



# **EMPLOYEE HANDBOOK**

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## **GENERAL STATEMENT**

To be successful at Albany State University, it is important for each employee to understand his/her role as a member of the university community. This manual will acquaint you with the policies, regulations, pay and benefits that apply to all employees.

This manual is presented as information only and should not be interpreted as an expressed, implied or inferred contract of employment between the university and any of its employees. This manual is only a summary of our policies. Consult the Albany State University Policies and Procedures for comprehensive information. All previous editions of the Employee Handbook/Employee Manual are obsolete.

Please read this manual carefully and keep it handy for future reference. One of your first responsibilities is to become familiar with its content. Please contact your supervisor or the Albany State University Office of Human Resources if you have any questions.

Employment with Albany State University is “at-will” and entered into voluntarily. Non-faculty employees are free to resign at any time, for any reason, with or without notice. Similarly, Albany State University is free to terminate the employment relationship at any time, with or without notice. For faculty members, resignations are to be handled in accordance with the policies of the University System of Georgia.

Terminations of employment are also subject to Board of Regents policies.

## **CONDITIOINS OF EMPLOYMENT**

### **New employee requirements:**

All new employees must meet the qualifications for the job and the terms and conditions of employment.

- Successfully complete a background investigation appropriate to the position to which the individual is being hired. Reference HRAP provision on Background Investigation.
- Complete and sign the Security Questionnaire and Loyalty Oath as required and defined in Georgia Law. This form shall be prepared in original copy only, notarized, and filed appropriately at the relevant institution.
- File Federal and Georgia tax withholding forms.
- Enroll in a USG retirement program within 60 days or the Georgia Defined Contribution Plan as required based on employment status.
- Complete Form I-9 within three (3) days of employment. Employees are required to maintain authorization to work in the United States. for the duration of their employment, including re-certification, as necessary.
- Complete required training as required by the USG and the employee’s institution within the specified timeframe.
- Complete all other forms that may be required per USG or institutional policy
- Disclose actual or apparent conflicts of interest.

### **Current Employees have the following ongoing obligations:**

- Maintain all terms and conditions of employment.
- Any current employee charged with a crime (other than a minor traffic offense) shall report being charged with such crime to the employee's institutional Office of Human Resources within 72 hours of becoming aware of such a charge. Failure to report being charged with such a crime may result in disciplinary action, including termination of employment. Human Resources will review the nature of the crime and make a determination on what, if any, action should be taken regarding the employee's employment status until resolution of the charge.
- Any current employee convicted of a crime (other than a minor traffic offense) must report such conviction to the employee's institutional Office of Human Resources within 24 hours of the conviction. The Office of Human Resources will review the nature of the crime for which the employee was convicted and make a determination on the appropriate employment action to take.
- Failure to report being charged or convicted may result in disciplinary action, up to and including termination of employment.
- An employee who, prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, voluntarily discloses use of such substance to their immediate supervisor and is receiving or agrees to receive treatment under an approved drug abuse and education program may be retained by the institution under the conditions set forth in BOR policy on Voluntary Disclosure of Drug Use (8.2.17).
- Employees should follow the procedures established at their institution to disclose potential, actual, or apparent conflicts of interest and gain approval for compensated outside activities. Reference HRAP provision on [Conflicts of Interest, Conflicts of Commitment and Outside Activities](#).

Automatic membership in the Teachers Retirement System of Georgia if you are employed in a regular position, you are nonexempt staff, and if your work commitment is 50 percent or greater. If you are an exempt employee, you will have an option of selecting the Teachers Retirement Plan System or the Optional Retirement Plan. However, you must make a selection within the first 30 days of your employment.

- Application for membership in the Georgia Defined Contribution Plan, if employment is less than 50 percent
- Completion of all federal and state withholding tax forms
- Submission of appropriate documents required by immigration laws and regulations
- Proof of current licensure, certifications, degrees or other credentials as required for positions pursuant to Board of Regents policy.

A person shall be disqualified for employment for any of the following:

- Conviction of a criminal drug offense shall disqualify a candidate for not less than three months. Any candidate who has been convicted of a second or subsequent

criminal drug offense shall be ineligible for employment or re-employment for a period of five years from the most recent date of conviction.

- Any false statement of material fact during the screening process.
- The candidate is or has been a member of an organization advocating the violent overthrow of the government of the United States.
- The candidate for a position of trust has been convicted of a felony or a crime involving moral turpitude, unless the applicant has been pardoned.

All employee background investigations are conducted through the Office of Human Resources by qualified vendors and is in accordance with the Board of Regents Policy.

## **HUMAN RESOURCES MANAGEMENT**

### **FUNCTIONS OF HUMAN RESOURCES MANAGEMENT**

The Office of Human Resources Management is responsible for the following functions: Personnel Administration, Employee Benefits, Recruitment, Selection and Hiring of Non-Academic Personnel, Compensation Plans & Programs, Training and Development of Non-Academic Personnel, Employee Relations

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## **EMPLOYMENT POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY**

Albany State University is an equal employment, equal access, and equal educational opportunity institution which adheres to all federal and state civil rights laws banning discrimination in public institutions of higher education.

The Board of Regents and Albany State University prohibits discrimination on the basis of an individual's age, color, disability, genetic information, national origin, race, religion, sex, or veteran status ("protected status"). No individual shall be excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination, harassment, or retaliation under, any USG or ASU program or activity because of the individual's protected status; nor shall any individual be given preferential treatment because of the individual's protected status, except that preferential treatment may be given on the basis of veteran status when appropriate under federal or state law.

All employment processes and decisions, including but not limited to hiring, promotion, and tenure, shall be free of ideological tests, affirmations, and oaths, including diversity statements. The basis and determining factor for all such decisions should be that the individual possesses the requisite knowledge, skills, and abilities associated with the role, and is believed to have the ability to successfully perform the essential functions, responsibilities, and duties associated with the position for which the individual is being considered. At the core of any such decision is ensuring the institution's ability to achieve its mission and strategic priorities in support of student success.

## **AMERICANS WITH DISABILITIES ACT (ADA)**

The Americans with Disabilities Act (ADA) became effective July 26, 1992 for employers with 25 or more employees. The ADA gives civil rights protection to individuals with disabilities. It guarantees equal opportunity for this protected group in the areas of public accommodations, employment, transportation, state and local government services, and telecommunications.

Albany State University, a member of the University System of Georgia, does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. Albany State University does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

Individuals with disabilities who require reasonable accommodation to participate in any portion of the application, interview and/or testing process must advise the Office of Human Resources Management in advance. Upon request, applicants must provide documentation confirming a disability and the need for accommodation. Advance requests for reasonable accommodation should be directed to the Office of Human Resources Management.

University employees in need of a reasonable accommodation under the ADA must make a request to the Office of Human Resources Management. The process for making such requests is located on the University webpage- [www.asurams.edu/human-resources](http://www.asurams.edu/human-resources)

## **AFFORDABLE CARE ACT (ACA)**

The Affordable Care Act provides Americans with better health security by putting in place comprehensive health insurance reforms that will:

- Expand coverage,
- Hold insurance companies accountable,
- Lower health care costs,
- Guarantee more choice, and
- Enhance the quality of care for all Americans.

In compliance with the regulations, Albany State University offers affordable medical insurance to all eligible employees.

## **AGE CRITERIA**

The employment of all persons under the age of eighteen (18) years shall be in compliance with the regulations of the U.S. Department of Labor.

## **SEXUAL HARASSMENT**

In the same manner as other forms of discrimination prohibited by law, sexual harassment, that is, verbal or physical conduct of a sexual nature which creates an unproductive offensive learning or working environment and has a detrimental effect on



an individual, is prohibited. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment. Albany State University embraces and fully adheres to the Board of Regents' Policy on Sexual Harassment.

[http://www.usg.edu/policymanual/section8/C224/#p8.2.16\\_sexual\\_harassment](http://www.usg.edu/policymanual/section8/C224/#p8.2.16_sexual_harassment)

Sexual harassment of employees or students of Albany State University is prohibited and shall subject the offender to dismissal or other sanctions after compliance with due process requirements. Unwelcome sexual advancements, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an employment or academic standing; or
- B. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting an individual; or
- C. Such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating air or offensive working or academic environment.

#### Definition of Sexual Harassment

For purposes of this policy, sexual harassment is defined as follows:

- A. Sexual conduct of any nature which is not freely and mutually agreeable to both parties;
- B. Communications of a sexual nature, whether verbal, written or pictorial, which are made with the intent to intimidate the person receiving such communications; or
- C. Solicitation of sexual conduct of any nature, when submission to or rejection of such is intended to be the basis for, either implicitly or explicitly, imposing adverse or favorable terms and conditions of employment or academic standing.

#### Unwanted Pressures

Unwanted pressures are considered sexual harassment; those pressures from people in authority are judged more frequently to be sexual harassment than those same pressures from peers.

## **PROHIBIT DISCRIMINATION & HARASSMENT**

### Policy Statement

Board of Regents (BOR) policy in accordance with applicable federal and state law the University System of Georgia (USG) prohibits its faculty, staff and students from engaging in any form of prohibited discrimination or protected status harassment (including sexual harassment) and expects these individuals to refrain from committing acts of bias within the System's jurisdiction. The University System of Georgia complies with applicable State and Federal law which provides that it shall be an unlawful discriminatory practice for any employer, because of the sex (including gender and

pregnancy discrimination), age, disability, national origin, race, religion, genetic information, or veteran status of any person, to discharge without cause, to refuse to hire, or otherwise discriminate against any person with respect to any matter directly or indirectly related to employment. Further detail can be obtain in the HRAP on [Prohibit Discrimination & Harassment](#).

## **TITLE IX OF THE EDUCATON AMENDMENTS OF 1972**

Title IX of the Education Amendments of 1972 was the first comprehensive federal law to prohibit sex discrimination against students and employees of educational institutions. Title IX states, in part:

No person shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

The policy of Albany State University is to implement equal opportunity for all employees, students and applicants for employment or admission without regard to race, color, religion, national origin, sex, age, veteran status or disability.

Title IX prohibits sex discrimination. Sexual harassment is a form of prohibited sex discrimination. Students (male and female) and employees (faculty and staff) are protected from sexual harassment.

The Title IX Coordinator is responsible for ensuring the University is adhering to policy. Faculty, staff, and students can file complaints of sex discrimination with the Title IX Coordinator. Retaliation against complainants is prohibited.

## **DRUGS AND ALCOHOL POLICY**

Albany State University, as any other educational institution, has a clear responsibility to its students, their parents, its employees, and the entire University community. This involves providing the best academic environment for students and a wholesome working environment for University employees.

As a recipient of Federal funds, Albany State University supports and complies with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989. The Drug-Free Workplace Coordinator for Albany State University is the Director of Human Resources Management.

## **DRUG-FREE WORKPLACE ACT OF 1988**

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace by an Albany State University employee is prohibited by policy.

Violations of this policy, including felony and/or misdemeanor drug convictions and/or pleas of nolo contendere, during the course of employment with Albany State University will result in appropriate disciplinary penalties being imposed by the University.

Appropriate disciplinary penalties may include a range of actions up to and including termination, or lesser sanction, within thirty (30) days of a conviction (including a plea of nolo contendere); or may include, at the discretion of the University, satisfactory participation in an established drug abuse assistance rehabilitation program.

As a condition of employment in which an employee is directly involved in the performance of a federal grant or contract, the employee must:

Abide by the University's policy on controlled substances; and

Inform the University of any criminal drug statute conviction for a violation occurring in no later than five (5) days after such conviction.

In a cooperative effort between the Department of Counseling and Disability Services and the Office of Human Resources Management, a Drug and Alcohol Abuse Prevention Program is available to inform employees about the dangers of drug abuse in the workplace; the institutional drug-free workplace policy; available drug abuse assistance rehabilitation programs; and penalties that may be imposed for workplace violations.

### **DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989**

The unlawful possession, manufacture, distribution, dispensation, and use of illicit drugs and alcohol by employees or students on the University campus is prohibited and violations of this policy will result in appropriate disciplinary action.

Penalties for violations of this policy and of applicable local, state, and federal statutes, ranging from warnings and probation to expulsion; loss of academic credit; suspension; temporary or permanent suspension and withdrawal of organization recognition; referral to the legal system for prosecution; demotion; and termination of employment.

### **VOLUNTARY DISCLOSURE OF DRUG USE**

If, prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies his or her immediate supervisor that he or she illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program, such employee shall be retained by the institution for up to one (1) year as long as the employee follows the treatment plan. Retention of such employee shall be conditioned upon satisfactory completion of the program. The employee's work activities may be restructured if in the opinion of the immediate supervisor it is deemed advisable. The rights herein granted shall be available to a System employee only once during a five (5)-year period and shall not apply to any employee who has refused to be tested or who has tested positive for a controlled substance, marijuana, or a dangerous drug.

### **SMOKING/TOBACCO FREE CAMPUS**

Albany State University promotes a clean, healthy, productive and safe environment for all students, faculty, staff, and visitors. Smoking and tobacco use, of any kind, is prohibited on all University owned and/or leased locations/premises; all internal and external areas; all parking lots; and in all University owned and/or leased vehicles. Smoking is also prohibited of all building entrances and exits. Albany State University

reserves the right to initiate disciplinary procedures against any individual found to be in continuous violation of this policy; however, all faculty, staff, and students have a collective responsibility to promote the safety and health of the campus community and therefore share in the responsibility of enforcement. Individuals observed smoking/using tobacco are to be reminded in a professional and courteous manner of this policy.

## **WORKPLACE VIOLENCE**

The University is committed to providing a safe workplace free from violence, threats of violence, or disruptive behavior of a violent or threatening nature. The University does not tolerate behavior, whether direct, indirect, or through the use of university facilities, property, or resources that:

- Is violent;
- Threatens violence;
- Harasses or intimidates others;
- Interferes with an individual's legal rights of movement or expression; or
- Disrupts the workplace, the academic environment, or the University's ability to provide service to the public and/or its students, faculty, or staff.

Violent or threatening behavior can include, but is not limited to: physical acts, oral or written statements, harassing email messages, harassing telephone calls, bullying, or behaviors such as stalking. Individuals who engage in violent behavior, including but not limited to physical attacks, intimidation, bullying, threats, or property damage, may be removed from the premises, and be subject to dismissal or other disciplinary action, up to termination, arrest and/or criminal prosecution.

Violence in the workplace includes relationship violence that intrudes into the workplace, endangering a person in the relationship or others in the workplace. This policy applies to all Albany State University work locations including offices, classrooms, worksites, vehicles, and field locations.

The workplace is defined as any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to: the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to and from work assignments. If an employee has been confronted with a violent incident, the employee is encouraged to report such incident to the Office of Human Resources and/or to the University Police Department.

## **FAIR LABOR STANDARDS ACT (FLSA)**

The Fair Labor Standards Act (FLSA) is a group of federal rules and regulations that determine eligibility for overtime pay. Generally under FLSA, if you perform duties that do not meet one of the exemption tests developed by the DOL, your position is classified as non-exempt and you are eligible for compensatory time/overtime. However, if you perform duties that meet one of the exemption tests developed by the DOL, your position is classified as exempt and you are not eligible for compensatory time/overtime pay per the FLSA guidelines.

## **OVERTIME**

Overtime work shall be authorized for employees who are not exempt from the provisions of the Fair Labor Standards Act only when the work is deemed necessary by the supervisor or his or her designated representative. Payment for approved overtime work will be made in accordance with provisions of the Fair Labor Standards Act. In lieu of payment for approved overtime work, the President or his or her designated representative may approve the granting of compensatory time off at the rate of one and one-half hours of compensatory time for each hour of overtime worked. Approved compensatory time is subject to a maximum accumulation of two hundred and forty (240) hours.

## **AMOROUS RELATIONSHIPS**

A faculty or staff member, including a graduate teaching assistant, is prohibited from having an amorous relationship with any student who the faculty or staff member supervises, teaches, or evaluates in any way. An Albany State University employee is prohibited from having an amorous relationship with any other employee if either employee supervises, evaluates, or in any other way directly affects the terms or conditions of the other's employment. Any individual who violates this policy is subject to disciplinary action commensurate with the offense, up to and including termination.

## **CHILDREN IN THE WORKPLACE**

It is expected that employees will not bring their children to work during the employee's scheduled work hours. In addition, children may not be cared for in the workplace. Other arrangements must be made. Employees bringing children to work may be asked to leave and be required to take unpaid leave or use accrued leave.

