



STAFF HANDBOOK

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INTRODUCTION

The University of the South strives to provide its staff members with a working environment that encourages personal and career development with the expectation of a high level of performance, both in terms of quality and productivity. In joining the University, one becomes a member of the University team which has achieved a record of excellence in education and research, a record which would not have been possible without the contributions of outstanding staff.

The provisions contained in this *Handbook* do not constitute an employment contract or guarantee employment for any specific duration. It is a guideline that provides current policies, practices, and procedures for staff members' information. The University reserves the right to change any and all of its policies, practices, and procedures in whole or in part at any time. Staff members are expected to follow the rules and regulations of the University, including changes in those rules and regulations made during the course of their employment. At all times during the employment relationship, staff members are "at will" staff members. Thus, employment may be terminated at any time by the staff member or by the University for any lawful reason.

The Office of Human Resources is responsible for maintaining and updating the *Staff Handbook*. New policies or changes to existing policies will be effective when approved and will be incorporated in the *Handbook* when it is updated or reissued. Staff members are encouraged to recommend a new policy or change to an existing policy to the Office of Human Resources, to the Employees' Advisory Committee, or to a member of the senior administrative staff.

Particular matters involving the interpretation of a policy shall be referred to the director of Human Resources.

UNIVERSITY PURPOSE

The University of the South is an institution of The Episcopal Church dedicated to the pursuit of knowledge, understanding, and wisdom in close community and in full freedom of inquiry, and enlightened by Christian faith in the Anglican tradition, welcoming individuals from all backgrounds, to the end that students be prepared to search for truth, seek justice, preserve liberty under law, and serve God and humanity.

The College of Arts and Sciences is committed to the development of the whole person through a liberal arts education of the highest quality. Outstanding students work closely with distinguished and diverse faculty in a demanding course of humane and scientific study that prepares them for lives of achievement and service. Providing rich opportunities for leadership and intellectual and spiritual growth, while grounding its community on a pledge of honor, Sewanee enables students to live with grace, integrity, and a reverent concern for the world.

The School of Theology educates women and men to serve the broad whole of The Episcopal Church in ordained and lay vocations. The School develops leaders who are learned, skilled, informed by the Word of God, and committed to the mission of Christ's church, in the Anglican tradition of forming disciples through a common life of prayer, learning, and service. Sewanee's seminary education and world-wide programs equip people for ministry through the gift of theological reflection in community.

100 EMPLOYMENT

101 STAFF MEMBER APPOINTMENT STATUS

EXEMPT OR NON-EXEMPT APPOINTMENT

Staff members of the University are categorized as exempt or non-exempt and are paid in accordance with the federal and state law and University policy. Exempt staff do not necessarily observe a fixed schedule and do not receive overtime pay. Exempt staff are expected to work the hours necessary to fulfill their duties, normally at least 40 hours per week. Non-exempt staff may be paid hourly wages or a salary and are entitled to overtime pay for all hours worked in excess of 40 hours per week (see *202 OVERTIME AND ON CALL TIME*).

REGULAR, TEMPORARY, OR TERM APPOINTMENT

A regular staff member is one who works in a position that is expected to continue indefinitely. However, a regular position is at-will and carries no guarantee of continued employment.

A temporary staff member is an at-will employee who works on a temporary basis for a period not to exceed one year.

A term staff member is an at will employee employed temporarily, usually for a term in excess of six months. A term appointee has no guarantee of continued employment. Term appointees for terms in excess of two years are treated as regular staff in matters relating to benefits and accruals for time away from work. Term appointees for terms of at least one academic year are treated as regular staff in terms of eligibility for the University's health care plan and holiday pay.

ACTIVE STATUS

Staff members are considered on active status if they are working, on vacation, on sick leave, on short-term disability leave, or on family and medical leave.

102 WORKING HOURS/WORKING FROM HOME OR OFF CAMPUS

Most offices are scheduled to be open for business from 8 a.m. to 4:30 p.m. Monday through Friday. Hours worked are established by departments and may vary from office to office. All non-exempt employees are to conduct all work on the premises and shall be paid for all hours worked.

Non-exempt hourly employees will not be permitted to work from home or without direct supervision. Non-exempt salaried employees may be permitted to work remotely with prior supervisor approval and strict adherence to accurately recording hours worked. Under no circumstances is any non-exempt staff member to work off the clock.

Attendance at lectures, meetings, training programs, and similar activities is counted as working time only if three criteria are met: it is during normal work hours, it is mandatory, and it is job related.

