will have the opportunity to share opinions and perceptions addressing several areas of their employment experience with OPSU. Such

information shall be held as confidential.

#### **4.0 DRIVER'S LICENSE POLICY**

It is an OPSU policy that employees who are required to operate a university motor vehicle on any public roadway while in the performance of their regular job duties must have a valid driver's license. Below are the procedures to ensure adherence to this policy.

1. OPSU will conduct a driver's license verification and status check on new employees selected for positions that involve operation of a university motor vehicle. In addition, the University will conduct periodic driver's license verification and status checks on all employees in positions involving operation of a university motor vehicle.
2. Any new employee who has applied and been accepted for university employment in a position where possession of a valid driver's license is a listed requirement and who is subsequently determined not to have (or to have had at time of application) a valid driver's license will be considered to have submitted false information and will therefore be subject to termination.

3. An employee who is hired by OPSU and who holds a valid out-of-state driver's license will be considered to be a properly licensed driver for employment purposes. However, any such employee who resides in Oklahoma must obtain a valid Oklahoma driver's license within thirty (30) calendar days of the first day of employment. Failure to obtain an Oklahoma driver's license within this period may result in termination.
  - a. Student employees with prior approval by the University may operate a university motor vehicle in the course of their employment so long as they hold a valid driver's license issued by their state/country of residence/origin.
  - b. The only driver's licenses recognized by the State of Oklahoma and Oklahoma law enforcement agencies are those issued by any other U.S. held properties and those issued by the country of origin of international students. The so-called International Driver's License is not recognized and does not constitute a valid driver's license for employment purposes.

Current employees who must possess a valid driver's license to perform their job are required as a condition of employment to notify their supervisor immediately upon receipt of any notification that their driver's license has been suspended or revoked or has in any way been modified or subjected to restrictions not previously known to the supervisor. Failure to make such notification within the specified time period may result in termination.

4. Oklahoma law requires that holders of a driver's license who have taken legal action to change their name (through marriage, divorce, or court action) and/or have changed their mailing address must notify the Oklahoma Department of Public Safety of such change(s) within ten (10) days. University employees will be expected to be in compliance with this provision of the law.
5. If a current employee's license is suspended or revoked, expires, or is subject to modification or restriction and such action prevents the employee from performing any part of his/her regularly assigned work duties, that employee will not be permitted to operate a university motor vehicle on any public roadway until the license is fully reinstated, renewed, or additionally modified.
6. Until the employee's driving privileges are restored, the employee's department may reassign the employee to a job not requiring the operation of a university motor vehicle or place the employee on appropriate leave status, including but not limited to compensatory time, paid leave, or leave without pay. Before the employee may resume operating a university motor vehicle on public roadways, written confirmation from the Oklahoma Department of Public Safety verifying license reinstatement or conferring privileges to drive while at work or a properly issued renewal license must be presented to the supervisor.

#### **4.1 PERSONAL VEHICLE USE**

If a university employee is authorized to use their personal vehicles for university business,

the liability coverage outlined above extends to their personal vehicle (just as if it were a university-owned vehicle). However, the State of Oklahoma also requires such persons to have personal automobile liability insurance in force at the time of use. The University or State, provides no physical damage insurance for an employee's personal vehicle while that vehicle is being used on university business. Further information is available from the Risk Management Office.

#### **4.2 LEASED/RENTED VEHICLES**

The University's liability coverage extends to vehicles leased or rented by individuals or departments of the University while the vehicles are being used on university business. The University or state provides no physical damage insurance; the individual or department must purchase physical damage coverage for the leased/rented vehicle. Example: if using a rented vehicle while traveling on university business, employees/departments must purchase the Collision Damage Waiver unless a personal automobile insurance policy will extend physical damage insurance to the rented vehicle or the University contract with the auto rental company exempts liability for collision damage. Further information is available from the Risk Management Office.

#### **4.3 USE OF STATE VEHICLES FOR PRIVATE PURPOSES**

Oklahoma statutes prohibit the use of state-owned vehicles for private purposes. It is the policy of the University that passengers shall not be transported in state vehicles unless they are on state business. No non-state employee shall be transported in a state vehicle or the privilege to drive a state vehicle will be suspended.

When private vehicles are used for state business purposes and one expects to be reimbursed pursuant to 74 O.S. Suppl 1987, 500.4(B), the transporting of private passengers not on state business is not prohibited; however, it is suggested that the practice be held to a minimum.

According to Oklahoma statute, the use of state-owned vehicles to ride to and from an employee's place of residence, except in the performance of official duty, is expressly prohibited. Employees of the University cannot be assigned a university-owned vehicle for use on a permanent 24-hour basis unless an exception under the statute has been granted. Requests for an exception must be submitted in writing to the President of the University.

If employees using university vehicles plan to depart at an earlier hour than the motor pool opens or return at a later hour than the motor pool closes, they may be authorized by the motor pool to retain the vehicle at their residence until their departure or until the vehicle may be returned to the motor pool.

## **5.0 EMPLOYEE BENEFITS**

### **5.1 PROGRAMS AVAILABLE**

The University participates directly or indirectly in several programs that provide retirement benefits to staff members who are enrolled in them. These include Social Security and Teachers' Retirement System of Oklahoma. Participation in and benefits of each are discussed in the following paragraphs.

### **5.2 SOCIAL SECURITY (FICA)**

This is a federal program that provides for retirement, disability, survivor, and Medicare benefits. The University deducts contributions and matches these with the employer's contributions for each staff member at the time the payrolls are prepared. Student employees enrolled in a full-time course of study and certain non-resident aliens are exempt from paying FICA tax. The contribution rate is a percentage of salary or wages up to a maximum base on a calendar-year basis. Both the percentage and the base are expected to rise in the future. Likewise, benefits are expected to increase with the cost of living.

Assistance in estimating the social security benefit can be obtained from Human Resources. However, the final amount must come from Social Security. Detailed assistance on Social Security matters should be sought at a local office.

### **5.3 TEACHERS' RETIREMENT SYSTEM OF OKLAHOMA**

Membership in the Teachers' Retirement System of Oklahoma (OTRS) is mandatory for employees under the age of 60 at the initial time of their employment with Oklahoma Panhandle State University plus working on campus a minimum of 20 hours per week.

This section contains a general summary of retirement provisions. Employees who meet the eligibility requirements for university retirement receive a benefits package provided by the University. If you meet the criteria below as of the last day of your continuous regular employment with OPSU, you will be considered an OPSU retiree.