## **NEPOTISM - EMPLOYMENT OF RELATIVES**

The basic criteria for the appointment and promotion of Albany State University employees shall be appropriate qualifications and performance as set forth in these policies. Relationship by family or marriage shall constitute neither an advantage nor a disadvantage. No individual shall be employed in a Department or Unit if the employment results, through any line of authority, in a subordinate-superior relationship between such individual and any relative. "Line of authority" shall mean authority extending vertically through one or more organizational levels of supervision or management. For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the preceding. Any individual employed as of February 14, 1990, where a relative of such individual then holds a superior position at least one level of supervision removed from such individual in any line of authority; or exceptions approved by the Board of Regents upon recommendation of the Chancellor as being clearly in the best interest of the University and the University System.

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# **CATEGORIES OF EMPLOYMENT**

Per University System of Georgia policy, Albany State University employs employee categories to identify persons who are employed by the University. The types of employees and types of employment are used to determine benefits eligibility and applicability of Board of Regents policy, as well as ensure accuracy in reporting based on employee and employment type.

**Benefits Eligible:** There are three definitions pertaining to benefits eligible as described below:

- **Full Benefits Eligible:** This is defined as 30 or more hours per week or .75 FTE and greater, which applies to regular faculty and regular staff employees. Full benefits include all benefits in accordance with University System of Georgia of Board of Regents policy 8.2.9 Insurance.
- **Partial Benefits Eligible:** This is defined as 20 to 29 hours per week or .5 FTE to .74 FTE. Partial benefits eligible may apply to regular faculty and regular staff employees. Partial benefits include retirement and pro-rated leave accruals.
- **Non-Benefits Eligible:** This is defined as 19 or less hours per week (.49 FTE or less), which applies to regular faculty and staff employees. Non-benefits eligible also includes temporary faculty, staff, and student employees who may not work more than 1,300 hours in a 12 month period as defined later in this policy. Students may not be placed into a regular status.

**Board of Regents:** The governing body of the University System of Georgia has outlined the following

## **Employee Categories:**

- **Faculty:** The faculty shall consist of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.
- **Staff:** Staff employees shall consist of two major employee groups 1) staff *professional and administrative employees* and 2) *staff non-exempt* and defined as follows:
  - **Staff Professional and Administrative Employees** are exempt from the Federal Wage-Hour provisions of the Fair Labor Standards Act (FLSA) because of their professional or administrative responsibilities. (This group does not include faculty or graduate assistants); and
  - **Staff Non-Exempt Employees** are not exempt from the federal wage-hour provisions of the Fair Labor Standards Act (FLSA). (NOTE: The University System of Georgia position classification system includes the appropriate FLSA status in the “Master List with Definitions and Guidelines”.)
  - **Classified Employees** shall consist of the Staff Professional and Administrative, and Staff Non-exempt employees as defined above.
  - **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers.

## Employment Status

- **Regular Employment Status:** Regular employment is **considered continuous** and may also be defined by agreement, contract, term, or restricted funding source(s). Regular employment may be benefits eligible, partial benefits eligible, non-benefits eligible, full-time or part-time, exempt or nonexempt. Regular exempt employment must meet the “salary basis” requirement under the federal Fair Labor Standards Act (FLSA).
- **Salary Basis:** Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis and the predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work subject to exceptions under FLSA.
- **Temporary Employment Status:** Temporary employment is short in duration to address business needs and must meet the requirements and characteristics described below:
  - A temporary is non-benefits eligible.
  - A temporary does not have an expectation of long-term employment.
  - A temporary may be full-time or part-time.
    - A temporary employee may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Once a temporary employee has worked 1,300 hours or has been employed for 12 consecutive months, whichever comes first, the temporary employee must have a break in service of 26 consecutive weeks. Employment applies across all USG institutions.
    - If a temporary employee is needed beyond the 1,300 hours, they must be moved to a regular employee status.
    - A temporary who is dually or jointly employed in more than one position must have all hours worked counted towards the 1,300 hour worked limit from the date of hire into the first position this includes Temporary Staff Arrangements.
  - A temporary may be separated at any time for any reason without notice and either the employer or the employee can end the employment relationship. Such separation is not grievable or subject to appeal.
  - A temporary is typically considered non-exempt under the federal Fair Labor Standards Act’s overtime provisions and paid for all hours worked on an hour-for-hour basis, and they must receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. In some instances, temporary employees, such as graduate assistants, or credentialed professionals, may be exempt.

**Note:** If a temporary employee exceeds an average 30 or more hours per week during the Affordable Care Act (ACA) measurement period and meets the definition of healthcare eligibility under ACA, if they continue employment in a

regular position, they will become eligible to enroll in healthcare benefits during the ACA administrative period.

**Employee Categories: Types of Employment:**

- **Faculty:** Consists of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.

**The types of faculty are described below:**

- **Regular Faculty employees are** employed on a continuous basis and whose duration of employment may also be defined by agreement, contract, term, and/or restricted funding source(s). Regular Faculty may be full-time or part-time. Those faculty with a work commitment of half-time or greater are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible. Regular Faculty who are not hired through a competitive search will typically be given a “term” appointment for one academic or fiscal year and may be reappointed for one (1) additional year, not to exceed a total duration of 2 years. Regular Faculty who have a full-time (1.0 FTE) appointment may be tenured, on tenure track or hold a non-tenured position in accordance with Sections 8.3.7 and 8.3.8 of the Policy Manual of Board of Regents of the University System of Georgia.
- **Temporary Faculty employees are** employed on a short term basis through written appointment. They are not employed on an academic year contract. If they are employed for more than one consecutive academic semester for 30 hours or more, except when the academic semester is combined with Summer semester immediately preceding or following the academic semester, they shall be employed as Regular Faculty. Temporary Faculty are non-benefits eligible.

**Requirements of the Affordable Care Act (ACA):** Under the Affordable Care Act, a reasonable method of crediting hours for Part-time Regular and Temporary Faculty may be used to determine healthcare eligibility. The University System of Georgia has determined that a reasonable method for converting credit hours or contact hours to standard hours work is as follows: 1.25 Prep/Grading hours + .5 Office/Meeting hours per each Classroom/Contact hour per week. Graduate Assistants and Graduate Research Assistants will track hours worked. Below is a conversion chart which will be used for crediting hours on a weekly basis for Part-time Regular and Temporary Faculty for purposes of the Affordable Care Act to determine healthcare eligibility:



Contact Hours per week	Classroom/Contact Hours	Prep/Grading Hours	Office/Meeting Hours	Standard Hours Worked	FTE/Effort
1 Contact Hours	1	1.25	.5	2.75	.07
2 Contact Hours	2	2.5	1	5.5	.14
3 Contact Hours (1 course)	3	3.75	1.5	8.25	.21
4 Contact Hours	4	5	2	11	.28
5 Contact Hours	5	6.25	2.5	13.75	.34
6 Contact Hours (2 courses)	6	7.5	3	16.5	.41
7 Contact Hours	7	8.75	3.5	19.25	.48
8 Contact Hours	8	10	4	22	.55
9 Contact Hours (3 courses)	9	11.25	4.5	24.75	.62
10 Contact Hours	10	12.5	5	27.5	.69
11 Contact Hours	11	13.75	5.5	30.25	.76
12 Contact Hours (4 courses)	12	15	6	33	.83

*\*Regular part-time faculty are eligible for leave accrual and retirement at .5 FTE and above*

*\*\*Regular faculty are fully benefit eligible at .75 and above (includes health and voluntary benefits and retirement and leave)*

### **Types of Staff Employees:**

- The types of staff employees are described below:
- **Regular Staff** are employed on a continuous basis and whose duration of employment may also be defined by term and/or restricted funding source(s). Regular Staff employees may be full-time or part-time. Those with a work commitment of half-time or greater or .5 FTE are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible.

- **Temporary Staff Employees** are employed for a short duration and are non-benefits eligible.

**Requirements of the Affordable Care Act (ACA):** Under the ACA, all regular staff employees who work less than 30 hours per week (less than .75 FTE) and all temporary staff employees shall record and report all hours worked in the University's official timekeeping system to determine health benefits eligibility.

- **Student Employees:** Student employees are considered temporary and include graduate assistants and student workers. Student employees may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Student employees' are not subject to the re-employment restriction requiring a break-in-service after 12-consecutive months of employment. International students in lawful F-1 and J-1 status who are enrolled full-time are eligible to work for an institution but must not work more than 20 hours per week in accordance with visa restrictions and must ensure compliance with Federal Work Study requirements.

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## **GENERAL CRITERIA FOR EMPLOYMENT AND MANDATORY EMPLOYEE TRAINING**

### **POLICY STATEMENT**

This policy ensures that appropriate hiring and employment standards, which are considered conditions of employment with the University System of Georgia (USG), are in compliance with Board of Regents (BOR) policies, and state and federal laws, and regulations.

### **APPLICABILITY**

All units of the USG are covered by this policy.

### **WHO SHOULD READ THIS POLICY**

All USG Human Resources staff, hiring managers, and employees should be aware of this policy.

Please refer to the HRAP policy [General Criteria for Employment](#).

### **BACKGROUND CHECK**

As a condition of employment with Albany State University, employees shall submit to a background investigation. A background check shall also be performed on any existing employee being transferred, reassigned, reclassified, or promoted to a "position of trust", unless a background investigation confirming this procedure was conducted less than six (6) months of the transfer, reassignment, reclassification, or promotion. (Positions of trust are determined by the hiring unit in conjunction with the Office of Legal Affairs and are positions that routinely, as part of the job, involve interaction with children, after-hours access to facilities, access to financial resources, or have been

otherwise identified by the hiring unit in conjunction with the Office of Legal Affairs to require a more extensive background investigation).

Offers of employment shall be conditional pending the result of the background investigation, which shall include, at a minimum, the following:

- A state and federal criminal history check covering seven (7) years;
- A nationwide sex offender registry search;
- A social security number check;
- For positions of trust with financial responsibility, a financial report; and
- For all professional, faculty and academic positions, and academic credentials check.

Offers of employment for positions of trust may be conditional pending the result of a state and federal criminal history check covering more than the minimum of seven (7) years. A criminal background investigation plus credit check will be conducted on final candidate(s) if the position handles cash, checks or financial information. If a credit check has been conducted within the last year, a new investigation will not be conducted.

## **CREDIT INQUIRIES**

No information concerning the rate or amount of compensation of any employee will be revealed to credit bureaus, loan companies, merchandising concerns, etc., without the written authorization of the employee. All credit inquiries signed and authorized by an employee, will be referred to the Office of Human Resources Management. A copy of all documents signed and authorized by an employee concerning credit inquiries will be placed and retained in an employee's individual personnel file.

## **PRE-EMPLOYMENT DRUG TESTING**

During the 1995 session of the Georgia General Assembly, legislation was passed which requires the pre-employment drug testing of candidates selected for certain categories of state employment. O.C.G.A. 45-20-111 mandates that the head of each state agency, department, commission, bureau, board, college, university, institution or authority must conduct an analysis of all jobs to determine those positions whose duties/responsibilities warrant conducting an established test for illegal drugs.

O.C.G.A. 45-20-111 identifies examples of position functions that should be included in a pre-employment drug testing program. Some of the examples specifically referenced include: **“law enforcement duties which include carrying weapons and utilizing arrest powers; administering medications; teaching hearing and vision impaired students . . . ; driving cars, trucks, vans, buses, and other types of vehicles on state roads and highways to transport patients, passengers and equipment; using heavy machinery and equipment; providing social work and counseling services often directly related to substance abuse difficulties; and . . . [providing] drug education, interdiction and counseling services.”**

## **General Provisions**

- A. Albany State University will conduct pre-employment drug tests of individuals selected for positions which, through an incumbent's performance of assigned tasks, may directly impact the health, safety, and welfare of others.
- B. Three (3) general categories of positions have been identified for inclusion in the Albany State University pre-employment drug testing program. Those general categories are: (1) health, safety and security, (2) care and custody, and (3) access to controlled substances.
- C. Those positions at Albany State University that will be subject to pre-employment drug testing include but not limited to:
  - Peace Officer Standards and Training (P.O.S.T.) Certified Personnel; child care workers, and positions that require a Commercial Driver's License (CDL).
- D. An applicant who is offered employment with Albany State University in a position requiring a pre-employment drug test will, prior to commencing employment or within ten (10) days after commencing employment, submit to an established test for illegal drugs.

## **Failure or Refusal of Pre-employment Drug Testing**

Any applicant who is offered employment in a position requiring a pre-employment drug test and who:

- (a) Declines to submit to an established test for illegal drugs; (b) fails to appear for an established test for illegal drugs after being properly notified to do so; or (c) who tests positive for the use of illegal drugs will be disqualified from employment with Albany State University.

Such disqualification will not be removed for a period of two (2) years from the date such test was administered or offered, whichever is later. The identity of any applicant who declines a pre-employment drug test, who fails to appear for a pre-employment drug test, or who tests positive for illegal drug use, will not be considered a public record and will be withheld from all persons except those who have a need for such information in their official capacity. The results of pre-employment drug tests will remain confidential and will not be a public record unless necessary for the administration of or otherwise mandated by state or federal law.

## **Random Drug Testing of High-Risk Employees**

State laws of Georgia require the random testing of University personnel identified as holding high-risk positions. All University employees defined to hold "high-risk" jobs will be notified, in writing, at the time of employment. Campus Law Enforcement Officers and maintenance employees working in "high-risk" jobs on a regular basis will be subject to random drug testing for evidence of use of illegal drugs.

- A. **Campus Law Enforcement Officers include:**  
Campus Law Enforcement Officers who regularly perform “**high-risk**” work where inattention to duty or errors in judgment while on duty will have a potential for significant risk of harm to the employee, other employees, or the general public, and Campus Law Enforcement Officers employed by private organizations which contract with the University to provide security services, with such Officers subject to random drug testing procedures prescribed by their employer and consistent with this policy.
- B. “**High-risk**” is defined as any employee who is employed on a regular basis or a temporary basis as a Campus Law Enforcement Officer and who is required to be certified under the provisions of the Peace Officers Standards and Training Act (P.O.S.T.). A “high risk” employee will also include any P.O.S.T certified employee that is contracted to provide security services. Those who are engaged full-time in purely administrative or clerical duties are excluded from the definition of “**high risk**” employee.
- C. “**Random testing**” for such employees of Albany State University will be performed in accordance with the regulations and procedures approved by the Board of Regents of the University System of Georgia. The drug screening program will give due consideration to the security of sample collection, chain of custody requirements, the accuracy of testing and the confidentiality of results of tests of individuals deemed to have used illegal drugs. Once each quarter, an HR professional, will select, at random, a sample of positions from the pool subject to testing. The HR Professional will not notify in advance the individuals to be selected for random screening. Individuals selected for random screening will report to an identified collection facility on the same day that they are notified of their selection. The HR Professional will identify the name and location of the collection facility to be used.

### **Failure or Refusal of Drug Screening**

Any Campus law enforcement officer or other “**high-risk**” employee subject to testing in accordance with these procedures will, after compliance with the dismissal procedures of Albany State University for Classified employees, be terminated from employment if he or she declines to submit to a random drug test, if he or she fails to appear for drug screening after being properly notified to do so, or if he or she tests positive for the use of illegal drugs.

### **Disqualification from Employment**

Any employee whose employment is terminated due to express refusal to submit to drug screening, failure to appear for drug screening, or for screening results which indicate the use of illegal drugs will be disqualified from employment with Albany State University for a minimum of two (2) years from the date of termination. Any individual so

disqualified may file an appeal to the Board of Regents of the University System of Georgia.

### **Voluntary Disclosure of Drug Use**

If prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies his or her immediate supervisor that he or she illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program, such employee will be retained by the University for up to one year as long as the employee follows the treatment plan.

Retention of such employee will be conditioned upon satisfactory completion of the program. The employee's work activities may be restructured if, in the opinion of the immediate supervisor, it is deemed advisable. No statement made by an employee to a supervisor or other person, in order to comply with this policy, will be admissible in any civil, administrative or criminal proceeding as evidence against the employee. The rights herein granted will be available to a University employee only once during a five-year (5) period and will not apply to any such employee who has refused to be tested or who has tested positive for a controlled substance, marijuana, or a dangerous drug.