103 BREAKS AND LUNCH PERIODS

Staff members are eligible for break periods as scheduled by department heads or supervisors. Break periods are limited to two 15 minute breaks per work day for eight hour shifts, and one 15 minute break per work day for less than eight hour shifts. Break periods cannot be accumulated, cannot be used for arriving late or leaving early or for extending the lunch break, and should be scheduled in 15-minute segments, whenever possible, near the middle of each half-shift. Non-exempt employees must have a lunch break (unpaid) if scheduled to work at least six hours. These lunch breaks must be at least 30 minutes and away from the employee's work station.

104 OTHER EMPLOYMENT

A staff member's job at the University is expected to be the primary one if he or she is a full-time staff member. Outside employment should not bring discredit to the University; nor should the University position or name be used in acquiring or performing outside employment. A staff member should be certain that a conflict of interest does not exist and that outside employment does not interfere with the staff member's regular duties and is scheduled outside the staff member's working hours at the University. Any ongoing outside employment requires prior approval of the department head. This approval, however, will not be denied unless there is a compelling reason to do so.

105 NEPOTISM

No staff member of the University of the South shall work under the direct supervision of an immediate family member. "Immediate family" is considered to be the following relatives: spouse, domestic partner, parent, child, grandparent, grandchild, sister, brother, corresponding in-laws and step-relatives, and any other relative living in the same household.

When marriage or a change in a staff member's position results in a staff member being supervised by an immediate family member, the situation may be resolved by transfer within the University or resignation. If transfer alternatives are available, the staff member will be given the opportunity to select among the available alternatives for which the staff member is qualified. If the staff member is unable to agree upon any alternative within 60 days, the director of Human Resources will resolve the matter, which may lead to termination of one of the staff members.

106 INTRODUCTORY PERIOD

Each new staff member, in his or her first regular appointment at the University, will be required to serve a six-month introductory period which includes training and evaluation. The purpose of the introductory period is to establish that the staff member can successfully perform the duties and responsibilities of the position. During the introductory period the immediate supervisor will speak with the staff member about his or her progress. Employment may be terminated at any time during the introductory period. At the end of the introductory period the supervisor may recommend that the staff member be placed on regular status, that the introductory period for the staff member be extended, or that the staff member's employment be terminated. Completion of the introductory period does not guarantee continued employment and does not change the at-will nature of the employment relationship.

107 JOB POSTINGS

Vacancy announcements for regular and term positions are normally announced via email and posted on the University's web site (jobs.sewanee.edu). Most positions are advertised in newspapers and professional journals and may be registered with the Tennessee Job Services Office in Tullahoma. Vacancy announcements normally include a brief description of the position, the qualifications sought, the pay range, the working hours (for non-exempt positions), the date posted, and the closing date or date that review of applications begins.

108 HIRING PROCESS

All persons interested in a vacancy must apply for the position no later than the closing date indicated if there is a closing date on the vacancy announcement. Any qualified regular staff member will receive consideration in accordance with the policy on promotions and transfers (see *110 PROMOTIONS and 111 TRANSFERS*). Following the closing date of a vacancy announcement, all applications which meet the minimum requirements for the position will be submitted to the departmental supervisor responsible for making the hiring decision.

Hiring managers will normally interview a minimum of three persons including all qualified regular staff members. The hiring manager will make a hiring recommendation to his or her supervisor who will make the final decision. All decisions will comply with the University's commitment to equal employment opportunity (see *112 EQUAL EMPLOYMENT OPPORTUNITY*). The University conducts post-offer, pre-employment screening on applicants recommended for hiring, and the results may disqualify an applicant from working at the University.

In no event shall the hiring of a staff member be considered to create a contractual relationship between the staff member and the University; and, unless otherwise provided in writing, employment shall be at-will, so that either party may terminate the relationship at any time and for any lawful reason.

109 ORIENTATION

The staff orientation program is designed to introduce new staff members to the University community. The program helps new staff understand the work of the University, important policies of the University, and the staff member's role in achieving the goals of their department and the University at large.

New staff members normally participate in the University's orientation program during their first few weeks of employment. On the first day of employment, the staff member reports to the Office of Human Resources to complete all necessary employment and payroll information and then to Telecommunications to obtain an employee ID card. The remainder of the program includes group and individual interviews with University departments and officers.

110 PROMOTIONS

The University encourages promotion from within whenever possible. Promotions will be made whenever practicable on the basis of present job performance, past record, and qualifications to do the particular work for the position. Where appropriate, regular staff members may be promoted to a more responsible position in their current department or division without the position being posted. Under normal circumstances, regular staff members are not eligible for promotions until successful completion of their introductory period. Persons

interested in promotion should make their interests known to their supervisor and/or department head.