1. You are at least age 62 and have at least five continuous regular years of service at OPSU;
2. You worked at OPSU for at least 30 years in a continuous regular appointment, no matter what your age, or;
3. You meet the OTRS guidelines for the "Rule of 80" or "Rule of 90" (age plus years of OTRS membership). "Rule of 80" applies to employees joining OTRS prior to July 1, 1992. For those joining OTRS after June 30, 1992, the "Rule of 90" applies.

It is possible to be an OTRS retiree, but not meet the OPSU retiree criteria listed above. In such a case, the employee is considered a terminated employee and is not eligible for OPSU retiree benefits. It is also possible to retire with TIAA-CREF but not meet OTRS or OPSU retirement criteria.

All OTRS questions should be specifically directed to OTRS at their toll free number, 877-738-6365.

#### **5.4 RETIREES RETURNING TO WORK**

Retirees may return to work as temporary employees in accordance with Teachers' Retirement rules as found in their annual Rules and Regulation publication. Copies of the regulations and further information are available on their website or by contacting OTRS at 877-738-6365.

#### **5.5 INSURANCE BENEFITS**

The University provides health, term life, accidental death and dismemberment, and long-term disability insurance for full-time employees. Dependent life and family health are also available. To be eligible to participate, an employee having at least 30 hours FTE benefits-eligible appointment but less than full-time must participate in the insurance program. These individuals are eligible for coverage from the first day of a complete month of employment.

The employee must pay premiums for dependent health and life insurance. Workers' compensation insurance is provided for all employees irrespective of employment status. Unemployment compensation is provided for all employees except students.

#### **5.6 LIABILITY INSURANCE**

The State of Oklahoma provides professional and automobile liability insurance under the State Tort Claims Act for all employees who are acting within the scope of their duties. The liability coverage also extends to authorize volunteers for their operation of university-owned vehicles while acting within the scope of their authority. Copies of the State of Oklahoma Certificate of Self-Insurance are located in the glove compartment of all university vehicles. Further information is available from the Risk Management Office.

#### **5.7 WORKERS' COMPENSATION INSURANCE**

The University provides a comprehensive Workers' Compensation Insurance program at no cost to the employee. This program covers any injury or illness sustained in the course of employment.

Any employee who sustains a work-related injury or illness should inform his or her supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. An injured employee may be required to be examined by a doctor appointed by the University.

Upon notification of a work related injury or occupational illness by an employee, the supervisor is to notify the Human Resources Office prior to the close of business of the following work day.

**5.8 SUPPLEMENTAL RETIREMENT OPTION**

Upon request, the University will arrange to purchase an annuity for an employee and to exclude the cost from gross income. Employees interested in this means of tax deferral can make the necessary arrangements with Human Resources. There are legal limitations governing amounts. The employee should contact his/her financial consultant to obtain comparative costs, break-even points, withdrawal penalties, and other pertinent information in order to have the data upon which to make the individual decision about which insurer best satisfies the individual's personal objectives.

**5.9 INCOME TAX WITHHOLDING**

Each employee, upon being hired, must complete an Employee's Withholding Certificate, Form W-4, in the Human Resources Office. The form, which the employee uses to identify for tax purposes the number of eligible exemptions, is also the means by which eligible employees can claim tax exemption or withhold specified amounts.

**5.10 ENROLLMENT OF FACULTY AND STAFF IN OKLAHOMA PANHANDLE STATE UNIVERSITY COURSES**

The University places no limitations on the number of hours of course work in which staff may enroll outside of the individual's normal working hours. However, such course work cannot interfere with the individual's duties as determined by the individual's supervisor. Permission to enroll in a course during the employee's normal working hours must be obtained from the staff member's supervisor prior to enrollment.

Staff personnel will be required to make up time spent in class through arrangements approved by their supervisor. The supervisor should reach a decision with the employee before the time of enrollment as to whether the time spent in class must be made up. Time spent in class (unless required by the supervisor and clearly work-related in nature) must be scheduled with the supervisor's approval and does not count toward salary for non-exempt employees (with both non-exempt and exempt employees expected to make the time up unless the class is clearly work-related in nature). Time spent in class during working hours must be indicated as such on an hourly employee's time record.

As authorized by the Oklahoma State Regents for Higher Education, a full-time and permanent staff member enrolling in regular course work will be charged one-half the tuition fee for such work up to 15 hours per semester or 6 hours per summer session except as noted below. All University employees will be considered

Oklahoma residents for purposes of tuition. Employees enrolling under the reduced fee will not be required to pay the student facilities fee, activity fee, and student health fee. Enrollment fees for hours taken over this maximum will be charged at the full rate. At the time of fee payment, the employee must present a Faculty/Staff Fee Waiver Application signed by the head of the budget unit. This form may be secured from the Human Resources Office.

Employees will be limited to a maximum of 6 credit hours of course work each semester, to be taken during their normal work hours of 8:00 a.m. to 4:30 p.m., Monday through Friday. It will be at the supervisor's discretion to allow more than 6 credit hours during work hours. If more than 6 credit hours are allowed, the employee is responsible for taking the time from their accrued paid leave bank or make up the time off with the supervisor's approval.

Staff member's spouse or dependent children under the age of 24 enrolling in regular course work will be charged one half the tuition fees for such work but must pay all other fees.

The reduced fee does not apply to special fees or to special academic programs such as those in Continuing Education, which have special regulations regarding fee waivers. Persons who are employed less than 30 hours per week are not eligible for the fee reductions; all fees will be charged for their enrollment.

#### **5.11 IDENTIFICATION CARD**

The University provides an identification card to each employee and retiree. It is to be presented for securing the privileges of using various facilities and activities available to university employees. The card is good only during the period of employment or retirement and does not authorize the holder to obligate the University in any manner.

Supervisors are responsible for the return of an employee's staff identification card upon termination from university employment.

#### **5.12 UNIVERSITY UNIFORMS**

Staff may be required to wear university uniforms.

#### **5.13 BREAKS**

Employees may be granted a 15-minute break during each four-hour work period. Supervisors will schedule the break within the four-hour period.

## **6.0 GENERAL POLICIES**

### **6.1 EMPLOYEES' CHILDREN**

Employees should refrain from having children, whether related or unrelated accompanying them to work. Usually this problem occurs when child-care plans fail or because of illness. Occasionally older children might leave school and then spend time on campus until the parent gets off work. Regardless of the cause, the presence of children in the workplace or unsupervised on campus presents unnecessary safety and liability problems and can be disruptive to the work of the parent or others and, therefore, it must be discouraged.