### **Drug and Alcohol Screening of University System Employees Holding a Commercial Driver's License (CDL)**

The Omnibus Transportation Employee Testing Act of 1991 requires alcohol and drug testing of safety-sensitive employees in the motor carrier industry, including employees of the University System of Georgia who hold a Commercial Driver's License (CDL). Rules mandating the implementation of controlled substance abuse and alcohol misuse prevention programs were published by the United States Department of Transportation in the Federal Register in February 1994. The legislative intent of the Act is to demonstrate a desire by the federal government to prevent accidents and injuries resulting from the misuse of alcohol and drugs by drivers and other persons performing safety-sensitive duties.

Six (6) categories of screening are included in this program: (1) pre-employment, (2) random, (3) reasonable suspicion, (4) post-accident, (5) return to duty, and (6) follow-up. Screenings must indicate the absence of drugs and/or alcohol concentration of less than .02 percent. Employees in positions which require a commercial driver's license (CDL) will be subject to disciplinary action, up to and including termination, for testing positive for the presence of drugs and/or alcohol.

### **General Provisions**

Albany State University will conduct alcohol and drug screenings of individuals who occupy positions which require a Commercial Driver's License (CDL) consistent with the provisions of the Omnibus Transportation Employee Testing Act of 1991 and the directives of the Board of Regents of the University System of Georgia. An applicant who is offered employment with Albany State University in a position requiring a Commercial Driver's License (CDL) will, prior to commencing employment or within ten (10) days after commencing employment, submit to an established test for drug and alcohol screening. An HR Professional will provide the applicant with the appropriate alcohol and drug screening document that must be presented to collection facility

personnel. The HR Professional will identify the name and location of the collection facility to be used. The HR Professional will also handle the random selection process of individuals identified for alcohol and drug screenings.

### **Failure or Refusal of Alcohol and Drug Screening**

Any applicant who is offered employment in a position requiring a Commercial Driver's License and who:

(a) Declines to submit to an established test for alcohol and drug screening; or (b) fails to appear for an established test for alcohol and drug screening after being properly notified to do so will be disqualified from employment with Albany State University.

### **Dismissal**

If an employee expressly refused to submit to alcohol and drug screening, failed to appear for alcohol and drug screening, failed the drug screening, or failed to appear upon receipt of documentation from the Medical Review Officer that the results of a random alcohol and drug screening indicate that an employee has used an illegal drug, Human Resources Management will notify the employee in writing of immediate termination of employment effective the date of the notice. If an employee has satisfactorily completed his or her six-month (6) provisional employment period, the employee will be afforded a right of appeal consistent with the provisions of Albany State University for Classified Employees.

### **DIRECT APPOINTMENT**

Direct appointments may be used instead of the competitive recruitment described above.

Circumstances might include:

- Appointing an internal candidate with relevant knowledge, skills and experience who uniquely meets the requirements and criteria for the role as specified in the position description;
- Appointing an external candidate with significant leading status or international recognition in their field or a rare, exceptional skillset; or
- Appointing a candidate who was a previous applicant for the same or similar position within the past 12 months.

As with the competitive recruitment process, there are several approval, procedural and documentation related requirements associated with Direct Appointments which must be followed. If considering a direct appointment, the Hiring Manager must discuss with the CHRO before proceeding.

Board policies [2.6.3 Personnel Policies](#), [3.2.1.2 Administrative Officers](#) and [8.3.7.4 Award of Tenure](#) apply to all direct appointments and consultation with the Chancellor or Chancellor's designee is required for positions indicated by policy.

## **EMPLOYMENT OF ALIENS**

Any Department/Unit of Albany State University needing to employ an alien must notify the Office of Human Resources Management prior to a commitment to the prospective employee. The Director of Human Resources Management will assist the Department/Unit staff in preparing a certification that the services to be performed by the alien do not involve direct participation in the formulation, execution or review of broad public policy and that United States citizenship does not bear some rational relationship to the special demands of the position to be filled by the alien.

### **Drug Screening**

Pre-employment drug screenings are currently conducted externally on the following new hire positions: all Police Office employees, transportation workers and child care workers.

## **STUDENTS WORKING FOR THE UNIVERSITY**

All students employed by the University are considered temporary and include graduate assistants and student workers.

## **EMPLOYEE ORIENTATION**

The Office of Human Resources Management is responsible for conducting an employee orientation for each newly hired employee at Albany State University. This orientation, at a minimum, will include the following: policies and procedures, explanation insurance benefits, retirement benefits, work week and hours of work, and grievance procedures; and conditions of employment and compensation. A statement signed by the new employee certifying the accomplishment of the orientation and its contents will be made a part of his or her permanent personnel files. The orientation program includes USG Ethics Policy training. All employees must complete USG Ethics Policy training and certification within 90 days of their initial date of employment.

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## **PROVISIONAL PERIOD FOR NEW HIRES, TRANSFERS, AND REHIRS**

Each new classified employee is required to serve the first six (6) months of employment at Albany State University in a provisional status. During this time, the new employee has the first opportunity to evaluate the University as a place to work. Likewise, the supervisor will evaluate the employee's job performance. If the employee's work performance is not satisfactory, the employee will be notified in writing during the six-month provisional period and the *employee may be terminated at that time without the right of appeal.*

University System employees transferring to another University System institution or the University System Office are subject to a new six (6) month provisional period upon beginning at the new location. Employees in the six-month (6) provisional period are eligible for transfer or promotion within the University during that period only when granted permission by the Dean/Vice President of their current college/division.



Employees who have successfully completed a provisional period and who are transferring to or being promoted into a new position will not be subject to another provisional period. Former employees who are rehired will be considered new employees and will have another provisional period.

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## **TERMINATIONS**

Employees may leave the University's employ for numerous reasons, and in some cases may be terminated as the result of disciplinary action. Regardless of the nature of the termination, certain procedures must be followed to have the final check released.

### **RESIGNATION**

Resignation is a voluntary relinquishment of employment by an employee. An employee should submit written notification of termination a minimum of two (2) weeks prior to his or her last day worked. Before leaving, the employee must return all University property including keys, I.D. cards, etc. Employees who resign for any reason are requested to give as much notice as possible.

### **CLEARANCE PROCESS**

After notification of an employee's departure, that employee will undergo the required clearance process from the University. The Office of Human Resources Management initiates the electronic process of clearing the employee. Once clearance has been received from relevant departments and all obligations have been settled, the employee is cleared from the University.

### **DISMISSAL**

The immediate supervisor can affect the immediate dismissal of a Classified Employee if an employee's performance of duty or personal conduct is not satisfactory. Normally dismissal follows previous reprimands for related offenses; however, multiple reprimands for numerous deficiencies may also be considered adequate cause for dismissal. Immediate dismissal shall be limited to serious offenses or breach of University policies and/or procedures, i.e., destruction of University property, theft, or drug use.

An employee charged with or under indictment for a felony or a crime involving moral turpitude shall be terminated or be suspended without pay unless, in the opinion of University authorities, there are extenuating circumstances which dictate more lenient action. Employees charged with or indicted for other offenses may be suspended by University authorities, with or without pay, pending final disposition of the charges or indictment. Suspension with pay may be charged against accrued leave. When dismissal becomes necessary, an employee shall be advised of all charges, granted the opportunity to appeal through informal channels, and advised of appeal rights through the formal grievance procedures, as deemed appropriate by the employee.

## **REDUCTION IN FORCE (RIF)**

Should it become necessary to reduce the work force at the University, job eliminations or job consolidation may be required. When personnel reductions become necessary, affected employees will be given sixty (60) days' notice, when possible so that they may seek employment elsewhere within or outside of Albany State University. For more information, please see the Reduction in Force Policy at the USG website.

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## **Promotions and Transfers**

Promotions are based on qualifications and experience. Albany State University will consider filling vacancies by promoting internal candidates who meet or exceed qualifications. Promotional opportunities for regular benefits-eligible employees are published on the Human Resources jobsite- [Albany State University Careers](#). A promotion is a change from a position in one classification to a position in another classification with a higher pay grade. Promotional increases vary and are coordinated through Human Resources. A transfer is a lateral change from one position to another within the same classification title and/or pay grade assignment.

To compete for another position on campus, you must have completed your provisional period, have been in your current position for at least six months and have no recent employee relations concerns documented. The six-month waiting period may be waived with the consent of your department head. The six-month waiting period does not apply to employees who wish to make a transfer within their own department. A notice of at least two weeks is considered appropriate for an approved transfer and promotion if the employee is a bi-weekly employee; exempt-level employees are expected to provide a notice of one month.

Faculty promotions are subject to the Faculty Promotion policies and guidelines. Faculty should direct questions about the promotion process to their department chair.

Upon an employee transfer between institutions of the University System, accumulated sick leave, retirement benefits and service continuity will be transferred if there is no actual break in service. Upon a move between University System institutions, with no break in service, an employee must transfer accrued vacation leave of between one (1) and twenty (20) days. For employees with accrued vacation leave of greater than twenty (20) days, the employee may elect one of the following options:

1. Transfer of the total accrued vacation balance, not to exceed forty-five (45) days; or
2. Payment by the institution from which the employee is moving of accrued vacation leave greater than twenty (20) days. The total accrued vacation leave for which the employee may be paid shall not exceed twenty-five (25) days.

## **SALARY INFORMATION**

The implementation of policies and procedures pertaining to pay policies for classified employees is always contingent on the availability of funding. Requests for authorization to exceed the budgeted amount for any position, regardless of the classification and/or pay range must be submitted to the Senior Vice President for Administration for written approval. The rate of pay for temporary employment in a position will be established by the Office of Human Resources Management based on the pay for full-time employment in similar positions. Under extenuating circumstances, a temporary employee may be paid at a varying rate with the written approval of the Senior Vice President for Administration.

## **MERIT INCREASES**

The University recognizes and rewards individual performance by awarding merit increases. The funds available for merit increases vary from year to year depending upon budgetary constraints set by state legislators, the University System of Georgia, and identified marketplace and economic conditions. The University System of Georgia develops merit increase guidelines which establish ranges for individual merit increases based on performance criteria. Individual departments and supervisors designate how merit increases will be awarded to employees.

Salary increases are normally approved only at the start of a new fiscal year. The fiscal year begins on July 1. Salary increases are normally made on the basis of job performance/merit. Salary adjustments are, also, normally approved only at the start of a new fiscal year. Salary adjustments are normally made on the basis of market conditions which negatively impact the institution's ability to recruit and retain qualified employees. Salary increase and/or adjustment monies are dependent on availability of funding as allocated to Albany State University by the Board of Regents through the State of Georgia legislative appropriations

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## **ADDITIONAL PAY SCALE FOR INTERIM POSITIONS**

The current practice of the University is to appoint (when possible) **qualified** employees into interim positions that have been vacated for various reasons (ex. an absence from an employee on extended medical or personal leave, departure, retirement, etc.). These employees continue to perform their primary job functions as well as take on the duties of the additional position until the position has been advertised and filled or an appointment made. The pay scale is below.

<b>POSITION</b>	<b>COMPENSATION</b>
Staff/Professional/Administrative Level	\$500 monthly
Chair/Director Level	\$1000 monthly
Dean/Associate/Assistant VP Level	\$1500 monthly
Provost/Vice President Level	\$2000 monthly

### **ADDITIONAL COMPENSATION TO UNIVERSITY EMPLOYEES**

Any employee receiving extra compensation from the University for personal services or for personal services for any other purpose will be paid such extra compensation through the University payroll system. Such compensation, when paid through the payroll system, shall be subject to existing Internal Revenue Service regulations and other Federal and State regulations as to taxability, withholding taxes, F.I.C.A., unemployment taxes, fringe benefits and the like.

## **PAYROLL INFORMATION**

### **GARNISHMENT OF WAGES**

All employees of Albany State University are subject to various State laws governing garnishment of wages. In any case where the University receives a "Summons of Garnishment" the Office of Human Resources Management will promptly notify the named employee and comply with all requirements of the summons.

### **CREDIT UNION**

Employees of Albany State University and members of their immediate family may participate in the DOCO School Employees Federal Credit Union, a full-service banking institution. Employees desiring enrollment forms, payroll deduction authorization forms or other information should contact the Office of Human Resources Management.

### **DIRECT DEPOSIT**

All new hire employees are required to enroll in direct deposit. Please see a payroll representative for additional details.

### **PAY PERIODS**

An employee's exemption status will determine their pay cycle. Exempt employees are paid monthly on the last working day of each month unless otherwise specified by

official notice. Non-exempt, or hourly employees, are paid every other Friday. Employees are advised to review their checks to make sure that the proper deductions have been made. If any errors are discovered, an employee should immediately notify Payroll.

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## **BENEFITS**

### **INSURANCE**

#### **Group Health Insurance**

Albany State University offers eligible employees the opportunity to participate in various benefit plans provided by the Board of Regents and/or Albany State University, which includes but is not limited to health insurance, dental insurance, vision insurance, life insurance, accidental death and dismemberment insurance, disability income insurance, dependent life insurance, flexible spending accounts, and retirement plans. The University contributes toward the premiums for health and basic life insurance and matches mandatory retirement contributions based upon terms set by the Georgia Legislature and Teachers Retirement System of Georgia. The Benefits Office provides each eligible employee with complete descriptions and comparisons of the available benefit plans, along with the respective monthly premiums.

#### **New Employees**

New benefits-eligible employees may enroll in available benefit plans within the first thirty (30) days of employment. Employees who do not enroll in benefit plans within the first thirty (30) days of employment will be subjected to a medical underwriting review and approval.

#### **Eligible Dependents**

Eligible dependents include the spouse and dependent children up to age 19 (up to age 26 with proof that the dependent is either disabled or is enrolled at an accredited institution as a full-time student). If the spouse or dependents' last name is different from the employee's, it is required that the employee present a marriage license, birth certificate, or other documentation establishing a dependent relationship as a condition of their coverage.

#### **Health Insurance**

New employees who are benefits-eligible have 30 days from their date of hire to select a medical plan for themselves and any eligible dependents. During the Open Enrollment period, employees may change their healthcare plan elections and/or levels of coverage. The University shares in the cost of health insurance. Medical premiums are withheld from the payroll check on a pre-tax basis.

## **Dental Insurance**

The University offers a voluntary dental program for all eligible employees. The employee pays 100% of the monthly insurance premium and the premium is withheld from the payroll check on a pre-tax basis.

## **Flexible Spending Accounts (FSA)**

These programs allow individuals to set aside funds on a pre-tax basis for certain healthcare, dependent care, and transportation related expenses. Any unspent funds left in the account after the end of the plan year must be forfeited. This program requires annual re-enrollment.

## **Dependent Care Spending Account**

The dependent care reimbursement account may be used to cover the cost of qualifying childcare, eldercare, or care of other legal dependents. IRS maximum election limits combined for both parents cannot exceed \$5000 in a plan year. Any unspent funds left in the account after the end of the plan year must be forfeited. This program requires annual re-enrollment.

## **Health Savings Account (HSA)**

This is a tax advantage account established to pay for qualified medical, dental, and vision expenses. An employee must be enrolled in a high deductible health plan (HDHP). Any employee not covered by any other health plan that is not an HDHP and is not currently enrolled in Medicare is eligible. Any unused funds are accumulated in the account toward future expenses (i.e. this is not a 'use it or lose it plan'). Maximum contributions are set annually according to IRS guidelines.

## **Section 125 Plan**

Albany State University participates in a Section 125 Plan as authorized by the Internal Revenue Code. Employee health, dental, vision, and flexible spending account premiums are deducted on a pre-tax basis and are not subject to federal tax, state tax, or FICA. Choices made upon initial employment or during the open enrollment remain in effect for the plan year unless there is a mid-year qualifying event. The annual open enrollment period normally occurs during the month of October or November with coverage dates effective January 1 of the following calendar year.

## **Qualifying Events for Mid-Year Changes**

The IRS regulation, under Section 125, has rules regarding the operation of these plans. Exceptions are permitted under IRS rules when a member has a mid-year qualifying event. Employees are required to make the election change and submit documentation to the Benefits Office within 30 days of the qualifying event which includes:

- Change in marital status
- Birth or adoption of a child
- Death of a covered dependent
- Loss of eligibility status by a covered dependent
- Change in employment status that affects eligibility for coverage
- Losing or gaining healthcare coverage eligibility under Medicare or Medicaid
- Change in residence to a location outside of a healthcare plan's service

Any benefits enrolled in on a pre-tax basis may not be cancelled until Open Enrollment to be effective the end of a calendar year, unless the change is due to the IRS regulation qualifying events listed above.