111 TRANSFERS

Staff members interested in an open position in another department should make their interests known to the Office of Human Resources. Any qualified regular staff member will normally be interviewed for a vacancy to which he or she applies. Normally regular staff members are not eligible for transfers until successful completion of their introductory period.

From time to time, based on University needs and resources, staff members are transferred to another position or department. In such cases, the University attempts to meet the needs of the staff member as well as the department involved.

112 EQUAL EMPLOYMENT OPPORTUNITY

The University provides equal employment opportunity to all employees and applicants for employment. No person shall be discriminated against in employment because of race, color, sex, age, national origin, sexual orientation, disability, genetic information, veteran's status, or religion (except for those positions in The School of Theology and the Chaplain's Office where religious affiliation is a necessary qualification).

113 COLLABORATIVE REVIEWS

Performance reviews are conducted twice a year via our Collaborative Review program University-wide for all continuing employees with staff appointments.

The system is designed to help staff members reach their full potential so that through their work the University can reach its full potential. Helping staff reach their full potential requires that staff understand how their work fits into the overall goals of the organization. Therefore, as part of the review process, University and departmental goals are shared with each person. Staff members are also asked to review their goals from the previous review period and set new goals for the review period to come.

114 SMOKING PROHIBITED

Smoking is prohibited in all enclosed University property, including vehicles, and is also prohibited within 50 feet of the entrance to any facility. This includes "vaping" and "e" cigarettes.

200 ADMINISTRATION OF WAGES AND SALARIES

201 COMPENSATION

The official work week begins at 12:01 a.m. on Saturday. Paychecks for hourly and salary non-exempt staff members are issued bi-weekly and are direct deposited by noon on the proper Friday. Paychecks cover the hours worked in the two-week period up to the Friday before a payday.

Paychecks for exempt staff members are normally direct deposited on the 25th of each month and cover salary due for the entire calendar month. In months where the 25th does not fall on a regular work day, paychecks are direct deposited on the last regular work day prior to the 25th.

Availability of salary increase funds is determined as part of the annual budgeting process. When and if granted, salary increases normally become effective on July 1. Individual salary increases are based on market and equity considerations. The University does not give automatic raises and does not make advances against a staff member's salary.

202 OVERTIME AND ON CALL TIME

The Fair Labor Standards Act requires payment of overtime to non-exempt employees after 40 hours of work per week. Overtime for hourly employees (non-exempt hourly and salaried) will be paid at one and one-half the hourly rate for actual hours worked in excess of 40 per week.

Staff members may be called back to work for emergency reasons at times other than their regular work hours. Whenever non-exempt staff members are called back for critical and urgent or emergency reasons they will be guaranteed a minimum of three hours pay at overtime rates; should the job take longer than three hours, they will be paid overtime for the number of hours actually worked. Should additional emergencies arise while the staff member is working due to being called back, all emergencies and call back time will be considered as one call back in determining the minimum amount to be paid. This time must be accurately recorded as it occurs. Such emergency callback does not apply when work outside the normal work schedule is planned in advance.

A non-exempt employee who is required to stay within a certain distance from work while on call or who is allowed to leave a message where he/she can be reached is not working while on call and will not be compensated except when actually called. When called, they will be guaranteed a minimum of three hours pay at overtime rates if they need to physically be on site, and a minimum of one hour if they triage by phone. If the call takes more than the minimum number of hours, they will be paid overtime for the time actually worked. Should additional calls arise during the minimum time, the multiple calls will be considered as one call in determining the minimum amount of time to be paid. This time must be accurately recorded as it occurs. Police officers who must appear in court outside of their regularly scheduled workday will be guaranteed a minimum of four hours pay. If the court time takes longer than four hours, they will be paid for the time actually worked. A non-exempt employee who is required to remain on the University's premises while on call is considered to be working during that time and will be compensated.

Except in the case of emergencies, non-exempt staff members must have authorization from their supervisor before working overtime. Failure to obtain such authorization may lead to

disciplinary action. However, all time worked must be recorded and paid regardless of whether or not it was approved in advance.

203 HONORARIA AND EXTRA PAY FOR STAFF

Normally full-time, full-year exempt staff and faculty with administrative appointments are not eligible for extra pay when they assume additional duties. Additional pay may occur when an employee temporarily takes on additional duties and responsibilities of a position that is in a higher career band.

Normally, full-time, non-exempt staff are not allowed to work in a position other than their regular position. However, on occasion, with the written approval from Human Resources, a non-exempt staff member may work extra hours in another non-exempt position. The hiring department is responsible for paying overtime for any hours worked in excess of 40 in a week.