### **6.2 COPYRIGHT POLICY**

The University recognizes and encourages its staff to participate in creative and scholarly activities as an inherent part of the educational process. All university personnel, in accordance with the University's policy and basic objectives of promoting creative and scholarly activities, are free to develop, create, and publish copyrightable works. The University owns all works created through the use of state equipment, facilities or on state time. Such ownership may be granted in whole or in part to the employee on request. Disputes arising over royalty sharing for university-commissioned works shall be referred to the University attorneys.

### **6.3 CONTACT WITH REPORTERS**

On occasion, reporters for newspapers, radio stations, or television stations will contact university staff members directly instead of working through the University's Campus Communications Office. There is no objection to this procedure if the contact is unrelated to University business. However, any staff member who is contacted and either gives a statement to the press or arranges for a subsequent interview is requested to inform the Campus Communications office. Staff members may not represent in any fashion that they are speaking for or on behalf of the University without approval from the Campus Communications office or the President.

### **6.4 ADVERTISING AND EDUCATIONAL INFORMATION**

The University does not endorse any commercial product, program, enterprise, or idea. Under certain circumstances the University's name or symbols may be used in connection with advertising or promotional material. Permission and approval of copy must be obtained in writing prior to publication or broadcast. Requests for approval should be submitted to the President.

The University from time to time may wish to reach a certain public by purchasing advertising in the media. The material contained in this advertising may include matters related to increasing enrollments in regular or extension courses, promotional advertising, or informational material related to specific policies, projects, institutes, departments, and curricula. With the exception of staff employment advertising, which is handled through

Human Resources, no contracts for advertising should be entered into and any university employee without the approval of the appropriate official should make no oral or written commitments. The Campus Communications Office must obtain advance approval of all layouts or copy.

#### **6.5 PARKING REGULATIONS**

OPSU parking regulations are published annually in a separate brochure located in the student affairs office.

#### **6.6 TRAVEL REIMBURSEMENT**

See the OPSU business office for further information.

#### **6.7 KEYS**

The Physical Plant issues keys for buildings, offices, classrooms, and laboratories. Employees are required to have written authorization from supervisors on what keys are issued. Employees entrusted with keys are responsible for reporting any loss of keys immediately and for turning in all keys issued to them upon termination of employment.

#### **6.8 EMPLOYEE ASSISTANCE PROGRAM**

OPSU recognizes that it is in the best interests of both the University and its employees to provide assistance for employees in dealing with personal problems including alcohol and drug abuse or dependency, mental or emotional disturbance, or other conditions that may adversely affect their job performance. For this reason, the University has established an Employee Assistance Program, which is designed to assist in: (1) identifying the problem at the earliest possible stage, and (2) motivating employees and their family members to seek help.

#### **6.9 TOBACCO USE IN PUBLIC PLACES**

In accordance with the State Smoking Places Act, the University has established a Smoking in Public Places Policy. All buildings owned or operated by OPSU will be free from tobacco use.

Definitions: "Building" is defined for the purpose of this policy as an enclosed, indoor area owned or operated by OPSU and used by the general public, serving as a place of work for university employees or a meeting place for a public body (as defined in the Open Meeting Act OS 25, Section 304), including but not limited to offices, classrooms, laboratories, libraries, auditoriums, arenas, theaters, performance/exhibit halls, museums, meeting rooms, cafeterias, and restaurants. "Tobacco use" means the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device, and chewing smokeless tobacco.

Signs will be posted at all entrances to university buildings stating that the buildings are tobacco free. Faculty, staff, or students within the building may ask any person using tobacco in the building to refrain.

The above does not apply to: (1) any employee housing or residence facility owned or operated by the University, (2) outdoor areas unless specifically designated as non-smoking areas, or (3) indoor areas specifically designated by the University as smoking areas and which are ventilated to the outdoors.

Budget unit heads or their designees will disseminate this policy to all employees within their area of responsibility. Please direct concerns regarding this policy or its implementation through normal supervisory channels for resolution.

No smoking shall be allowed within twenty-five (25) feet of an entrance or exit of any building owned or operated by OPSU.

#### **6.10 COMMUNICATION WITH STATE OFFICIALS**

The proper channels through which recommendations concerning the policies and/or administration of the University and its governed entities as a whole or in any of its parts should be communicated to the legislature or other state officials are the President and the Board of Regents.

Nothing in the preceding subsection is intended to or should be construed to abridge constitutional rights of employees to comment on matters of public concern or to prohibit any other rights of communication established by law.

#### **6.11 USE OF UNIVERSITY RESOURCES**

University facilities, equipment, and property, including intellectual property, are maintained to carry out the education and public service missions of the University. An employee may not use university resources for personal or private purposes, including, without limitation, outside consulting activities, unless approved and a formal written agreement made with the University before initiating such use.

It is important that the efforts of students and staff are not exploited in the course of an employee's outside obligations, including the employee's personal commercial interests. To this end, employees should be open about their involvement with and obligations to outside third parties who could benefit from the work or ideas of their students, staff, and colleagues.

#### **6.12 DRUG-FREE WORKPLACE POLICY**

##### **6.12.1 Purpose and Scope**

The Drug-Free Workplace Act passed by Congress in 1988 requires federal contractors and grantees to certify to the contracting or granting agency that they will provide a drug-free workplace. This policy is adopted in order to comply with this statutory directive.

**6.12.2 Definitions**

- a. Workplace -- Oklahoma Panhandle State University owned or controlled property or the site for performance of work
- b. Controlled Substance -- Cocaine, marijuana, opiates, amphetamines, and any other substance designated a "controlled substance" in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812)
- c. Criminal Drug Statute -- A federal or non-federal criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance
- d. Conviction -- A finding of guilt (including judicial acceptance of a plea of nolo contendere) or imposition of sentence, or both, by judicial body determining violations of federal or non-federal criminal drug statutes
- e. Project Director -- The individual having administrative supervision over a project resulting from a federal grant or contract
- f. Employee -- Shall include Oklahoma Panhandle State University faculty, administrative and professional staff, classified staff, and student appointments

**6.12.3 Policy**

- a. In support of this anti-drug abuse legislation, it is the policy of Oklahoma Panhandle State University to establish and maintain appropriate compliance by:
- b. Publishing and distributing to all employees a written statement regarding controlled substance and alcohol prohibition in the workplace, with descriptions of disciplinary actions which may be taken against employees for violation of such prohibition
- c. Establishing a drug-free awareness program
- d. Notifying the contracting or granting agency within ten days of receiving notice of an employee's criminal drug statute conviction for a violation occurring in the workplace
- e. Imposing appropriate administrative disciplinary action on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is convicted or who has otherwise violated this policy
- f. Making a good-faith continuous effort to maintain a drug-free workplace through the implementation of the requirements set forth in the Drug-Free Workplace Act

**6.12.4 Procedures**

A copy of the written statement regarding the controlled substance and alcohol prohibition in and on OPSU property shall be disseminated to all current employees, posted in each department of the University, and given to each new employee.