### **Transfer of Benefits to Another Unit within the University System of Georgia**

To transfer benefits to another unit of the University System of Georgia (USG), the employee must notify the current institution at the time of clearance that they will be transferring to another unit of the University System of Georgia. In addition, there must not be a break in service of more than thirty (30) days. Benefit plans that are consistent between the USG Institutions will transfer. Plans which are unique to Albany State University may not be transferred to an employee's new employment. Plans unique to a given USG Institution are not transferable. When the external transfer occurs with no break in service, an employee must transfer accrued vacation leave of between one (1) and twenty (20) days. For employees with accrued vacation leave of greater than twenty (20) days, the employee may elect one of the following options:

- Transfer of the total accrued vacation balance, not to exceed forty-five (45) days;
- Payment by the institution from which the employee is moving of accrued vacation leave greater than twenty (20) days. The total accrued vacation leave for which the employee may be paid shall not exceed twenty-five (25) days; or
- The transferring employee will restart the provisional period at the new location effective on the first day of employment and serve his/her first six (6) months in a provisional status, subject to all terms and conditions of the provisional period policy.

### **Continuing Benefit Plans at Termination**

Benefits remain intact until the last day of the month in which the employee terminates. Applicable premiums must be paid. The cost for COBRA for employees and/or dependents is 100% of the total premium, plus a 2% administrative fee. Employees are offered continued coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) for up to eighteen (18) months. In special instances, the eighteen (18)-month period may be extended. The election period and duration of coverage is outlined in the official notice sent by the vendor to the former employee's home address.

### **COBRA Disabled Status**

If a qualified beneficiary is determined to be disabled under Title II or XVI of the Social Security Act at the time employment ends, the qualified beneficiary may elect continuation for up to twenty-nine (29) months.

### **COBRA Dependents**

Dependents who lose eligibility may continue coverage for thirty-six (36) months.

### **Disability Insurance (Voluntary)**

Eligible employees may participate in long-term and/or short-term disability insurance. These plans allow employees to receive 60% of their salary (up to the established plan maximum) if ill, injured, and unable to perform their current job duties. An enrollment request, after initial eligibility, requires medical underwriting review and approval.

## **ANNUITY/DEFERRED COMPENSATION PROGRAMS**

Albany State University is authorized to enter into a tax-sheltered annuity and deferred compensation plans to make available for employees a nonforfeitable annuity contract and/or a nonforfeitable deferred compensation contract under the provisions of Internal Revenue Code, Section 403(b), and Internal Revenue Code, Section 457(b), respectively. Additionally, the University is authorized to provide for employee deductions for the Georgia Higher Education Savings Plan under the provisions of Internal Revenue Code Section 529. The University currently authorizes four tax-sheltered annuity sources for its eligible employees. Employees may obtain from the Office of Human Resource Management detailed information regarding these benefit programs.

### **Group Life Insurance**

#### **Accident Insurance**

All benefits-eligible employees under age 70 can enroll in accidental death and dismemberment insurance. The employee pays 100% of the monthly insurance premium and the premium is withheld from the payroll check on a post-tax basis.

#### **Group Life Insurance**

The University provides \$25,000 of basic life insurance for all eligible employees at no cost.

#### **Supplemental Life Insurance**

Eligible employees may purchase supplemental life insurance in increments of up to 5 times their annual salary. The premiums are based on the age of the insured and the amount of coverage selected. This is optional coverage and is paid by the employee on a post-tax basis. Upon retirement, the maximum amount of coverage for supplemental life insurance is \$40,000.

#### **Dependent Life Insurance**

Eligible employees may also insure their dependents (spouse & children). All dependents are insured for \$10,000 each between the ages of six months and 19 - 26 (if they are unmarried, full-time students at an accredited institution).

#### **Other Insurance**

The Board of Regents of the University System of Georgia may provide any additional types of group insurance protection on a voluntary basis if the total cost of such protection is paid by the employee with the same benefits eligibility definitions and benefits effective dates as that of Group Health Insurance.



## **Benefits Continuation into Retirement**

A USG retiree or career employee, who upon his/her separation of employment from the USG meets the criteria for retirement, shall remain eligible to continue as a member (if eligible on retirement date) and currently enrolled in the basic, supplemental and dependent group life insurance and health benefits plans. The USG shall continue to pay the employer's portion of the cost for only those benefits that included an employer contribution during the employee's active service.

## **Disabled Employees Insurance**

Employees who become permanently and totally disabled and who have less than nine and a half (9.5) years of continuous benefited service with the USG shall remain eligible for group health and life insurance benefits for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. The USG shall continue to pay the employer portion of the cost of group insurance for disabled employees for this 12-month period. Participation in the group healthcare plan may continue after the 12-month period under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). USG participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare summary plan documents shall apply.

Continued participation in the group life insurance program is not covered by the provisions of COBRA. Participation in the group life insurance program may continue after the 12-month period; however, University participation in the cost shall cease.

Employees who are deemed to be permanently and totally disabled following nine and a half (9.5) years of continuous benefited service with the USG, shall remain eligible for group health and life insurance benefits. The University shall continue to pay the employer portion of the cost of group insurance for these retirees.

Eligibility in the group plans will cease for reasons including, but not limited to, the following:

1. Failure to remit premiums in a timely manner;
2. A dependent child no longer meets the definition of a "qualified dependent" under the plan's provisions;
3. The dependent becomes covered by another group health plan; and/or,
4. The plans cease to be offered to employees.

## **Dependents of Deceased Employees, Disabled Employees, or Retirees**

The dependents of a deceased employee, a disabled employee, or a retiree may remain in the USG group health and life insurance programs consistent with the following provisions. In no event shall the spouse of the deceased continue in the group after remarriage. Dependent children may remain in the group until they reach the legal age of majority or until they become eligible for another group benefits plan. The definition of dependent children as defined in the USG's healthcare summary plan documents shall apply.

Eligibility in the group plans will cease for reasons including, but not limited to, the following:

1. Premiums are not remitted in a timely manner;
2. A spouse remarries;
3. A dependent child no longer meets the definition of a “qualified dependent” under the plan’s provisions;
4. The dependent becomes covered by another group health plan; and/or,
5. The plans are no longer offered to any employees.

### **Dependents of Deceased Employees with Fewer than 10 Years of Continuous Benefited Service**

If an employee with fewer than ten (10) years of continuous benefited service dies while in active service with the USG, his/her dependents shall remain eligible to participate in the group health insurance program for a period of twelve (12) consecutive months following the death of the employee. The USG shall continue to pay the employer portion for the cost of the group health insurance for the surviving dependents for this period of 12 consecutive months.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). University participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG’s healthcare plan summary documents shall apply.

If a deceased employee with fewer than ten (10) years of continuous benefited service had elected to participate in the dependent life insurance program prior to his/her death, his/her dependents shall remain eligible to continue to participate in this program for a period of twelve (12) consecutive months following the death of the employee. The surviving dependent(s) will be responsible for the entire cost of the dependent life insurance. At the conclusion of this 12-month period, a dependent will have individual policy conversion privileges.

### **Dependents of Deceased Disabled Employees with Fewer than 9.5 Years of Continuous Benefited Service**

Those employees who become permanently and totally disabled and who have less than nine and a half (9.5) years of continuous benefited service with the USG shall remain in the group health insurance program for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. If a disabled employee dies during this 12-month period, his/her dependents shall remain eligible to participate in the group health insurance program for the remainder of the 12-month period. The USG shall continue to pay the employer portion for the cost of group health insurance for the surviving dependents for the remainder of the 12-month period.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of COBRA. University participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare plan summary documents shall apply.

If a permanently and totally disabled employee with less than nine and a half (9.5) years of continuous benefited service had elected to participate in the group life and/or dependent life insurance programs prior to becoming disabled, plan coverage will be permitted for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. If a disabled employee dies during this 12-month period, his/her dependents shall remain eligible to participate in the dependent life insurance program for the remainder of the 12-month period. The surviving dependents will be responsible for the entire cost of the dependent life insurance. At the conclusion of this 12-month period, a dependent will have individual policy conversion privileges.

### **Dependents of Deceased Employees with at Least 10 Years of Continuous Benefited Service**

If an employee with at least ten (10) years of continuous benefited service dies while in active service with the USG, his/her dependents shall remain eligible to continue participating in the group health insurance program. The USG shall continue to pay the employer portion of the cost of group health insurance for the surviving dependents.

If a deceased employee with at least ten (10) years of continuous benefited service had elected to participate in the dependent life insurance program prior to his/her death, his/her dependents shall remain eligible to continue participating in this program. The surviving dependents will be responsible for the entire cost of the dependent life insurance.

### **Dependents of Deceased Retirees**

Upon the death of a retiree, his/her dependents shall remain eligible to continue participating in the group health insurance program. The USG shall continue to pay the employer portion of the cost of group health insurance for the surviving dependents.

If a deceased retiree had elected to participate in the dependent life insurance program while in active service, his/her dependents shall remain eligible to continue participating in this program. The surviving dependents will be responsible for the entire cost of the dependent life insurance.

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## **RETIREMENT SYSTEMS**

### **Retirement Plans**

It is the policy of the Board of Regents to provide for the retirement of all eligible employees either through the Teachers Retirement System of Georgia or the Regents' Retirement Plan. Georgia law requires membership in the Teachers Retirement System of Georgia (TRS) or the Board of Regents Optional Retirement Plan (ORP). Membership in these plans is based upon exempt or non-exempt work status.

### **Definition of a USG Retiree/Eligibility for Retirement**

Effective November 1, 2002, to be eligible for retirement from the USG, an employee must meet one of the following four conditions at the time of his/her separation from employment, regardless of the retirement plan elected by the employee:

1. An employee must have been employed by the USG for the last ten (10) years in a regular, benefited position and have attained age 60; or,
2. An employee must have at least twenty-five (25) total years of benefited service established with a State of Georgia sponsored retirement plan, of which the last five (5) years of employment must have been continuous and with the USG. An early pension benefit penalty will apply to an individual who elects to participate in the Teachers Retirement System of Georgia, or in the Employees Retirement System, if he/she decides to retire with between twenty-five (25) and thirty (30) years of benefited service, prior to attaining age 60; or,
3. An employee must have at least thirty (30) total years of benefited service established with a State of Georgia sponsored retirement plan, of which the last five (5) years must have been continuous and with the USG; or,
4. An employee must be deemed to be totally and permanently disabled, as documented through the receipt of disability benefits from Social Security or from the Teachers Retirement System of Georgia, following nine and one-half (9.5) years of continuous service to the USG in a regular, benefited position.

An individual who has retired from another State of Georgia sponsored retirement plan may not count such retirement service toward meeting the eligibility criteria for retirement from the USG. The Vice Chancellor for Human Resources shall have the authority to waive the requirements regarding continuous service with the USG as it relates to the eligibility to receive benefits provided by the Board of Regents. The decision of the Vice Chancellor shall be final and unappealable. The Vice Chancellor shall notify the Committee on Personnel & Benefits of any waivers granted under this policy.

### **Employment Beyond Retirement**

An individual, who has retired from the USG and is receiving benefits from the Teachers Retirement System, the Employees Retirement System, or the Regent's Retirement Plan, may be eligible for reemployment on a part-time basis by the USG.

Reemployment of USG retirees by the USG must fall under the following conditions:

1. The reemployment of a USG retiree must be approved by the hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the Office of Faculty Affairs.
2. A rehired retiree must have a minimum break of at least one (1) month between the effective date of his/her retirement and the effective date of his/her reemployment.
3. The work commitment of a rehired retiree must be less than half-time; i.e., less than 49%.
4. The salary that is paid to a rehired retiree must be either:
  - No more than 49% of the annual benefit-based compensation amount that he/she was earning at the time of his/her retirement, with consideration for the average merit increase percentages that have been applied since the employee retired; or,
  - No more than 49% of the average compensation for the position into which the retiree is being hired based on the institution's existing compensation plan, or, if not applicable, the average compensation of existing or previous incumbents; or,
  - No more than 49% of a reasonable market competitive rate for the position into which the retiree is being rehired as determined by the institutional chief human resources officer.
5. The salary that is paid to a rehired retiree must be consistent with his/her work commitment.

### **Career State Employees Eligibility for Retirement with Health and Life Benefits**

A State of Georgia employee who transfers to the University System of Georgia without a break in service shall be eligible to retire with Health and Life benefits provided that on the date of his/her separation of employment:

1. He/she has attained age 60 and he/she has a minimum of ten (10) years of service established with a State of Georgia sponsored retirement plan; the last 12 months of employment must have been served with the USG; or,
2. He/she has a total of twenty-five (25) years of service established with a State of Georgia sponsored retirement plan, regardless of age; the last 12 months must have been served with the USG.

An employee must be enrolled in the Health and Life benefits coverage at the time of retirement in order to continue coverage in retirement. An individual, who has retired from another State of Georgia sponsored retirement plan, may not count such retirement service toward meeting the criteria for being a career employee.

### **Georgia Defined Contribution Plan**

The Georgia Defined Contribution Plan was created by 1992 Georgia Law, Act 996 and was effective July 1, 1992. The purpose of the law is to provide a retirement system for temporary, seasonal and part-time State of Georgia employees who are not eligible for membership in other State retirement systems.

## **SOCIAL SECURITY**

Terms, conditions, requirements, reservations, benefits, privileges, and other conditions of Title II of the Social Security Act, as amended, shall apply to all Albany State University officers and employees except those specifically excluded under the agreements with the Employee's Retirement System of Georgia providing coverages. Under agreements between the Employees' Retirement System of Georgia and the Board of Regents of the University System of Georgia, Social Security coverage was extended to the following classes of employees:

1. All employees eligible for the Teachers Retirement System of Georgia.
2. All temporary, seasonal, or intermittent employees whose work hours constitute a normal full-time working period.

The following employees are not covered by Social Security:

1. Student assistants
2. Graduate assistants
3. Laboratory assistants
4. Employees working less than half-time

Non-immigrant aliens may be exempt, in accordance with the provisions of their visas. There shall be withheld from any salary or compensation due any employee covered by Social Security a percentage of salary, wage, or compensation required to be withheld by the Act, whether computed in cash, quarters, subsistence, or in kind and reserved in an institutional agency account for quarterly remittance to the Employees' Retirement System of Georgia. Rules and regulations of the Employees' Retirement System of Georgia for administration of the Act shall be followed.

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## **TUITION ASSISTANCE PROGRAM**

The USG and its institutions will encourage full-time faculty, staff, and administrators to participate in development activities and study by remitting tuition for those activities that have been authorized by the employee's institution. Participation in the Tuition Assistance Program shall be available to full-time, benefits-eligible employees who have successfully completed at least six (6) months of employment in a benefits-eligible position as of the date of the Tuition Assistance Program application deadline for the desired academic semester. Full-time employees (who meet the applicable admissions standards and who have received appropriate prior authorization from their institution) may enroll in up to nine (9) academic semester credit hours for each of the three (3) designated semester periods: fall semester, spring semester, and summer semester.

Student status will be secondary to employee status in all considerations, including student fee waivers. Tuition assistance is the waiver of tuition and the waiver of certain fees. Tuition Assistance Program participation will be granted on a space-available basis. For limited-slot enrollment programs, approval must be granted by the teaching institution. An employee must receive a grade of C or better in each approved Tuition Assistance Program academic course.

Employees may not enroll in the following professional schools:

- Dental

- Medical
- Pharmacy
- Veterinary
- Law
- Executive/premiere or comparable graduate programs

### **Employee Auditing of Courses**

Employees of a USG institution may attend classes offered by the same institution without registering as “auditors” and without credit being offered for such attendance. This provision applies to non-credit courses on a space-available basis. Institutions may permit employees to attend job-related continuing education classes, as determined by appropriate supervisory authority, at a reduced rate or without payment of a fee.

### **Special Tuition Assistance Program for Nursing Faculty**

The University System and the institutions encourage full-time faculty, staff, and administrators to participate in development activities and study by remitting tuition for those activities that have been authorized by the employee’s institution. **Due to the current shortage of nursing faculty in the state of Georgia, the Tuition Assistance Program is available to Part-Time Nursing Faculty members seeking a graduate degree in Nursing. Any part-time nursing faculty member taking advantage of this program shall be required to work full time within the University System at least two (2) years following receipt of the graduate degree in Nursing (or Education, if such would allow one to teach Nursing at the University level). *The utilization of this program by part-time nursing faculty shall end in 2015, unless such utilization is extended by further action of the Board.***

Participation in the Tuition Assistance Program for Nursing Faculty shall be available to part-time nursing faculty who have successfully completed at least six (6) months of employment as of the date of the Tuition Assistance Program application deadline for the desired academic semester. Qualified part-time nursing faculty (who meet the applicable admissions standards and who have received appropriate prior authorization from their institution) may enroll in up to nine (9) academic semester credit hours for each of the three designated semester periods: fall semester, spring semester, and summer semester. Student status will be secondary to employee status in all considerations, including student fee waivers. Tuition assistance is the waiver of tuition and the waiver of certain fees. Tuition Assistance Program participation will be granted on a space-available basis. For limited-slot enrollment programs, approval must be granted by the teaching institution. An employee must receive a grade of B or better in each approved Tuition Assistance Program academic course.

### **EMPLOYEE CONTINUING EDUCATION**

With prior approval by the Department/Unit Head, a regular classified employee may enroll for attendance in a course of instruction at the University. The employee is limited to one class per work day. The Supervisor may approve a modification to the schedule of hours worked (short lunch period, etc.) in order to make up time away from his or her job. The Board of Regents of the University System of Georgia, in a commitment to

help its full-time employees pursue professional growth and development, has implemented a policy (Tuition Assistance Program - TAP) through which the Board will assist full-time employees in this area.

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## **LEAVE**

### **ANNUAL LEAVE (VACATIONS)**

Other than temporary employees, employees working full-time, shall be entitled to vacation at the rate of one and one-fourth (1-1/4) working days per month for each of the first five years of employment, one and one-half (1-1/2) working days per month for each of the next five years of employment, and one and three-fourths (1 3/4) working days per month for each year after the completion of ten years of continual service. Employees, other than temporary employees, working one-half time or more but less than full-time shall earn and accrue vacation time in an equivalent ratio to their percentage of time employed.

#### **Leave Accrual and Payment**

Earned vacation may be accrued up to a maximum of forty-five (45) working days, and employees shall be compensated for all accrued vacation time up to, but not exceeding, forty-five (45) days upon termination of service from the University for any reason. The compensation shall be based on University leave records. A terminated employee shall not accrue vacation leave after the last working day of employment. An employee will not be paid for more than 45 days accrued leave upon termination of employment.

Each December 31, an employee's leave record shall be adjusted to show no more than 45 days accrued. (As leave days are earned subsequent to December 31, they shall be added to the days remaining after adjustment. This means that the leave record may show more than 45 days of accumulated leave at times other than January 1. As leave days are used, they shall be subtracted from this accumulation.

#### **Scheduling Earned Vacation**

Earned vacation shall be taken at times mutually acceptable to the employee and the Immediate Supervisor. Temporary employees, including student assistants, and regular employees working less than one half-time, do not earn or accrue vacation time.

### **SICK LEAVE WITH PAY**

All regular full-time employees of the University shall accumulate sick leave at the rate of one working day per calendar month of service. Regular part-time employees working one-half time or more will accumulate sick leave in an equivalent ratio to their percentage of time employed. Sick leave for employees shall be cumulative. At the discretion of the University and upon approval of the Supervisor, an employee can be granted sick leave for any of the following reasons:

- Illness or injury of the employee;
- Medical and dental treatment or consultation;
- Quarantine due to a contagious illness in the employee's household; or



- Illness, injury, or death in the employee's immediate family requiring the employee's presence.

If an employee claims sick leave for a continual period in excess of one week, a physician's statement is required to permit further claim of sick leave rights by the employee. Sick leave will not be granted for absences immediately prior to or after a holiday unless it is a continuous illness. A terminated employee shall not accumulate sick leave or be entitled to receive sick pay after the last working day of his or her employment.

Upon an employee's transfer to another institution of the University System, accumulated sick leave will be transferred if there is no actual break in service.

### **Sick Leave Without Pay**

Any employee unable to return to work after exhausting all accumulated sick leave and accrued vacation leave may be granted sick leave without pay for a period not to exceed one year. Furthermore, such approved sick leave shall allow the employee the right to elect to continue his or her group insurance benefits, and the University will continue its share of the cost for such period. All other benefits which otherwise would accrue to the employee are prohibited.

### **EDUCATIONAL LEAVE WITHOUT PAY**

The University President may approve educational leave without pay to full-time employees for periods not to exceed one year at a time for the purpose of encouraging professional development. Such approved leave shall allow the employee the right to continue group insurance benefits with University participation.

### **MILITARY DUTY**

#### **Ordered Military Duty**

For the purpose of this policy, ordered military duty shall mean any military duty performed in the service of the State or the United States, including, but not limited to, service schools conducted by the armed forces of the United States. Such duty shall be deemed "ordered military duty" regardless of whether the orders are issued with the consent of the employee.

### **Leave of Absence**

An employee who receives orders for active military duty shall be entitled to absent himself or herself from his or her duties and shall be deemed to have a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not to exceed a total of eighteen (18) workdays in any one federal fiscal year (October 1 - September 30) as authorized by Georgia Law O.C.G.A. § 38-2-279[e]. At the expiration of the maximum paid leave time, continued absence by the employee shall be considered as military leave without pay. The employee shall be required to submit a copy of his or her orders to active military duty.

## **Emergency Leave of Absence**

Notwithstanding the foregoing leave limitation of eighteen (18) days, in the event the Governor declares an emergency and orders an employee to State active duty as a member of the National Guard, such employee while performing such duty shall be paid his or her salary or other compensation as an employee for a period not exceeding 30 days in any one federal fiscal year.

## **Military Differential Pay**

Institutions of the University System of Georgia may pay an employee Military Differential for absence while engaged in the performance of ordered military duty and while going to and returning from such duty, after expiration of the payment period provided for in the paragraphs above. Military Differential Pay is equal to the amount by which an employee's projected state base pay for a covered pay period exceeds the employee's actual military pay and allowances as applicable to that pay period. Military Differential Pay programs must be applied consistently to all eligible employees within the Institution, not to exceed a total of twelve months in any one federal fiscal year (October 1 - September 30). At the expiration of the maximum Military Differential Pay, continued absence by the employee shall be considered as military leave without pay unless annual leave is allowed. Funding for Military Differential Pay is based on existing institution budgets.

## **Payment of Annual Leave**

After an employee has exhausted his/her paid military leave, an institution may pay the employee for his/her accumulated annual leave.

## **FAMILY MEDICAL LEAVE**

In accordance with the federal Family and Medical Leave Act (FMLA) of 1993, to be eligible for FMLA leave, the employee must have worked for the USG:

1. For at least twelve (12) months total; and,
2. For at least 1,250 hours during the 12-month period immediately preceding the commencement of such leave.

The FMLA entitles an employee to up to twelve (12) work weeks of leave for one of the following conditions:

1. Birth and care of a newborn child of the employee;
2. Legal placement of a child with the employee for adoption or foster care;
3. Care of an immediate family member (defined as the employee's spouse, child, or parent) with a serious health condition; or,
4. A serious health condition of the employee himself/herself, which renders the employee unable to perform the duties of his/her job.
5. Section 585 of the National Defense Authorization Act (NDAA) amends FMLA to permit certain relatives of military personnel to take up to twenty-six (26) work weeks of leave to care for a member of the Armed Forces in various situations. NDAA also permits an employee to take FMLA leave for a qualifying exigency

arising out of the fact that an immediate family member, as defined by the FMLA, is on active duty in support of a contingency operation.

## **HOLIDAYS**

As authorized by the Board of Regents, the University shall establish for employees of the University twelve (12) official paid holidays each calendar year. These holidays shall be awarded in addition to earned vacation time, and shall be observed in accordance with the rules and regulations set forth by the University. A terminating employee shall not be paid for any official holidays occurring after the last working day of employment. As soon as practicable at the beginning of each calendar year the Office of the Senior Vice President for Administration and/or the Director of Human Resources Management will notify employees by memorandum of the specific dates for holidays as approved by the University President.

## **DEATH IN THE FAMILY**

Benefits eligible employees who have a death in the immediate family may be allowed to use accrued sick leave for absences related to the death. Any leave in excess of five days for a death in the employee's immediate family must be approved and charged to vacation. Validated documentation must be presented to the supervisor upon return to work.

## **COURT/ JURY DUTY**

Court duty leave with pay shall be granted regular employees for the purpose of serving on a jury or as a witness. Such leave shall be granted upon presentation of official orders from the appropriate court.

## **VOTING AND COURT LEAVE**

- **Voting Leave:** In Compliance with state law, an employee who is qualified and registered to vote must be granted sufficient leave time, up to a maximum of two (2) hours, to permit the employee to vote in any municipal, county, state, or federal political party primary or election for which such employee is qualified and registered to vote. Such leave will be granted with pay for regular fully benefited employees.
  - Regular fully benefited employees are eligible to receive such time off with pay.
  - For those employees not eligible for paid time off for voting, institutions must provide flexible schedules, up to the two (2) hour maximum, as necessary for voting purposes.
  - Voting leave may be granted only on one of the days that are designated for advance in-person voting or on the day on which such primary or election is held.
  - An employee must provide their supervisor with reasonable notice and are responsible for requesting and obtaining approval from their supervisor in advance of taking time off to vote. The institution may specify the hours

during which an employee may take voting leave to ensure minimal disruption of operations.

- Voting leave is not cumulative and an employee who does not use the entire time allowed at the time of each election does not accrue any right to any subsequent paid or unpaid leave.
- **Court Duty Leave:** The USG also recognizes an employee's obligation to appear when summoned for court duty and shall grant leave with pay to regular fully benefited employees for the purpose of serving on a jury or as a witness.
  - Court duty leave with pay shall be granted to regular fully benefited employees to attend a judicial proceeding in response to a subpoena, jury duty summons, or other court order or process which requires the attendance of the employee during scheduled work hours. Such leave shall be granted upon presentation of an official order by a court of competent jurisdiction (i.e., summons, subpoena, or other court order) to the employee's supervisor.
  - Employees must notify their supervisor to coordinate with departmental scheduling. As employees will typically not know in advance how much time will be required to fulfill their court obligation, employees may be required to update their supervisor/institution at reasonable intervals concerning the time needed for absence from work.
  - Eligible employees will receive paid court leave while on jury duty, summoned to appear as a witness, or required by a court to attend a proceeding for the time they are otherwise scheduled to work.
  - Compensation will not be received for court duty time that exceeds the employee's regular work schedule.
  - Employees may keep any juror fees and travel allowances they receive from the court.
  - Employees will not receive paid court leave for their own personal obligations as listed below. When paid court leave is not applicable, the employee must use other eligible leaves that are available (e.g., annual leave, deferred holiday, etc.), or take leave without pay if other eligible leave balances are not available.
    - Paid Court Duty Leave may not be used to attend a trial, arbitration hearing, or other judicial proceeding in which the employee is:
      - Charged with a crime.
      - A plaintiff or defendant.
      - Voluntarily appears as a witness (i.e., was not ordered by the Court to attend).
      - A witness in a case arising from or related to their outside employment or outside business activity.

- Testifying for a fee as an expert witness; or,
- Has any other personal or familial interest in the proceeding.

### **PERSONAL LEAVE**

At the discretion of the University President, personal leave of absence without pay for periods not to exceed one year may be approved. Such approved personal leave shall allow the employee the right to elect to continue group insurance benefits.

### **EDUCATION SUPPORT LEAVE**

To supplement work-life balance options for University System of Georgia employees, each full-time, non-temporary employee of the USG shall be eligible for up to eight hours of paid leave per calendar year for the purpose of promoting education in this state as authorized by O.C.G.A. § 45-20-32. Only activities directly related to student achievement and academic support will qualify for education support leave. Education support leave is not charged against any other leave. Education support leave does not accumulate or rollover and is not paid-out upon change of employment status.

### **ACCEPTANCE OF LEAVE FROM A STATE OF GEORGIA AGENCY BY THE USG**

The USG shall accept up to a maximum of ninety-six (96) hours of sick leave from a benefited employee who moves from a State of Georgia agency to the USG. For a USG unit to accept sick leave, the employee must have no more than a 30-calendar-day break in service. Written verification of the employee's sick leave balance must be provided to the USG by the terminating State of Georgia agency.

Annual leave will not be accepted for a benefited employee who moves from a State of Georgia agency to the USG.

### **OTHER LEAVE/UNIVERSITY CLOSING**

In the event of inclement weather or any emergency which requires leaves of absence of employees, the University President or his or her designee may declare leave with or without pay.

### **WORKER'S COMPENSATION BENEFITS**

All employees of the University, regardless of status, are covered by provisions of the Workers' Compensation Act, currently administered by the Department of Administrative Services, State of Georgia. This protection provides benefits to employees who are injured on the job.

#### **Report of Injury**

When injured, an employee should report the accident, regardless of severity, to his or her Immediate Supervisor. The Supervisor must immediately contact AmeriSys by calling 1-877-656-7475. Additionally, the supervisor must complete the First Report of Injury Form and forward it to the Office of Human Resources Management.

#### **Medical Treatment**

Injuries requiring medical treatment should be attended immediately. If required, the employee should be taken to the nearest emergency care facility. After the emergency

situation subsides, the employee must call the AmeriSys Case Manager at 1-678-781-2848 or 1-800-900-1582.

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## **EMPLOYEE PERSONNEL RECORD**

Albany State University shall maintain the proper documents in employee personnel files. The Institution shall collect, use and retain only those items of personal information, which are required for business, regulatory, compliance with federal and state law, and legal purposes. When requested, the Institution shall provide employees the opportunity to inspect and verify the accuracy of their personnel record. The Institution shall provide interested members of the public access to public records upon proper legal request.

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## **EMPLOYEE HEALTH AND SAFETY**

### **SAFETY AND ACCIDENT PREVENTION**

Employees should make every effort to develop and practice safe working habits for themselves and to create a safe work environment for those around them. Employees should use all required safety equipment when performing their duties, observe area work rules and, upon detection, report all hazardous conditions to their Supervisors.

The safety of employees is a matter of vital concern to Albany State University. It is the policy of the University to provide the safest possible working conditions for all employees; to require no employee to perform a hazardous task with which he or she is not familiar and in which there is not proper close supervision and proper instruction; and to make available where necessary, special equipment and clothing to protect employees against particular hazards.

### **Responsibility**

- A. On-the-job safety is the joint responsibility of both the employee and the supervisor or department head.
- B. All employees are expected to perform their duties in a safe manner. An employee should make every effort to avoid careless work habits; to wear proper safety attire as may be required; and to report unsafe working conditions to one's immediate supervisor or department head.
- C. The department head or supervisor is basically responsible for accident prevention and safety within his or her department. The department head or supervisor, therefore, has the following responsibilities:
  - 1. To establish and actively enforce rules and procedures pertaining to accident prevention and safety;
  - 2. To detect and eliminate, or to report for attention, all physical hazards;
  - 3. To insist on the proper use and maintenance of machines, tools, equipment and physical facilities;

4. To make certain every employee is fully informed about hazards to which he or she may be exposed, and to demonstrate the proper and safe way to do the job;
5. To continually conduct on-the-job safety training and to make regular checks for unsafe practices.

### **Safety and Accident Prevention Efforts**

A department head or supervisor should consider conducting or requesting assistance in conducting timely inspections of the facilities and equipment to determine possible safety hazards; to review past reports of employee accidents/injuries; and to implement preventive measures that can be identified to minimize on-the-job injuries.

### **Georgia Public Employees Hazardous Chemical Protection and Right-to-Know Act of 1988**

The State of Georgia Public Employee Right-to-Know Act ensures that all public employees are accorded certain rights regarding hazardous chemicals in their workplace. Employees have both a need and a right-to-know the identities and hazards of the chemicals they use on the job. The Right-to-Know program informs employees of chemical hazards in the work place and how to protect against these hazards.