The project director will have the responsibility of explaining this policy to employees working on a federal contract/grant.

An employee shall notify the project director or, in the absence of a project director, his/her immediate supervisor or other supervisory administrator of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The project director shall notify the Department of Grants and Contracts Financial Administration ("GCFA") of an employee's criminal drug statute conviction for a violation occurring in the workplace. The GCFA shall notify the federal contracting agency of such conviction within ten days of the notice under paragraph 4.03 or otherwise receiving actual notice of such conviction. The project director's notification shall be made in a timely manner so that GCFA may comply with the time requirements set forth herein.

#### **6.12.5 Suspensions and Disciplinary Actions**

- a. An employee found at any time to have violated the drug-free workplace policy may be disciplined by Oklahoma Panhandle State University even when the violation has not resulted in a criminal conviction. Employees also may be suspended temporarily if such is deemed necessary to protect the best interests and safety of the University, its components, and its participants. As an alternative to disciplinary action, the University may require satisfactory participation in drug abuse assistance or rehabilitation program as a condition to continued employment. The drug abuse assistance/rehabilitation program shall be one that previously has been approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- b. In determining where a violation of the Drug-Free Workplace Policy has occurred and the disciplinary action to be imposed as a result of such a violation, relevant provisions of the personnel handbook shall be followed insofar as faculty and staff are concerned.
- c. One of the actions set forth above in 3(d) (i.e., disciplinary or satisfactory participation in a drug abuse assistance/rehabilitation program) shall be taken within thirty days of receiving notice from an employee of a conviction.
- d. Failure of an employee to report his/her criminal drug statute conviction for a violation in the workplace within five days of the conviction is grounds for dismissal of that employee.
- e. For staff employees, appropriate and established leave policies will be followed for the purposes of such treatment and rehabilitation. For student employees and faculty, drug rehabilitation leave will be determined on an individual basis.
- f. Where necessary because of conviction and incarceration, decisions relative to suspension or dismissal or the granting of leave for treatment will be determined individually.

Oklahoma Panhandle State University is in compliance with the Drug Free Schools and Communities Act of 1989, <http://www.higheredcenter.org/mandates/dfsca>.

### 6.13 HARASSMENT

Harassment on the basis of sex includes unwelcome advances initiated by an employee toward another person or other verbal or physical conduct of sexual nature which would also constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of a subordinate's employment, (2) submission to or rejection of such conduct by a subordinate, colleague, or student is used as a basis for employment decisions or academic decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with a subordinate's, colleague's, or student's work performance or creating an intimidating, hostile, or offensive work or study environment.

A detailed recitation of the procedures that will be followed in response to cases of alleged sexual harassment, as well as other related issues, is set forth in Appendix C.

### 6.14 SEXUAL RELATIONSHIPS POLICY

The University's educational mission is promoted by professionalism in faculty-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power. Those who abuse, or appear to abuse, their power in such a context violate their duty to the University community.

Staff may be in a position to exert authority and control over students. Staff must be conscious of the potential for abuse of power inherent in their relationships with students. Students rely on staff for assistance and guidance in dealing with issues such as scheduling of classes, financial aid, tutoring, housing, meals, employment, educational programs, social activities, and many other aspects of university life. Those who deal with students are expected to provide them with support and positive reinforcement. Staff who would deal with students in a sexual manner abuse, or appear to abuse, their power and violate their duty to the University community.

The terms "staff" or "staff members" mean all employees who are not faculty and include academic and non-academic administrators as well as supervisory personnel. The term "sexual relationship" may include amorous or romantic relationships and is intended to indicate conduct, which goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

**6.14.1 Staff/Student Relationships**

Sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. A staff member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the staff member has or has had an amorous relationship will be deemed to have violated his/her ethical obligation to the student, to other students, to colleagues, and to the University.

**6.14.2 Complaint Procedure**

A detailed recitation of the procedures that will be followed in response to cases of alleged sexual harassment, as well as to other related issues, is set forth in Appendix C.

## **7.0 CAMPUS SECURITY**

### **7.1 WEAPONS, FIREARMS, AMMUNITION, FIREWORKS, EXPLOSIVES, AND DANGEROUS CHEMICALS POLICY**

The students, faculty, and staff of OPSU can best learn, work, and live in an environment free from the dangers and constraints, both physical and psychological, which can arise from the presence or use of weapons, firearms, ammunition, fireworks, explosives and dangerous chemicals on the campus. It is, therefore, the policy of the university to prohibit the possession or use of any of these items on campus, in university vehicles or on university-sponsored trips.

### **7.2 REPORTING CRIMES AND EMERGENCIES ON CAMPUS**

Reports of criminal actions or other emergencies occurring on the Oklahoma Panhandle State University campus should be made to the Texas County Sheriff's Department, at 580-338-4000, who will respond in accordance with established law enforcement procedures. Victims of serious crimes may request support personnel such as ministers and counselors during and after reporting.

### **7.3 SECURITY OF FACILITIES AND ACCESS TO RESIDENTS**

Security is provided in the maintenance of the University's facilities through a number of mechanisms, including limitations on hours of operation, policies on keys, restricting access to those bearing appropriate identification as University staff or students and the provision of adequate lighting. Security precautions are on file in respective offices for the various types of facilities at OPSU. A guide for living in residence halls is given to each student residing in the halls.

### **7.4 SECURITY PROCEDURES AND PRACTICES**

The Goodwell Police Department (GPD) is staffed by commissioned peace officers who meet the standards of the Oklahoma Council for Law Enforcement Education and Training and who have the power to arrest and bring before the proper courts persons violating the law on University property. The University's peace officers cooperated with local police authorities in the exercise of their responsibilities. It is the practice of the GPD to encourage accurate and prompt reporting of all crimes to the GPD or the appropriate local police authorities.