BASIC TRAINING will be given to all employees. This training will provide an overview of the hazardous chemical protection laws, regulations and policies currently in place in the University System. A summary of employee rights will be discussed. Individual employee questions will be addressed and any additional Right-to-Know policies that may be established will be presented. CHEMICAL SPECIFIC TRAINING will be provided only to employees who routinely handle or are exposed to hazardous chemicals/materials. This type of training will be coordinated by the Director of Environmental Health and Safety. Information concerning training programs for Albany State University employees will be disseminated by the "Right to Know" Coordinator. The "Right to Know" Coordinator may be contacted at: Office: Facilities Management Telephone: 229-430-4707

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## **USE OF UNIVERSITY SERVICES AND PROPERTY**

University owned and controlled facilities, systems, and equipment are state property and may not be used by University employees for personal or commercial purposes or in a manner that interferes with the performance of their University job duties. Electronic mail, voice mail, fax machines and copiers should be used for official Albany State University business only. Employees should understand that electronic mail and voice mail messages are not secure and therefore should not be assumed to be private. No expectation of privacy exists in the use of any University owned or controlled facilities, systems, or equipment issued or made available to University employees including, but not limited to, offices, phones, voicemail, computers, email accounts, data storage devices, file cabinets or lockers. The University reserves the right to enter, inspect, inventory, use, recall or transfer property it owns or controls at any time deemed appropriate, in the University's sole discretion.

### **Use of Albany State Stationery**

Albany State University stationery is intended for University business and must not be used by staff members for personal or non-University correspondence.

### **Use of Telephones**

The use of all State of Georgia telephone services should be limited to official University business only. Telephone calls should be handled in a prompt and courteous manner, and University telephone lines must be kept clear for University business calls. Using office phones for personal long distance calls is a violation of University policy, which is subject to disciplinary action up to and including termination. Employees may not make personal long distance calls with the intention of repaying the University at a later date.

### **Mail and Packages**

The University is not responsible for loss or damage to personal packages or mail addressed to any of its employees at an Albany State facility. In order to avoid a possible financial loss, it is strongly recommended that such items be mailed or shipped to the employee's home address. Employees may not use the Campus Mail services for personal mail. This service is staffed to handle only official University correspondence; its use for other purposes slows down delivery of official mail.

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## **WORKPLACE ETHICS POLICY**

### **UNIVERSITY SYSTEM OF GEORGIA (USG) ETHICS POLICY**

The USG and Albany State University are committed to the highest ethical and professional standards of conduct in pursuit of its mission to create a more educated Georgia. Accomplishing this mission demands integrity, good judgment and dedication to public service from all members of the USG community.

While the USG affirms each person's accountability for individual actions, it also recognizes that the shared mission and the shared enterprise of its institutions require a shared set of core values and ethical conduct to which each member of the USG community must be held accountable. Furthermore, the USG acknowledges that an organizational culture grounded in trust is essential to supporting these core values and ethical conduct. The following Statement of Core Values and Code of Conduct are intended to build, maintain and protect that trust, recognizing that each member of the USG community is responsible for doing his/her part by upholding the highest standards of competence and character.

### **Applicability**

The USG Ethics Policy applies to all members of the USG community. The USG community includes:

1. All members of the Board of Regents;
2. All individuals employed by, or acting on behalf of, the USG or one of the USG institutions, including volunteers, vendors, and contractors; and,



3. Members of the governing boards and employees of all cooperative organizations affiliated with the USG or one of its institutions.  
Members of the Board of Regents and all individuals employed by the USG or one of its institutions in any capacity shall participate in USG Ethics Policy training, and shall certify compliance with the USG Ethics Policy on a periodic basis as provided in the USG Business Procedures Manual. Cooperative organizations, vendors, and contractors shall certify compliance with the USG Ethics Policy by written agreement as provided in the USG Business Procedures Manual. The USG Ethics Policy governs only official conduct performed by or on behalf of the USG. Violations of the USG Ethics Policy may result in disciplinary action including dismissal or termination.

### **Statement of Core Values**

Every member of the USG community is required to adhere to the USG Statement of Core Values – Integrity, Excellence, Accountability, and Respect – that form and guide the daily work of the organization.

1. **Integrity** – We will be honest, fair, impartial and unbiased in our dealings both with and on behalf of the USG.
2. **Excellence** – We will perform our duties to foster a culture of excellence and high quality in everything we do.
3. **Accountability** – We firmly believe that education in the form of scholarship, research, teaching, service and developing others is a public trust. We will live up to this trust through safeguarding our resources and being good stewards of the human, intellectual, physical and fiscal resources given to our care.
4. **Respect** – We recognize the inherent dignity and rights of every person, and we will do our utmost to fulfill our resulting responsibility to treat each person with fairness, compassion and decency.

### **Purpose of the Code of Conduct**

The USG recognizes that each member of the USG community attempts to live by his or her own values, beliefs and ethical decision-making processes. The purpose of the Code of Conduct is to guide members of the USG community in applying the underlying USG Statement of Core Values to the decisions and choices that are made in the course of everyday endeavors. Each USG institution must ensure that its institutional ethics policies are consistent with this USG Ethics policy.

### **Code of Conduct**

**We will:**

1. **Uphold the highest standards of intellectual honesty and integrity in the conduct of teaching, research, service and grants administration.**
2. **Act as good stewards of the resources and information entrusted to our care.**
3. **Perform assigned duties and professional responsibilities in such a manner so as to further the USG mission.**
4. **Treat fellow employees, students and the public with dignity and respect.**

5. Refrain from discriminating against, harassing or threatening others.
6. Comply with all applicable laws, rules, regulations and professional standards.
7. Respect the intellectual property rights of others.
8. Avoid improper political activities as defined in law and Board of Regents Policy.
9. Protect human health and safety and the environment in all USG operations and activities.
10. Report wrongdoing to the proper authorities; refrain from retaliating against those who do report violations; and cooperate fully with authorized investigations.
11. Disclose and avoid improper conflicts of interest.
12. Refrain from accepting any gift or thing of value in those instances prohibited by law or Board of Regents policy.
13. Not use our position or authority improperly to advance the interests of a friend or relative.

### **Interpretation and Sources**

The Statement of Core Values and Code of Conduct do not address every conceivable situation or ethical dilemma that may be faced by members of the USG community. Members of the USG community are expected to exercise good judgment absent specific guidance from this policy or other applicable laws, rules and regulations. Specific questions pertaining to the Statement of Core Values or Code of Conduct should be directed to a supervisor or other competent authority at the University System Office or at the institution's office of Legal Affairs, Internal Audit, Compliance, Human Resources, Academic Affairs, or other appropriate office.

There are also multiple sources of authority that address specific questions or situations. Examples include:

1. [Board of Regents Policy Manual](#)
2. [Board of Regents Business Procedures Manual](#)
3. [Board of Regents Human Resources Administrative Practice Manual](#)
4. Institutional policies, handbooks and procedures
5. State Laws and Regulations
6. Federal Laws and Regulations

Further specific explanatory notes and references may be found on the USG's website at <http://www.usg.edu/audit/compliance/ethics/> or its successor reference

### **ETHICS TRAINING**

All individuals employed by the University in any capacity shall participate in USG Ethics Policy training and shall certify compliance with the USG Ethics Policy. The USG Ethics Policy governs only official conduct performed by or on behalf of the USG. Violations of the USG Ethics Policy may result in disciplinary action, up to and including termination.

## **CONFLICT OF INTEREST**

### **Outside Activities**

An employee of Albany State University should avoid actual or apparent conflict of interests between their University obligations and their outside activities.

### **Occupational Activities**

An employee of Albany State University shall not engage in any occupation, pursuit, or endeavor which will interfere with the regular and punctual discharge of official duties. All full-time Faculty, Administrators, and other Professional Staff members employed by Albany State University are expected to give full professional effort to their assignments of teaching, research, and service. Professional employees are encouraged to participate in professional activity that does not interfere with the regular and punctual discharge of official duties, provided the activity meets one of the following criteria: (1) a means of personal professional development; (2) service to the Community, State or Nation; or (3) consistency with the objectives of Albany State Albany State University. For all activities, except single-occasion activities, the employee shall report in writing through official channels the proposed arrangements and secure the approval of the University President or his or her designee prior to engaging in the activities. Such activities include consulting, teaching, speaking, and participating in business or service enterprises.

### **Political Activities**

As responsible and interested citizens in a democratic society, employees of Albany State University are encouraged to fulfill their civic obligations and otherwise engage in the normal political processes of society. The following policies governing political activities have been adopted:

- A. Employees may not manage or take an active part in a political campaign which interferes with the performance of duties or services for which he or she receives compensation from the University;
- B. Employees may not hold elective political office at the State or Federal level;
- C. Employees seeking elective political office at the State or Federal level must first request a leave of absence without pay beginning prior to qualification as a candidate in a primary or general election and ending after the general or final election. If elected to State or Federal office, such person must resign prior to assuming office.
- D. Employees may seek and hold elective office at other than the State or Federal level, or appointive office, when such candidacy for or holding of the office does not conflict or interfere with the employee's duties and responsibilities to the University.

## **GRATUITIES**

### **Prohibited Receipt of Gifts by USG Employees**

An employee of Albany State University shall not directly or indirectly solicit, receive, accept, or agree to receive a thing of value by inducing the reasonable belief that the giving of the thing will influence his/her performance or failure to perform any official action. The acceptance of a benefit, reward or consideration where the purpose of the

gift is to influence an employee in the performance of his/her official functions is a felony under O.C.G.A. § 16-10-2.

An Albany State University employee or any other person on his/her behalf, is prohibited from knowingly accepting, directly or indirectly, a gift from any vendor or lobbyist as those terms are defined in Georgia statutes (O.C.G.A. § 21-5-70(6) and 45-1-6(a)(5)b). If a gift has been accepted, it must be either returned to the donor or transferred to a charitable organization. A gift may be accepted by the employee on behalf of the institution subject to reporting requirements of the Board of Regents. If the gift is accepted, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

For purposes of this policy a gift is defined per BOR Policy 8.2.18.4, a gift is lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value. Note: a Gift does not include the actual and reasonable expenses for food, beverages, travel, lodging and registration provided to permit participation in a meeting, demonstration, or training related to official or professional duties if participation has been approved in writing by the Chancellor, the President, or his/her designee. For additional information, please refer to the BOR policy [8.2.18.4](#)

A gift shall not include:

1. Food or beverage consumed at an occasional meal or event, provided the value is reasonable under the circumstances but in no event exceeds \$100 per person.
2. Food, beverages, and registration at group events to which substantial numbers of employees of an institution are invited.
3. Food, beverage, or expenses afforded employees, relatives or others that are associated with normal and customary business or social functions or activities.
4. Actual and reasonable expenses for food, beverages, travel, lodging and registration provided to permit participation in a meeting, demonstration, or training related to official or professional duties if participation has been approved in writing by the Chancellor, the President, or his/her designee.
5. Promotional items generally distributed to the general public.
6. Textbooks, software, and instructional materials to be reviewed by teaching faculty.
7. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement.
8. Legitimate salary, honoraria, benefit, fees, commissions, or expenses associated with the recipient's non-public business, employment, trade, or profession.
9. Gifts from a person or entity who is neither a lobbyist nor a vendor as those terms are defined in State Statutes, nor a student or patient at an institution.
10. Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with USG policies, institution policies, and Georgia law.
11. Gifts to or from USG foundations or other separately incorporated, charitable entities.

## **Appearance of Conflicts of Interest**

### **Other Rules of Conduct**

Every employee shall make a due and diligent effort to determine whether he/she has a conflict of interest or appearance of conflict before taking any action.

Every employee shall continually monitor, evaluate, and manage his/her personal financial and professional affairs to ensure the absence of conflicts of interest and appearance of conflicts.

### **Violations**

A violation of this policy may subject an employee to disciplinary action, including termination of employment.

### **Consulting**

Recognizing that teaching, research, and public service are the primary responsibilities of USG faculty members, it shall be considered reasonable and desirable for faculty members to engage in consulting activities, which are defined for purposes of this policy as any additional activity beyond duties assigned by the institution, professional in nature and based in the appropriate discipline for which the individual receives additional compensation during the contract year.

Each USG institution shall adopt guidelines governing consulting activities of faculty members which shall include the following:

1. A plan for reimbursing the institution for use of the institution's personnel, facilities, equipment and/or materials consistent with rates charged outside groups or persons.
2. A procedure for obtaining prior approval of the president or his/her designee.
3. A procedure for defining and prohibiting conflicts of interest.

## **CONFORMITY WITH FEDERAL REQUIREMENTS**

All employees of Albany State University are required to comply with any and all requirements, laws, and regulations, as specified by Federal Departments from which Federal grants, contracts, and other awards are received for the University. Should there be a conflict in the policies and procedures of this Manual with any requirements of the terms of such grants, contracts, and other awards, the Senior Vice President for Administration or the Director of Human Resources Management will be responsible for resolving the conflict. Any Faculty member or other employee discovering such conflict is responsible for notifying the Senior Vice President for Administration and requesting guidance in the matter.

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# **GENERAL WORKPLACE PRACTICES**

## **Rules of Conduct**

Albany State University expects every employee to meet standards of satisfactory work performance and to observe basic rules of good conduct. It is not possible to list all employee actions or behaviors that might result in disciplinary action (see partial listing in the appendix section). Albany State University's management reserves the right to impose discipline that, in its sole discretion, deems appropriate, including discharge.

The following are some offenses that can lead to disciplinary actions:

1. Dishonesty, deception, or fraud, including computer fraud,
2. Unexcused absence,
3. Repeated tardiness,
4. Excessive absence,
5. Leaving work without permission,
6. Alcohol or drug abuse,
7. Possession of alcoholic beverages or illegal drugs,
8. Willful damage to material or property
9. Fighting,
10. Theft of property,
11. Sleeping on the job,
12. Poor work performance,
13. Use of abusive or threatening language,
14. Insubordination,
15. Sexual harassment, and
16. Failure to perform duties satisfactorily.

## **DRESS STANDARD / BUSINESS CASUAL DRESS FOR SUMMER AND FRIDAYS**

While all Albany State University employees are expected to dress and groom appropriately for our work environment, the normal dress standard will be relaxed during the summer to provide a more practical and comfortable clothing standard. The business casual dress standard begins the first Monday following Spring Commencement and ends the first Tuesday after the Labor Day holiday. Fridays throughout the year will be designated as business casual spirit days, in which employees may wear ASU paraphernalia along with business casual attire. It is the intent that employees may choose to wear less formal attire (i.e. blue jeans and ASU paraphernalia) as long as the clothing is in good taste and will not negatively affect the University's image.

Under the University's dress standard policy, acceptable personal appearance is an ongoing responsibility of each employee. Specifically, "common sense" should be the basic guideline and employees should not wear suggestive attire, athletic clothing, shorts, T-shirts, novelty buttons, baseball hats, and similar items of casual attire that do not present a businesslike image. Ties and jackets are optional during business casual and Fridays.

As always, supervisors are responsible for determining appropriate dress for each specific work situation or environment. Radical departures from conventional dress or personal grooming standards will not be permitted. When dealing with customers and the public, employee attire should be consistent with a positive business image.

Albany State University will provide uniforms for all employees required to wear specific attire as a condition of employment (protection, identification). The supervisor will inform the employee if the Department/Unit has a policy on uniforms. Operating units will determine responsibility for cleaning and maintenance of protective clothing; and if uniforms are provided, they are to be worn for University-related duties only.

Employees whose jobs require them to wear uniforms and/or whose attire must meet prescribed safety standards are not covered by this exception to the dress standard.

## **EMPLOYMENT APPLICATIONS**

Each person formally applying for a position at Albany State University must complete an application via the University's applicant system at [www.albanystatejobs.com](http://www.albanystatejobs.com). The application will remain on file in the Office of Human Resources Management.

## **WORK WEEK**

Regular full-time employees are required to work 40 hours per week. The standard work schedule for full-time employees is a five-day workweek that is generally eight hours per day, plus a meal break. Meal breaks are typically either 30 minutes or one (1) hour, with 30 minutes being the minimum time to constitute a bona fide meal break. Employees who work less than full-time will work the number of hours proportional to their full-time equivalent (FTE).

Some areas of campus are staffed around the clock, and employees in these areas may work rotating shifts. Working hours are scheduled to satisfy the operational needs of Albany State University and the department in which you work. The supervisor will inform employees of their normal schedule and any subsequent changes in the hours you may be required to work. The supervisor may also seek approval to use a variable work schedule including telework, flextime or both, subject to the department's needs. The normal workweek consists of a seven-day period starting with the first shift on Sunday and ending at the conclusion of the third shift Saturday.

## **OVERTIME/ COMPENSATORY TIME**

Nonexempt employees are expected to complete work within a normal 40-hour workweek. Supervisors may occasionally ask these employees to work overtime because of unusual operational requirements. All nonexempt employees may not work more than 40 hours a week unless specifically requested to do so by their supervisor.