### **7.5 PROGRAMS RELATED TO SECURITY PROCEDURES AND PRACTICES**

OPSU provides information to students and employees about campus security procedures and practice's, encourages them to be responsible for their own security and the security of others and informs them about the prevention of crime through regular programs and literature distribution. Presentations by the University Director of Student Services are provided upon request to individual residence halls and the campus community on a regular, on-going basis. These presentations are also made by student organizations having speakers or panel discussions on topics related to safety and security.

These activities include the role and services of the University Director of Student Services, programs addressing alcohol and awareness, date rape and sexual assault prevention, domestic abuse, crime prevention and illegal drugs. Presentations are made for the general university community and special presentations are made for the residence halls. Formats include speakers, videos, demonstrations, and workshops. Routine public service announcements are made and informational brochures distributed. Among the topics covered are self-defense, fire prevention, campus crime, and safe sex.

Freshman orientation offers written material to incoming freshman students focusing on acquaintance rape, student safety on campus, and building safety. Printed materials are distributed to students living both in residence halls and off campus and include the Residence Halls Handbook and Student Handbook, which provide security policy information to students. Policy information and training is conducted regularly for University employees regarding emergencies including building evacuation, emergency rescue procedures, etc.

## **7.6 COOPERATION WITH AREA POLICE AGENCIES**

OPSU cooperates with local police authorities to monitor and record information concerning criminal activity occurring away from the campus, but involving University students or University-recognized student organizations.

## **8.0 COMPUTING POLICIES**

### **Agreement and Account Application:**

Computing services at Oklahoma Panhandle State University are provided to promote administrative, educational, and research efforts of the faculty, students, and staff. All persons utilizing these services are responsible to ensure that computing resources are used in an ethical and lawful manner. The following basic principles and examples provide a general framework for determining acceptable behavior and conduct when using university provided computing resources.

- Use university computing resources for appropriate university activities only.
- University computer systems shall not be used for unauthorized political activities or unauthorized commercial purposes.
- Unauthorized copies of copyrighted material shall not be created, distributed, or knowingly utilized. Do no harm to the computing environment.
- Users are responsible for specialized hardware and/or software that they have, or have had, installed on university computers. Do no harm to other system users.
- Games of chance/gambling, obscene, threatening, harassing, or intimidating material shall not be entered into the computer, sent by electronic means or accessed on any internal or external computer system.
- Users shall not examine, change, or use another person's (or institutional) username, password, files, or e-mail.
- Users shall always identify themselves appropriately.

Users are responsible for all usage of their accounts. They should never permit others to use their accounts.

Electronic media on all OPSU systems is as private as is feasibly possible. System administrators will not access another person's data unless necessary in the course of their duties and will treat that data as confidential. Unauthorized attempts to access another person's data will be treated with the utmost seriousness.

All individuals using computer and network systems owned by the University are subject to applicable laws and University policies. Violations are subject to disciplinary action.

The University may immediately suspend the computer/network privileges of alleged violators, subsequently ensuring due process. The University will provide proportional sanctions for policy violations, including but not limited to reprimand, temporary or permanent removal of computer/network privileges, dismissal from the University, and legal action. Violations of this policy may constitute a criminal offense, punishable by local, state, or federal law.

**9.0 REASONABLE ACCOMMODATION POLICY**

OPSU will reasonably accommodate otherwise qualified individuals with a disability unless such an accommodation would pose an undue hardship, would result in a fundamental alteration in the nature of the service, program, or activity, or would cause undue financial or administrative burdens. The term "reasonable accommodation" is used in its general sense in this policy to apply to employees, students, and visitors.

Reasonable accommodation may include, but is not limited to: (1) making existing facilities readily accessible and usable by individuals with disabilities, (2) job restructuring, (3) part-time or modified work schedules, and/or (4) reassignment to a vacant position if qualified.

Reasonable accommodation with respect to employment matters should be coordinated with Human Resources and the disabled individual. Reasonable accommodation with respect to academic matters, including but not limited to faculty employment, should be referred to the office of the appropriate administrative officer while all other issues of reasonable accommodation should be referred to the Office of the Vice-President for Academic Affairs.

Individuals who have complaints alleging discrimination based upon a disability may file them in accordance with prevailing university discrimination grievance procedures Appendix D.

**10.0 SOCIAL NETWORKING**

**Staff shall use the utmost discretion when posting personal information or images or language on social networking avenues via OPSU technology/equipment/email addresses.** As a person of learning and a professional educator, a faculty member must remember that the public may judge the entire profession and the institution by the individual's utterances. Hence faculty should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

## **APPENDIX A FAMILY MEDICAL LEAVE ACT**

### **PURPOSE**

- 1.01 The Family and Medical Leave Act of 1993 (FMLA) gives certain job protections to employees when balancing work responsibilities with the demands of personal illness or injury or in caring for family members.
- 1.02 This policy sets forth the essential provisions of FMLA. In the event that additional clarification is needed, the actual Act and regulations issued by the federal government implementing the Act shall prevail.
- 1.03 Depending on individual circumstances of the leave, faculty and staff may also be concurrently eligible for paid sick leave benefits under Policy and Procedures 3.13.1 (Paid Leave and Short-term Disability Policy in OPSU Staff Handbook) or 1.4.2 (Leave of Absence with Pay in OPSU Faculty Handbook).

### **SCOPE**

- 2.01 This policy applies to all OPSU campuses and any other locations where business of the University is conducted.
- 2.02 To be eligible for FMLA leave, an employee must have been employed by the University for twelve months, which need not be consecutive, and must have worked at least 1,250 hours within the previous 12 months as of the date the leave commences.

### **POLICY AND PROCEDURES**

- 3.01 Qualifying Event  
An eligible employee will be provided up to 12 weeks of family medical leave for a qualified event:
  - A. For the birth and care of a child or placement of a child with you for adoption or foster care. Such leave must be taken within 12 months immediately after birth or within 12 months after placement. Leave may begin prior to birth or placement;
  - B. For care of a family member (as defined in 3.03) with a serious health condition. The employee must be needed to care for basic needs, psychological comfort, filling in for others, or making arrangements for the relative; or

- C. Because an employee's own serious health condition makes the employee unable to do his or her job due to illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatments.

### 3.02 Definition of Serious Health Condition

- A. Under FMLA, a serious health condition is an illness, injury, impairment, or physical or mental condition that requires either inpatient care or continuing treatment by a health care provider. A more complete definition can be found as part of the Certification of Health Care Provider form at the end of this policy.
- B. Serious health condition would not include short-term conditions, which require brief treatment and recovery, such as common colds or flu, stomach viruses, non-migraine headaches, and routine pregnancy, or voluntary or cosmetic treatments not considered medically necessary. The above list is not exclusive. Questions regarding specific conditions that would meet the FMLA definition can be referred to OPSU Human Resources.

### 3.03 FMLA Definitions of Family

- A. Spouse means a husband or wife as defined or recognized under State law for purposes of marriage.
- B. Parent means a biological parent or an individual who stands or stood in the place of a parent to an employee when the employee was a child. This term does not include parents "in law."
- C. Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent, who is under age 18, or incapable of self-care because of a mental or physical disability.

### 3.04 National Defense Authorization Act Amendment

- A. A spouse, son, daughter, parent, or next of kin may take up to 26 workweeks of leave to care for a member of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or on the temporary disability retired list, for a serious injury or illness.
- B. The serious injury or illness is one that was incurred in the line of duty while on active duty.
- C. The next of kin is the nearest blood relative of the injured/sick service member.

### 3.05 Employee Notice and Certifications

- A. The employee must provide 30 days advance notice when the leave is "foreseeable." On rare occasions, advance notice might not be possible. These situations will be evaluated on a case-by-case basis.
- B. Medical certification may be required prior to approval of leave indicating the employee is needed to provide care or unable to perform his/her job.
- C. Continued medical certification will be required if the situation warrants, but not more frequently than every 30 days unless the department has reason to believe the employee is able to return to work.
- D. Forms for medical certification are available from the local personnel office or OPSU Human Resources.
- E. Leave may be denied if the employee fails to provide the required medical certification.

### 3.06 Maximum Leave Entitlement

- A. Up to 12 weeks of absence from assigned duty may be requested within a 12-month period except as noted in section 3.04 above.
- B. In the event both spouses are employed by Oklahoma Panhandle State University, maximum leave for each eligible spouse is 12 weeks.

### 3.07 Intermittent and Reduced Leave Schedule

- A. In the event of employee or immediate family member illness only, an employee may request a reduced work schedule. Necessity for the leave must be such a medical need that can best be accommodated through an intermittent or reduced leave schedule. Employees needing intermittent FMLA leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt OPSU's operations.
- B. Oklahoma Panhandle State University may transfer an employee to an alternative position with equivalent pay and benefits in order to accommodate the request when such a reassignment is available and expedient for the department in question.
- C. Leave taken on an intermittent or reduced schedule will be calculated on a pro rata or proportional basis comparing the employee's new schedule to his or her prior schedule.

### 3.08 Concurrent Use of Accrued Paid Leave

- A. FMLA leave is taken concurrently with, other OPSU leave policies. The employee should be so notified of the leave. Any paid leave remaining after exhaustion of Family and Medical Leave would be taken in accordance with applicable OPSU leave policies.
- B. An employee with accrued compensatory, annual, or sick leave will take all applicable leave prior to unpaid leave. Paid sick leave is granted only when conditions in OPSU Policy and Procedures for such leave are met.
- C. A parent meeting the eligibility criteria under the Family and Medical Leave Act may, upon application, use up to five days accrued sick leave for the qualifying event of birth or adoption of her or her child. The twelve-month employment requirement of the Family Medical Leave Act will not apply. Additional accrued leave can be used, as applicable, under the conditions in OPSU Policy and Procedures.

### 3.09 Continuation of Benefits during Leave

- A. An employee's coverage in a group health plan will continue under the same conditions that existed prior to family/medical leave. Employee medical will be paid by OPSU if the employee is enrolled in medical coverage at the time the leave is requested.
- B. Employee life insurance and all optional benefits regularly paid by the employee will be paid by the employee while on leave.
- C. Dependent coverage of existing benefits would continue to be paid by the employee as under normal circumstances.
- D. Employee contributions will be made by the employee through the Human Resources Department. Payment will be sent to the Bursar's Office for a timely payment to premium.
- E. In the event an employee elects to cancel insurance coverages, such cancellation will be effective the end of the month after written notice to OPSU Human Resources. No partial premiums will be calculated.
- F. If an employee fails to return to work from unpaid leave, except where health conditions will not permit or death, the employee will be required to reimburse Oklahoma Panhandle State University for premiums paid on behalf of the employee during the family/medical leave. The employee will be billed through the Human Resources Department.

### 3.10 Restoration of Employment

- A. Upon return from FMLA leave, an employee will be restored to his/her original or equivalent position with equivalent pay, benefits, and other terms of employment.
- B. An employee may not be restored to an original or equivalent position if such position has been eliminated through a reduction in force program or if the original terms of appointment expired during the leave.
- C. Key employees ranking in the top 10% of the highest paid employees at OPSU may be excluded from the job guarantee provision if there are reasons justifying such an action.
- D. If the reason for leave is personal illness or injury of the employee, medical proof of fitness to return to work will typically be required indicating the employee is able to perform the essential functions of the job.
- E. Time on leave of absence without pay may not count toward credited service for Oklahoma Teachers Retirement (OTR) purposes. The rules of the Oklahoma Teachers Retirement System (OTRS) prevail.

### 3.11 Restoration of Benefits

- A. OPSU paid benefits such as OPSU paid health care and life insurance will be restored to the employee once returning from leave and will be equivalent to what the employee would have had without taking the leave. If the employee does not want the insurance during this leave, s/he should cancel the insurance and upon return to work should notify OPSU Human Resources of his/her desire to reinstate the benefits. If the insurance is reinstated the day the employee returns, proof of insurability will not be required and no pre-existing condition clauses will apply.
- B. Benefits normally paid for by the employee such as dependent coverage, long-term disability, etc. would also be reinstated.
- C. Health and dependent care reimbursement accounts will be reinstated once the employee is back on pay status if s/he was enrolled at the time of his/her leave.

### 3.12 Notice to Employees

- A. Notice of the Family and Medical Leave Act is posted in designated buildings on campus. Departments are responsible for ensuring such notification exists.
- B. Copies of this policy and procedure should be made available to employees upon their request.

- C. When leave is requested, the department head is required to respond in writing to the employee specifying the rules for eligibility, 12-month period used, medical certification requirement, required substitutions of leave, rules on payment of benefit premiums, liability of employee for repayment, medical certification requirements for return to work, status as a key employee, and right to restoration of original or equivalent position. Forms suitable for this response are available from OPSU Human Resources.

### 3.13 Exhaustion of Family and Medical Leave

- A. Once an employee has exhausted the 12 work-week eligibility under this policy and other paid leave does not apply, the employee must return to work immediately or pursue a personal leave of absence.
- B. If no other leave is approved, the employee will be terminated.