Nonexempt employees who are required to work overtime will receive compensatory time off at the rate of 1.5 times the number of hours worked over 40 in a workweek. An employee may not accrue more than 240 hours of compensatory time in one calendar quarter, and such compensatory time must be taken before the end of the fiscal year. An employee who has accrued compensatory time must request use of the compensatory

time of his/her manager, who will be expected to monitor the compensatory time balance to ensure such time is taken.

Equivalent time off during the same workweek may be scheduled by supervisors to preclude the requirement for providing compensatory time off or overtime pay. Holiday time, vacation time or sick leave is not computed as "time worked" in determining overtime/compensatory hours.

Employees assigned to the monthly payroll are exempt from the overtime/compensatory time pay requirements of the Fair Labor Standards Act. Exempt employees are employed on a job basis and are expected to perform their duties for whatever periods of time are required. Therefore, compensatory time is not applicable to exempt employees.

### **CONFIDENTIALITY/CONFIDENTIAL RECORDS AND INFORMATION**

Many employees will have access to confidential records and information in their regular work assignments. Employees entrusted with this information of a confidential nature should not reveal such information to co-workers or others without proper authorization and a right to know. Privileged and confidential information must not be shared with unauthorized personnel or individuals. The unauthorized release of confidential information from files, microfilm, electronic data, conversations, personal observations, or knowledge may be subject to appropriate disciplinary action.

### **STATE BUSINESS TRANSACTION DISCLOSURE REPORT**

All business transacted with the State of Georgia or with any agency of the State of Georgia, by a public official or a state employee must, under certain conditions, be disclosed to the Office of the Secretary of State. If a public official or a state employee transacts business with the State of Georgia, or with an agency of the State of Georgia, and that individual has a substantial personal or family interest in the business transacted with the State, a disclosure report must be filed. Disclosure reports must be filed with the Office of the Secretary of State on or before **January 31** each year for business transactions during the preceding calendar year. Transaction disclosure reports may be obtained from the Office of Legal Affairs.

### **PERSONALLY-OWNED TOOLS/EQUIPMENT ON UNIVERSITY PREMISES**

There are occasions when employees use items of personal property (tools and equipment) on University premises. Such personal tools/equipment should be tagged, engraved, or labeled to clearly indicate personal ownership. Personal equipment remains on campus at the owner's risk. The University's insurance does not cover personally owned property; therefore, the University cannot assume responsibility for maintenance or upkeep.

### **PUNCTUALITY**

Employees shall be punctual and comply with the scheduled hours of his or her official work day, including reporting for work, taking rest periods and lunch breaks, and leaving at the end of the day.



If an employee is late or absent from work, he or she must notify his or her Supervisor, or designee, within the first fifteen (15) minutes of the work day.

Tardiness may result in the employee taking leave or having his or her pay reduced to cover the absence. Habitual tardiness or failure to observe assigned work hours could result in disciplinary action as prescribed by Progressive Discipline Policy in this Manual.

### **KEY POLICY**

Each Department/Unit Head or designee is responsible for keys issued to employees within his or her Department/Unit. Each employee is responsible for the safekeeping of University keys in his or her possession. An employee should never leave keys in a conspicuous place. The University does not allow duplication of University keys by outside sources.

### **MEAL BREAKS**

Unpaid lunch periods are either thirty (30) minutes or sixty (60) minutes in duration and are scheduled by the Department/Unit. The employee must be completely relieved of all duties. If the employee must perform work duties—for example, answering the telephone—the time would be compensable.

### **OFFICE DECOR**

Employees should be allowed, within reason, to decorate their offices or desk areas with personal effects. Employees should, however, remember that an office is first and foremost a place of business. Personal effects should not be overpowering and good taste must be maintained. When in doubt, employees should consult their Supervisors.

Pictures, posters, calendars, etc. with nude or partially clothed persons or posters with lewd references are **not** appropriate in a business environment and should not be displayed on work premises, including private offices, shops, break areas, rest rooms or lockers.

### **VOLUNTEERS**

Individuals who wish to provide voluntary services at the University must be approved prior to services being offered. Contact the Office of Legal Affairs or the Office of Human Resources Management for assistance.

### **PERSONAL VISITORS**

Personal, non-business visitation in the work place should be kept to a minimum. Any abuse should be discussed with the Supervisor for appropriate action.

### **DISRUPTIVE BEHAVIOR**

Any Student, Faculty member, Administrator, or Employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held on the campus of Albany State

University is considered by the University to have committed an act of gross irresponsibility he or she shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

## **PROFANITY IN THE WORKPLACE**

Freedom of Speech is one of the basic and most precious rights of American citizens. However, the use of profane or vulgar language can both embarrass other employees and make them unnecessarily uncomfortable. Thus, it is important that each employee be considerate of others in the workplace by not using such language. An employee should bring the use of offensive language to the attention of the appropriate Supervisor.

## **LACTATION SERVICES**

### **Worksite Lactation**

As a family-friendly employer, Albany State University provides a supportive environment that enables breastfeeding employees to express their milk during business hours. The information below outlines information regarding a designated on-campus lactation room and reasonable break times to accommodate milk expression.

### **Reasonable Break Times**

Lactating mothers shall be granted flexible and reasonable breaks, using their normal break periods and meal times, to accommodate milk expression. Nursing mothers who wish to express milk during the work period should keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department.

### **Time away from Work - Instructions for Supervisors**

Supervisors should keep in mind that expressing breast milk may be a physical necessity for some mothers. Thus, supervisors should make every reasonable accommodation to support the needs of nursing mothers. Such accommodations should include permitting nursing mothers who need to express breast milk to visit lactation room(s) during normal break times or meal times and providing reasonable unpaid time or use of sick time if applicable. Supervisors should be flexible in allowing nursing mothers to select appropriate times to utilize the lactation room provided by the University.

## **EMPLOYEE/EMPLOYER RELATIONS**

The working environment is extremely important to each employee and should be a very positive factor. To this end, the University makes every effort to enhance working conditions and expects employees to accept a similar responsibility. Occasionally, it becomes necessary for the University to correct employee work habits or for the employee to call attention to inequities or other work-related problems he or she encounters. While these actions are normally attempted and accomplished in an informal, personal setting, it sometimes becomes necessary to pursue more formal avenues of corrective action and/or recourse. This section deals with such procedures.

The employee or employer should not take such actions lightly or initiate them indiscriminately, if the University is to foster positive employee/employer relationships.

### **Reprimand**

In most situations, a Supervisor can correct, through simple statements, an employee's actions or even overlook them if they are not serious. However, should the employee's actions become chronic, or if the infraction of University policy leads to serious problems, a formal written reprimand may be in order. The Supervisor must strongly document formal reprimands stating the date(s) of the infraction, the policy violated and any other pertinent data. In addition, he or she should suggest future disciplinary action if further infractions are committed. Repeated reprimands might possibly lead to suspension or termination.

Employees receiving reprimands have the right to an explanation of charges, and Supervisors are therefore encouraged to use the reprimand as a constructive document. Employees who believe that the reprimand is not justifiable have the right to appeal as set forth in grievance procedures.

### **EMPLOYEE GRIEVANCES**

Employee grievances are to be expected in any work environment, with numerous reasons for their origin. Albany State University is no exception, and although not every grievance may initially be considered a serious matter, the University wants to maintain a positive position in the quick resolution of problems which occur. The following brief paragraphs provide general statements on the grievance procedure at Albany State University and are supplemented by more detailed information in other sections of this Manual.

#### **Grievances Not Covered**

Not all employee complaints or grievances are acceptable or subject to corrective actions. The following examples, while not covering exceptions in their entirety, provide general guidelines on what grievances are excluded:

- A. Any matter which is subject to final administrative review outside Albany State University under law or the policies of the Board of Regents of the University System of Georgia;
- B. The content of published policy. Should published policy be in direct conflict with law or regulation, the employee should advise the Office of Human Resources Management which in turn will advise the President of the University and the appropriate staff member of the Board of Regents Central Office;
- C. Nonselection for promotion or grievance related to salary increases unless there is specific evidence to show that said grievance relates to discrimination based on race, color, sex, religion, national origin, handicap or age. The President's decision on all such matters, with this exception, shall be final at the University level with the Board of Regents representing the final review;
- D. A preliminary warning or notice of an action, which, if effected, would be covered by the grievance mechanism; and

- E. Grievances by a temporary, probationary, or non-State-funded employee relating to his or her separation.

### **Initiation of a Grievance**

An employee or group of employees with a grievance which does not fall into the above categories may seek remedy. Two basic processes are followed in expressing a grievance: the informal grievance process and the formal grievance process.

#### The Informal Grievance

This is the initial step in expressing a grievance and requires that an employee work within his or her departmental organization in seeking redress. Informal grievances may be oral or written and should be directed to the first line Supervisor. The employee should clearly identify the policy infraction involved, the date of the incident, and the preferred solution. If the grievance relates to the first line Supervisor, the employee may use the next organizational level. Normally grievances are solved at this level; however, the employee may elect to pursue the formal procedure if no action is taken, if it is not taken within a prescribed time frame, if the incident or source of the problem recurs or if the Supervisory solution proffered does not adequately address the problem.

#### The Formal Grievance

Having exhausted the informal process, the employee may file a written grievance with Human Resources if the employee believes that the Supervisor's actions are inappropriate or untimely, do not address the problem, or do not provide adequate redress. An employee must present a formal grievance in writing, expressing policy infraction, date of the incident, preferred action, and efforts taken through the informal procedure to correct the problem. The University's complaint form is found on the University's website – [www.asurams.edu/human-resources](http://www.asurams.edu/human-resources).

Should the grievance be acceptable, a Board of Review will be selected and a formal hearing date established. The Board will conduct an administrative review, not requiring strict rules of evidence, and make recommendation(s) for resolution of the problem. The President and his or her Vice Presidents, with assistance from the Director of Human Resources Management, will review the recommendations. The President will then advise the employee of the final decision.

In cases where the Director of Human Resources Management determines that the action alleged to have wronged the Grievant is covered by laws, regulations, policies, etc. pertaining to discrimination of any kind (including sexual harassment), he or she will refer the grievance to the Designated Officer for the University for further action.

### **Appeals**

An employee shall be afforded due process in resolving grievances and shall have the right of appeal at each supervisory level. Although the decision of the President is final at the University level, the employee can initiate further recourse or review by requesting a review at the University System level within twenty (20) days from receipt of the President's decision.

## **Retaliatory Action**

An employee exercising his or her right to follow the established grievance procedures shall not be subjected to retaliatory action, harassment, or intimidation or be otherwise penalized for exercising the right to express grievances. Supervisors and other employees found using such tactics will be subject to disciplinary action to include reprimand, possible suspension, or dismissal, depending on the circumstances.

On the first occurrence, the employee should report such actions to the Office of Human Resources Management which will advise the President and appropriate Vice President of the retaliatory acts. They, in turn, will determine what disciplinary action shall be taken.

## **Grievance Procedures for Faculty and Classified Employees**

### **Name**

The Grievance Committee at Albany State University shall be known as the Board of Review.

### **Purpose**

The Board of Review is established to provide a means to hear the complaints of University employees (Faculty members and Classified Personnel) who have exhausted normal channels of appeal but who have not received satisfaction in the resolution of a grievance. Normal channels shall be construed to mean an appeal to administrative officers, through and including at least one level of authority higher than the Grievant's Immediate Supervisor, to resolve the grievance satisfactorily.

## **Jurisdiction**

### **A. Grievance Complaints**

The Board of Review may consider the grievance of any Faculty member or classified employee. The grievance must be reasonably related to the terms and conditions of his or her employment, be supported by affidavit of the Grievant or other credible evidence, and be timely filed.

### **B. Grievance Referral**

The Board of Review shall consider any referred grievance for hearing by the President of the University or the Board of Regents of the University System of Georgia.

### **C. Exclusions**

The Board of Review may not consider grievances which concern salary, promotion or dismissal of any employee or which involve the award of tenure or non-renewal of Faculty member unless it is reasonably alleged that the action complained of was the result of discrimination based on race, color, sex, religion, creed, national origin, handicap or age. Nor shall the Board of Review consider any grievance concerning which the President has already made a final decision.

#### D. Appeal of Academic Decisions

Pursuant to the provisions of Article IX of the Bylaws of the Board of Regents, grievances based on judgment of academic qualifications which impact such items as salary, promotion, tenure or non-renewal may be appealed at the University through established channels to the President of the University and, thereafter, to the Board of Regents of the University System of Georgia.

#### E. Dismissal of Faculty

Grievances related to the dismissal of tenured Faculty or Non tenured Faculty during a contract term are governed by Article VI, Sec. B-6-d of the Bylaws of the Board of Regents.

#### F. Appeals by Classified Employees

Grievances of Classified Employees concerning salary, promotion, or dismissal are governed by the Personnel Policies of the Business Procedures Manual of the Board of Regents.

### **Initiation of Grievance**

#### A. Request for Hearing

Any Grievant, within thirty (30) working days after the occurrence of the alleged act causing the grievance, may file a written request for a hearing with the Chairperson of the Board of Review. He or she must describe the grievance and state the following:

1. The actions complained of, including the pertinent facts of the complaint, the date, time and place of the occurrence, the University policies believed to have been violated or improperly applied, with the complaint verified and sworn to by the Grievant;
2. The names of possible witnesses, if any, and a description of the evidence which may tend to support the complaint; and
3. The specified corrective action desired.

#### B. Determination of Jurisdiction

The Chairperson of the Board of Review, within three (3) days from the filing of the application for hearing by the Grievant, shall determine whether the grievance is one which has been properly and timely filed, and whether the nature of the grievance is one which may be properly heard by a Board of Review. If so, the Chairperson will instruct the parties as to the procedures in selecting the panel and members of the Board of Review. If not, the Chairperson will notify the parties and the President of his or her determination and give the reason(s). The President may, nevertheless, direct that the grievance be heard by a duly constituted Board of Review. The Chairperson will within ten (10) days following receipt of a grievance cause the panel and Review Board members to be selected.

### **Board of Review**

#### A. Selection of Chairperson

For each Board of Review, there shall be a Chairperson who, along with one or more Alternate Chairpersons, shall be elected annually by the Faculty of the University from among the tenured Faculty of the University for a one (1) year term, to begin no later than November 30 of each academic year, provided, however, that

not more than one person shall be elected from the Faculty of any one Department/Unit of the University. University System counsel or University System will thoroughly brief the Chairperson and alternate Chairperson(s) on the conduct of the grievance mechanism. The Chairman and Alternate Chairperson(s) shall rotate the duties of the Chair.

**B. Selection of Review Panel**

Within thirty (30) days after the alleged act prompting the grievance, an employee must file a written grievance with the Chairperson. If the grievance is determined by the Chairperson to be within the jurisdiction of the Board, he or she shall draw by lot, or other random process, from a list of eligible Faculty members or Classified Employees, as appropriate to each case, a panel of nine (9) persons as potential members of the Board. When grievances involve only Faculty, the Chairperson shall draw the panel from Faculty having at least one (1) academic year (nine months) of continual service at the University. For grievances between Faculty and Classified Personnel the Chairperson shall draw four (4) members of the panel from eligible Faculty and five (5) members from eligible Classified Employees, all of whom shall have at least nine months of continual service at the University. For grievances involving Classified Employees only, the Chairperson shall draw the panel from the names of Classified Employees having at least nine months of continual service at the University. In the presence of the Director, Office of Human Resources Management who shall certify to the President that the panel drawing process has been impartially executed, the Chairperson shall draw a new panel for each grievance. (Faculty Members and Classified Personnel are defined in Sections 801 and 802 of the Fiscal Affairs Policies and Procedures Manual, Albany State University.)

**C. Eligibility for Service**

With the exception of the President, all full-time employees (Faculty and Classified) having at least one (1) academic year (nine months) of continual service at the University are potential members of the Board of Review. An employee's name shall be removed from the pool if: (1) employment ends; (2) an employee is a Grievant; or (3) an employee is named or otherwise directly involved in the grievance.

**D. Excuse of Panel Members**

Panel members who are drawn as possible Board of Review members may be excused by the Chairperson if he or she determines that: (1) there is a bona fide conflict of interest between the panel member(s) and either of the parties of the grievance; (2) the potential panel member is ill; or (3) service on the Board of Review should be excused for good cause shown.