### 3.14 COBRA

- A. If an employee does not return to work after FMLA leave, OPSU will offer COBRA as required under the Consolidated Omnibus Benefits Reconciliation Act.
- B. The qualifying event that will trigger an offer of COBRA continuation of coverage occurs on the last day of the employee's FMLA leave. The last day of FMLA leave is the earlier of (1) the date the employee gives termination notice or (2) the last scheduled day of the FMLA leave.
- C. Length of the COBRA coverage is measured from the day of the qualifying event.

## **4.1 EXCEPTIONS TO POLICY AND PROCEDURES**

- 4.01 The authority to grant exceptions to one or more of these policies and procedures is vested in the Office of the President of the University.
- 4.02 Oklahoma Panhandle State University reserves the right to change this Policy and Procedures Letter or any portion thereof at any time without prior notice.

**NOTE: Family and Medical Leave (FMLA) forms are now located on the HR website at <http://www.opsu.edu> Click on the FMLA link on the right side of the page to find all FMLA forms and information.**

## **APPENDIX B FAIR LABOR STANDARDS ACT AND OVERTIME**

It is the policy of Oklahoma Panhandle State University to comply fully with the overtime provisions of the Fair Labor Standards Act (FLSA) and its regulations. This includes, but is not limited to, the earning of and payment for overtime, establishment of the official workweek, and record keeping. The Human Resources Office shall post, where appropriate, information about the FLSA and a copy of this policy to inform covered employees.

### **DEFINITIONS**

1. EXEMPT. The position meets the FLSA tests for exemption from the overtime provisions of the Act, and compensation for overtime is not required. Generally speaking, exempt positions are faculty, administrative and professional employees, certain farm and recreation workers, student professional and temporary professional employees.
2. NON-EXEMPT. The position does not meet the FLSA test for exemption from the overtime provisions of the Act, and the employee must be compensated for overtime. Generally speaking, non-exempt positions are those in the staff pay plan (except certain farm and recreation workers) and non-professional student or temporary's.
3. OVERTIME. Hours worked in excess of 40 in a workweek. Compensation for overtime hours is 1 ½ times the employee's regular pay rate. This base rate (which is multiplied by 1 ½ to get the premium rate per hour) may be affected by special situations such as standby pay.
4. WORKWEEK. A workweek is a period of 168 hours during 7 consecutive 24-hour periods. It may begin on any day of the week and at any hour of the day established by the employer.
5. PAY PERIOD. The period of time covered in a paycheck.

### **GENERAL PROVISIONS**

The employment and work program of each department of the University should be managed so that the necessity for overtime work is reduced to a minimum, except for emergency situations. It is intended, however, that non-exempt employees should be expected to work a reasonable period of overtime when conditions warrant the scheduling of overtime. The supervisor will give notice to employees scheduled to work overtime as early as possible. Employment by the University for all employees is expected to be the primary employment of such employees and if requested to do so, all university employees will work such overtime as requested of them, regardless of the impact that such requests might have on secondary employment relationships by the employees.

Provisions of the FLSA place a liability upon the University for the payment of a premium for all hours that an employee not specifically exempt from overtime payment is either requested or permitted to work in excess of the statutory limitations. Therefore, under no circumstances may a non-exempt employee perform work of any nature for the University at his or her normally assigned work station, or anywhere else on university premises, in excess of the normal work schedule, unless such overtime work has been specifically authorized by the supervisor.

The official workweek of the University shall be from 12:00 midnight Saturday until 12:00 midnight the following Saturday. Any variance from the official workweek must be requested in writing and approved by the President of the University or his designated representative. Such approved variances shall be kept on file in the Human Resource Office.

Overtime shall be calculated on the basis of the official workweek and not on the official workday.

## **PROCEDURES**

### Overtime Payment

#### A. Non-exempt

1. Non-exempt personnel shall receive compensation by check or warrant or by released time at the rate of time and one-half their regular rate for all hours worked in excess of 40 hours in any workweek. Each workweek shall stand-alone and may not be averaged.
2. Payment for overtime by check or warrant should be made within the same pay period, if possible, or no later than the pay period following the one in which the overtime hours were worked. Payment may be later if the hours have first been accumulated for compensatory time.
3. If compensation for overtime worked is paid in released time at the premium rate, such released time (compensatory time) will be given according to the following:
  - a. The maximum compensatory time, which may be accrued by any affected employee, shall be 480 hours for those engaged in public safety, emergency response, or seasonal activity, and 240 hours for all other non-exempt employees. The maximum is not an annual accumulation and is not a one-time accumulation. Once the maximum is accumulated, and then time is used, the amount may build to the maximum again, possibly several times in the duration of the employee's employment relationship with the University. Holiday hours worked and straight-time compensatory time, as distinct from hours worked over 40, are not counted in the 480 hours or the 240 hours.
  - b. An employee whose current accrual is the maximum number of compensatory hours shall be paid overtime compensation by check for any additional overtime hours of work, according to the procedure above.

- c. The use of accumulated compensatory time will be permitted within a reasonable time period after the employee requests the time, when it will not be disruptive to department operations. Upon reasonable notice, a supervisor may direct an employee to use a portion of the accrued compensatory time at any time that this is deemed advisable by the supervisor.
  - d. At termination of employment, payment for accrued FLSA compensatory time shall be calculated at the average regular rate of the employee's pay for the final three years of employment, or the final regular rate received by the employee, whichever is higher.
  - e. When an affected employee transfers to a non-exempt position in another department, accumulated compensatory time may be transferred to the new department, taken as time off before the effective date of the transfer, paid by check, or a combination of these options. The employee's wishes will be considered. However, the decision will also be based on the budgets and operational needs of the two departments involved, and the ultimate decision resides with the University. If the decision is to pay by check for part or all of the accumulated compensatory time, the rate shall be calculated as in (d) above.
  - f. When a non-exempt employee changes to exempt status, every effort should be made to clear accumulated compensatory time by payment, taking the time off, or a combination of these options. If the change involves moving to another department, a cooperative decision by the two affected supervisors will be made, or, if necessary, by the Vice President(s) overseeing the departments in question.
4. When circumstances permit payment by compensatory time off, an agreement or understanding between the supervisor and employee should be arrived at before the performance of the work. Such agreement will involve consideration of three factors: 1) the employee's preference; 2) operational needs of the department, and 3) fiscal strictures which might preclude payment for overtime by check.
  5. A non-exempt employee may not "volunteer" to his or her own unit services of the same time he or she is employed to perform.

## B. Exempt

1. Certain farm workers and recreation workers, while exempt from the requirement for overtime compensation at the premium rate, shall be compensated hour-for-hour for overtime in released (compensatory) time. This compensation is not required by the FLSA; therefore, the number of hours accumulated and taken at a time that is mutually agreeable, is not restricted. It may be not paid by check or warrant during employment or at termination.
2. Administrative and professional employees may not accumulate or be compensated for hours worked in excess of 40 in a workweek. As is the case with faculty of the University, such personnel are expected to spend whatever hours are necessary over and above the basic workweek in the completion of their work assignments.

**RECORD KEEPING**

- A. Records of time worked shall be made and preserved for each non-exempt employee. The records shall include full name, social security number, and birthday if under 19, occupations, workweek beginning day/time, rate(s) of pay, hours worked each workday for each workweek, total hours to be paid for straight time, approved leave, and overtime. These time records shall be kept available for inspection for three years.
- B. The work for which non-exempt employees must be paid (at the rate of at least the current minimum wage) and which must be counted in computing liability for weekly overtime pay is described as the time the employee is actually at work or required to be on duty.
- C. Counted as working time, in addition to time actually worked, are rest periods lasting 15 minutes or less, lectures, meetings, and training programs when attendance is required by the supervisor, and travel time (time en route) as set out below:
  - 1. Travel time from job site to job site during a workday, after reporting for the day's work.
  - 2. Travel time from home to work and return on a special one-day assignment in another city. Deduct the usual time from home to regular work site and return and meal time(s).
  - 3. Travel time for out-of-town assignments of more than one day. The travel time that coincides with the employee's normal workday schedule is counted as time worked. This applies to any day of the week.
  - 4. Travel time for work performed while traveling. The time is counted as hours worked whether or not it occurs within the employee's normal working hours.
- D. Not counted as working time are bona fide meal periods, vacation, sick leave, other leave, holidays not worked, and certain travel time not listed in (c) above.

## **APPENDIX C SEXUAL HARASSMENT**

Oklahoma Panhandle State University is committed to providing a work environment that is free of discrimination. Actions, words, jokes, or comments based on an individual's gender, race, ethnic background, age, religion, disability or any other legally protected characteristic will not be tolerated. As an example, sexual conduct (both overt and subtle) can serve to create an offensive work environment and thus prohibited.

Employees, students or other individuals who feel aggrieved because of conduct that may constitute sexual harassment should immediately inform the person engaging in such conduct that such conduct is offensive and must stop.

Anyone who feels victimized by this behavior should notify their immediate supervisor and/or the Affirmative Action Officer in the Human Resources Office with specific, written information concerning the matter. Upon such notification the Affirmative Action Officer shall within two working days begin an investigation, said investigation shall be concluded and recommendation for action made to the Executive Vice President within a timely manner. The Executive Vice President shall take action on the recommendation within three working days.

Should the Affirmative Action Officer be named in the harassment charge and/or should the Executive Vice President hold that the charged individual have such a relationship with the Affirmative Action Officer that a report could legitimately be contested on the grounds of bias, then an alternate investigator shall be appointed.

At every step of the procedure, confidentiality will be maintained to the extent possible to protect the individuals involved. Employees or students failing to restrict confidential information or who knowingly provide false information will be subject to disciplinary action.

Any employee found to be engaging in any improper harassment will be subject to appropriate disciplinary action, up to and including possible discharge.

## **APPENDIX D GRIEVANCE AND APPEALS PROCEDURES FOR STAFF**

### **General Policy**

As a service to employees, personnel are available to advise and assist OPSU employees who have a question, problem or complaint about working conditions. Most concerns can be resolved by informal discussions between parties involved. The Human Resource's office is available to counsel employees who have grievances. Fair and prompt consideration will be given to any personal concern or dissatisfaction about employment.

The University Human Resource's director should be contacted if a person feels there has been employment discrimination due to age, race, color, national origin, religion, gender (including sexual harassments), or qualified disability.

The following steps are requested to resolve questions of employment dissatisfaction:

Talk to your supervisor first. To ensure that employment problems are resolved effectively, the employee should discuss the area of concern with his or her immediate supervisor.

If necessary, continue up the ladder. If the question is not resolved at his level, the employee may request an appointment to discuss the problem with the appropriate person at each administrative level up to and including the University President.

A formal hearing may be requested. If a complaint is not resolved through informal procedures, then a written grievance may be filed to provide for hearings before a committee or for reviews at various management levels.

### **Formal Complaint**

A formal complaint is defined as the dissatisfaction that occurs when an employee believes that any condition of his/her employment is unjust, inequitable, a hindrance to effective operation, or is creating a problem. Suspensions, demotions, or discharge from employment shall be considered as formal complaints, but shall be considered as basis for appeal. Salary increases, job classifications, and fringe benefits are matters determined during budget deliberations and are not considered as formal complaint. The formal complaint procedure does not apply to action taken during the employee's introductory period or to action taken under the reduction of work force policy or the non-renewal of an individual's appointment.

### **Determination**

Meetings and investigations shall be conducted during the employee's regular working hours whenever possible. At any step or level of the review procedures, the Human Resources Director may elect to arbitrate a decision to resolve the situation or make a recommendation to the appropriate Vice President.

In addition, the Human Resources Director shall serve in the capacity of an information gathering and advisory person. Each step or level should occur in a timely manner to be determined by the Human Resources Director. The Human Resources Director may opt to appoint an ad hoc committee to make recommendations to him/her regarding individual complaints.

**Procedure**

The employee shall present the facts in writing to his/her supervisor, sending a copy to the Human Resources director. A formal complaint must be in writing and contain the following:

- a clear and detailed, signed statement of the complaint
- the specific remedial action or relief sought,
- a summary outlining with whom the point of dissatisfaction were discussed and with results, and
- the reason(s) why remedial action or relief is sought.

At any time the employee receives an unsatisfactory reply or fails to receive a reply, he/she has the right to submit the complaint to the next level from the previous supervisor. The supervisor at this level shall review all of the facts of the case and the decision rendered by the previous supervisor, then render a decision in writing to the employee. At each level, a copy of the reply to the complaint must be forwarded to the Human Resources Officer. This procedure shall be followed when applicable through the levels of progression.

The decision of the Human Resources director shall be final; unless, the Human Resources director opts at his/her discretion to make a recommendation to the appropriate Vice President for decision, in which case, the Vice president's decision shall be final. Employees may contact the Human Resource's office for additional information regarding grievance procedures.