**E. Selection of Review Board**

Each Review Board shall consist of the Chairperson (non-voting) and three (3) voting members chosen from a panel of nine (9). Upon notification of the names of the panel members, each party shall in the presence of the Chairperson strike the names of three (3) persons from the panel. The parties shall alternate in exercising their strikes, beginning with the Grievant, until three (3) members remain. These three (3) members shall constitute the Board of Review. It is anticipated that this

“striking” process will be completed within five (5) days following the selection of the panel by the Chairperson.

**F. Removal of Review Board Members for Cause**

A party may present a request in writing, at least three (3) days in advance of any hearing, to the Chairperson, to remove any member of the Board for reasonable cause. If the Chairperson grants the request, he or she shall fill the vacancy thus created by random selection of another member. The member chosen to fill the vacancy may likewise be removed for reasonable cause. The Chairperson may on his or her own motion remove any member for reasonable cause.

**G. Notice of Hearing**

After the Board of Review has been selected, the Chairperson, no less than three (3) nor more than ten (10) working days in advance of the date set for the hearing, must hand deliver or mail to the parties and members of the Board of Review written notice of date and time set for the hearing.

**Duties of Chairperson**

The Chairperson of each Board of Review shall not vote but shall be responsible for the conduct of the hearing and the interpretation and implementation of grievance procedures. His or her duties shall include, but not be limited to, the following:

- A. Assuring that all parties are familiar with grievance procedures;
- B. Receiving the grievance and determining whether it is one which is properly heard by a Board of Review (if it is not, notify the grievant in writing) and whether it has been timely filed;
- C. Drawing, at random, within five (5) working days following receipt of a written grievance, a panel of nine (9) persons as potential members of the Board of Review;
- D. Notifying the parties: (1) whether the grievance is one which is properly heard by a duly constituted Board of Review, and (2) if so that a hearing panel of nine (9) members has been drawn and (3) that each party should come before him on a certain date and strike the names of three (3) panelists;
- E. Distributing the complaint (grievance) to the opposite party and members of the Board of Review and setting a date for the hearing after conferring with the Board members;
- F. Convening the hearing after written notice—at least three (3) but no more than ten (10) working days in advance of the hearing—to the members of the Board of Review and the parties; conducting and presiding over the hearing; ruling on motions of the parties and assisting the Board of Review during its deliberations;
- G. Ensuring that a tape recording or transcript of the hearing be made and retained for use in the event an appeal is filed; and
- H. Forwarding a copy of the written Findings of the Board of Review to the President and the Grievant within ten (10) working days after the hearing; and forwarding a copy of the Board’s Confidential Recommendation(s) (if any) to the President.



## **Hearing Procedure**

In all instances where a hearing is conducted, the following procedures shall apply:

- A. The Board of Review will conduct the hearings in private; however, the parties may select one (1) person to attend as an observer;
- B. Attorneys are not authorized to participate in grievance hearings; however, the Grievant may select an advisor, other than an attorney, from the University to assist him or her at the hearing;
- C. The Board of Review will keep a tape recording, transcript or written summary of the proceedings and make it available to the parties concerned, at reasonable cost;
- D. The Board of Review shall afford the parties a reasonable opportunity to obtain and present witnesses and relevant documents or other evidence concerning the subject matter of the complaint;
- E. The Board of Review shall afford the parties the right to cross-examine witnesses against them. Should a witness be unable to appear because of illness or other cause acceptable to the Chairperson, the sworn statement (affidavit) of the witness may be introduced into the record;
- F. A notary public shall administer an oath or affirmation to all witnesses;
- G. The Board of Review will not be bound by strict rules of legal evidence. It may receive any evidence deemed by the Chairperson to be of probative value in determining the issues involved. The Board will make every possible effort to obtain the most reliable evidence available. The Chairperson shall decide all questions as to the admissibility of evidence or other procedural matters;
- H. The Board of Review shall make no decision on the merits of the grievance but shall state its Findings which shall be based on the evidence introduced at the hearing. The Chairperson will report the Findings to the Grievant and President.

The Board of Review may also submit Confidential Recommendation(s) to the President; and

- A. To safeguard the confidentiality of the hearing, the Board and all parties concerned must avoid public statements and publicity about the complaint.

## **Findings and Recommendations by the Board**

The Chairperson must send the Findings of the majority of the Board of Review to the President and the Grievant no later than ten (10) working days following the hearing. If a transcript of the hearing is required, the Chairperson must send Findings no later than ten (10) working days following receipt of the transcript. The Board of Review may, in addition to its Findings, make Confidential Recommendation(s) (if any), to the President. The Findings, and Confidential Recommendation(s) (if any), made by the Board of Review to the President shall be advisory only, and shall in no way bind or commit him or her to any suggested course of action.

### **Action by the President**

In making a decision, the President will not be bound by the Findings, or Confidential Recommendation(s) (if any) of the Board of Review. The President should, within ten (10) working days after receipt of such written notification of the Findings, and Confidential Recommendation(s) (if any) of the Board of Review, advise in writing the Faculty member or Classified Employee, his or her direct Supervisor, and other parties concerned of the decision. The President may refer the matter back to the Chairperson of the Board of Review for further response and recommendation(s) before rendering a final decision. The President must advise the employee in writing of his or her right to apply to the Board of Regents for review of the President's final decision, in accordance with the provisions of Article IX of the Bylaws of the Board of Regents.

### **Time Requirements of the Review Process**

The Review process operates on the premise that grievance panels (nine [9] members) should be constituted (drawn by lot) within five (5) working days following receipt by the Chairperson of an acceptable written grievance from any employee of the University. The final selection of a three (3) member Board of Review from the panel should be completed within ten (10) working days after the filing of the alleged grievance. The Chairperson should give written notice of any hearing date to the members of the Board of Review and to the parties at least three (3) but no more than ten (10) working days prior to the date set for the hearing. The Chairperson must forward Findings to the Grievant and the President within ten (10) working days from the conclusion of the hearing unless a transcript of the evidence is required. If a transcript of the evidence is required, the Chairperson must forward such documents to the President within ten (10) working days after receipt of the transcript. The Chairperson must also send any Confidential Recommendation(s) to the President within ten (10) working days. The President must make the final decision within ten (10) working days thereafter unless he or she refers the matter back to the Board for further response and recommendation(s). After a final decision by the President, the employee must file any appeal to the Board of Regents within twenty (20) days.

### **Retaliatory Action**

The Grievant shall not be harassed, intimidated, or otherwise penalized for using the grievance procedures.

### **EMPLOYMENT APPEALS**

The President of the University shall within ten (10) working days after written request appoint, or have appointed in accordance with the approved and published grievance procedures, an impartial Board of Review to hear appeals from employees, excluding those employed in provisional status, when grievances cannot be resolved through normal administrative channels. This evidentiary hearing shall be informal in nature and shall not be conducted under strict rules of evidence or procedures applicable to proceedings in the Superior Courts of Georgia. Normally, attorneys are not authorized to participate in the hearing; however, the Grievant may select an advisor other than an attorney, to assist and advise the Grievant at the hearing. Attorneys may be authorized by the Committee Chairperson to participate in the hearing if it appears that the hearing

will in any way involve, or relate to, an indictment of, or the existence of any criminal charge against the grievant.

The recommendation of the Board of Review shall be forwarded to the President for final decision. If the matter is not resolved to the satisfaction of the Grievant, he or she may file an application for review, in writing, to the Board of Regents within twenty (20) calendar days following the written decision of the President. This appeal shall state the decision complained of and the redress desired, and shall be filed and processed in accordance with the provisions of Article IX of the Bylaws of the Board of Regents. The Grievant may be represented by an advisor or an attorney during the appeal process to the Board of Regents.

Applications from University System employees for Board of Regents' review of presidential decisions shall be limited to instances in which an employee is terminated, demoted, or otherwise disciplined in a manner which results in a loss of pay. Any University System employee aggrieved by a final decision of the president of an institution, other than those stated above, may apply to the Board's Office of Legal Affairs for a review of the decision, in accordance with Policy 8.6 Applications for Discretionary Review; provided, however, that an application may be reviewed if (1) the record suggests that a miscarriage of justice might reasonably occur if the application is not reviewed, or (2) whether the record suggests that the institutional decision, if not reviewed, might reasonably have detrimental and system-wide significance.

## **PROGRESSIVE DISCIPLINE**

Whenever the appropriate Supervisor determines that an employee's performance of duty or personal conduct is unsatisfactory and if that classified employee has completed the six months provisional employment, the Supervisor may follow a sequence of disciplinary actions.

### **Oral Warning**

The Supervisor should discuss the unsatisfactory offense, action, or conduct with the employee, suggest corrective action and the results expected and record in an appropriate place the date, time and a summary of the warning.

### **Written Warning - First**

The Supervisor should reduce to writing a description of the unsatisfactory offense, action or conduct, the suggested or required corrective action, a reference to the previous Oral Warning, the results expected, and any other caution or warning deemed appropriate. The letter or memorandum should be given to the employee and discussed fully with him or her.

### **Written Warning - Second**

The Supervisor, in the second written warning, should document the information in the same manner required for the first warning and recommend suspension of the employee without pay for a maximum of three (3) to five (5) days.

### **Written Warning - Third**

The Supervisor, in the third written warning, should document the required information of the previous two (2) warnings and recommend termination of the employee.

### **Process for Filing Documents**

The Supervisor should forward, through appropriate channels, all documents pertaining to any or all Written Warnings so that such documents can be acted upon and filed in the employee's permanent personnel files.

### **Exceptions to Suspension or Termination**

Only upon the recommendation of the Director, Human Resources Management, with approval by the President, will the actions of suspension and/or termination be changed from these policies.

### **DISMISSAL, DEMOTION, OR SUSPENSION**

Dismissal, demotion or suspension of Classified Employees may be initiated by the employee's Immediate Supervisor when the Supervisor determines that the employee's performance of duty or personal conduct is unsatisfactory. Any employee who is convicted of the unlawful manufacture, distribution, sale, use, or possession of marijuana, a controlled substance or other illegal or dangerous drug, or who admits guilt of any such offense in a court proceeding, shall be suspended for not less than two months or dismissed after compliance with procedural requirements of this section. Such employee shall be required as a condition of re-employment following suspension to complete a drug abuse treatment and education program approved by the President of the University. Mandatory suspension and/or dismissal for this offense will be accomplished without the exercise of Progressive Discipline procedures. The employee shall be informed in writing of the reasons for the action taken and granted a reasonable opportunity (not less than five working days) to respond to the next highest authority prior to the effective date of the action; provided however, that under emergency circumstances when immediate action is necessary, the employee may be forthwith dismissed, demoted or suspended, with or without pay, by the Immediate Supervisor, pending a review by the next highest authority. Any such employee shall also be entitled to the procedural protection of a hearing before a Board of Review convened upon request made within fifteen (15) working days following the adverse personnel decision of his immediate supervisor, provided that the Board of Review hearing may take place either before or after the effective date of the personnel decision in question. Dismissal, demotion or suspension of Classified Employees, except in cases where the nature and/or severity of the circumstances warrant immediate action, will occur only after Progressive Discipline actions have been taken. An employee who has been dismissed or suspended without pay and is later reinstated shall be entitled to recover back pay unless the President or his or her designee determines otherwise.

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# **REORGANIZATION, PROGRAM MODIFICATION OR FINANCIAL EXIGENCY**

## **EMPLOYEES AFFECTED BY REORGANIZATION, PROGRAM MODIFICATION OR FINANCIAL EXIGENCY**

Employees who are terminated, demoted, or otherwise adversely affected by reorganization, program modification, or financial exigency, as approved or determined by the President of the University or his or her designee, shall not be governed by the procedures described in Dismissal, Demotion or Suspension section of this Manual and Appeals. Such employees shall, however, have the right of appeal to the Board of Regents as provided in Article IX of the Bylaws of the Board of Regents. The Board of Regents' policy on Financial Exigency is presented below verbatim and becomes a policy of Albany State University and a part of this Manual:

Anything in the Policies of the Board of Regents to the contrary notwithstanding, if the Board of Regents finds that a condition of Financial Exigency exists either at an institution, within an academic or other unit of an institution, or in the University System generally, then the layoff or termination of tenured faculty, non-tenured faculty or other contract employees before the end of their contract term, will be handled in accordance with the Financial Exigency policy set forth below. As used herein, the term 'unit' means any identifiable component of the System at any level of its organization which has an annual budget for the operation of such component.

## **DEFINITION OF FINANCIAL EXIGENCY**

Financial exigency occurs when circumstances cause a shortfall in projected revenues for general operations as compared with projected expenditures over the same period and such shortfall would have a material adverse effect on the operation of either an institution, an academic or other unit of an institution or the System generally. In the event of reduced appropriations, declining enrollments, or other actions or events that compel a reduction in the System's or an institution's current operations budget, the Board of Regents may, in its exercise of fiscal responsibility, decide to reduce the operation of, to modify or to close one or more institutions of the System. Such reductions, modifications, or closings may require the reduction of salaries, layoffs or terminations of tenured faculty, non-tenured faculty or other contract employees before the end of their contract term.

Any response to a financial exigency shall be developed with the understanding that action taken will be consistent with the basic mission of the System to provide the best possible education for its students. The System shall make reasonable efforts to insure that students affected will be allowed to complete their programs, within the limits of budgetary constraints, at the institution or by transfer to another unit of the System.

The determination of the existence and extent of a financial exigency affecting the System or any institution or within an academic or other unit of an institution shall be the sole responsibility of the Board of Regents, but the President of an institution, after consultation with representative faculty members, may request such a determination by the Board. A request for the declaration of a financial exigency at any level below the

institution level must originate at the institution. When such determinations are made, this policy, along with approved implementing procedures, will take precedence over those applicable Board policies which govern normal operating procedures. The president of each institution shall follow implementing procedures prescribed by the Chancellor.

### **LAYOFF OR TERMINATIONS**

The term *layoff*, as used in this policy, is defined as the temporary dismissal of any employee, including tenured faculty members or non-tenured faculty or other contracted employees, before the end of their contract term. Layoffs or terminations may occur within an academic unit or other unit of an institution without a net loss of faculty members or other personnel at the institution; that is, layoffs or terminations in some academic or other units may occur with simultaneous authorization of new positions for different duties in academic or other units depending upon the needs of such units. The president of each institution, after consultation with faculty and staff, shall determine whether layoffs or terminations are required and which employees will be affected. This determination shall be made in accordance with the procedures established by the Chancellor, which will give primary consideration to the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

Faculty and other employees under contract who are laid off or terminated before the end of their contract term for reasons of financial exigency shall, whenever possible, be notified at least ninety (90) days in advance of the date of layoff or termination. The notice of layoff or termination shall be delivered personally or by certified mail, with return receipt requested. This notice shall include, in writing, a statement of the conditions requiring layoff or termination, a general description of procedures followed in making the decision and a statement of the employee's right to respond orally and in writing to the appropriate official at the institution as to the reasons for the layoff or termination. The employee(s) shall also have the right, upon written request within twenty (20) days from the date of the final decision of the President, to apply to the Board of Regents for a review of the President's decision in accordance with the provisions of Article IX of the Bylaws of the Board.

### **PROGRAM MODIFICATION OR DISCONTINUANCE IN THE EVENT OF FINANCIAL EXIGENCY**

Anything in the Policies of the Board of Regents to the contrary notwithstanding, if the Board of Regents finds that a condition of financial exigency exists either at an institution, within an academic unit or other unit of an institution or in the System then program modifications or discontinuances recommended by the Chancellor and approved by the Board may be made at any such institution, within an academic or other unit of any such institution or the System generally.

## **PERFORMANCE EVALUATION**

All employees shall be evaluated based on the merits of their performance and qualifications.

Each institution of the University System of Georgia (USG) shall establish a system of performance evaluation for all employees. This system of performance evaluation shall be for the purpose of career development and eligibility for merit pay increase recommendations. All employees shall be evaluated by the supervisor in a systematic manner at specified time intervals, but in no case less than once each year.

An employee in their provisional period should be evaluated at least once prior to the completion of the provisional period.

Please also review Board of Regents (BOR) [8.3.5.1 Faculty Employment -Evaluation of Personnel](#) regarding evaluation of Faculty. Faculty performance evaluations must be consistent with BOR Policy [8.3.5.1](#). If any portion of this [HRAP section conflicts](#) with the standards in BOR Policy [8.3.5.1](#), the BOR Policy shall control.

This policy establishes a system for assessing and improving the work performance of employees and provides guidelines for the administration of this system while also affording the appropriate level of flexibility needed at the institutional level.

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