Unless approved by the director of Human Resources, all extra pay for University employees is subject to state and federal withholdings and paid through the payroll system.

204 COMPENSATORY TIME FOR EXEMPT STAFF

The University does not normally allow compensatory time when exempt staff members' duties require them to work outside their normal work schedule. However, in exceptional cases, for instance when a staff member works intensive hours over an extended period, the head of the staff member's division, in consultation with the director of Human Resources, may approve compensatory time. This compensatory time must be taken as soon as possible following the excessive work schedule.

205 TRAVELING ON UNIVERSITY BUSINESS

Non-exempt employees will be paid for travel time as required by law. The U.S. Department of Labor has identified several principles which apply in determining whether time spent in travel is compensable time.

Home to work travel: An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not work time and is not compensated.

Home to work on a special one day assignment in another city: An employee who regularly works at a fixed location in one city is given a special one day assignment in another city and returns home the same day. The time spent in traveling to and returning from the other city is work time, except that the employer may deduct/not count that time the employee would normally spend commuting to the regular work site.

Travel that is all in a day's work: Time spent by an employee in travel as part of their principal activity, such as travel from job site to job site during the workday, is work time and must be compensated as hours worked.

Travel away from home community: Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is compensable work time when it cuts across the employee's regular hours of work. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on non-working days. Time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not compensable work time.

206 DEDUCTIONS

The following deductions may be made from payroll checks:

- Federal Income Tax Withholding
- Social Security (FICA)
- AAUP (American Association of University Professors) Dues
- Community Chest
- Court ordered garnishments
- Credit Union
- Medical and Dependent Care Flex Spending
- Garbage pickup
- Insurances (e.g., health, life, dental, automotive, and homeowners)
- Payroll savings plans
- Penalties for University parking violations
- Rent or property lease
- Retirement contribution
- United Way
- University gifts
- University loans, or monthly accounts
- Uniform deductions

207 LOANS

Regular full-time staff members may be eligible to receive certain University-funded loans. These include: (1) educational loans to cover college tuition and expenses of staff members' dependent children enrolled in degree-granting programs at accredited post-secondary institutions; and (2) educational loans awarded to staff members. The issuance of these loans is dependent upon the applicant's creditworthiness, the amount of money available in the budget, and other terms and conditions. Applications for and the details about educational loans are available from the Financial Aid Office.

208 THE STAFF COMPENSATION SYSTEM

The University's goal is to attract, retain, and reward a highly qualified and diverse workforce at competitive compensation levels. The University pursues that goal through the objectives below.

Objectives

- **Affirmation.** Every employee is a valuable contributor to the mission of the University.
- **External competition.** The overall compensation structure will reflect a competitive market position, as measured by comparing average salaries for benchmarked jobs against our aspirant peers, comparative peers, and CUPA data in general.
- **Internal equity.** Employees will be paid similarly for similar work at similar levels of performance.
- **Performance.** Strong performers, as determined by supervisors through the collaborative review process, will be rewarded.
- **Transparency.** The compensation framework will be made available to all staff members.

Hiring and budget managers will work with Human Resources to achieve these objectives. Managers will set salaries at levels that recognize employees' skills and experiences as well as the salary bands established for position classifications.

Note that a certain amount of salary variation is and will be inherent in the University's compensation structure, as it is at most institutions. Employees may earn more or less than others in the same or similar positions, and/or more or less than the market rate for their positions. Prior and current performance, prior experience, and relevant education and training should and will result in variations.

209 WORKERS' COMPENSATION

All staff members are protected under Tennessee's workers' compensation law. This benefit covers accidental injuries or occupational illnesses that are caused by, arise out of, and occur in the course of employment at the University. Benefits continue uninterrupted until the staff member has reached maximum medical improvement, and an assessment of ability to return to work has been made, as defined by the workers' compensation laws.

If a staff member is injured while working, no matter how slightly, the injury must be reported immediately to the Office of Risk Management (phone 931.598.1189). If the accident occurs outside normal working hours, a voice mail message should be left immediately after the accident occurs, and the supervisor of the injured staff member should contact the Office of Risk Management as soon as possible to report the details of the accident. Medical treatment for work-related injuries must be provided by one of the University's panel of doctors unless the staff member is referred by a panel doctor to another physician.

Staff members who are absent from work due to a work-related injury are only compensated by the University for the time missed on the day of the injury. No cash benefits will be paid by the workers' compensation insurer for the first seven calendar days, excluding the day of injury, unless the disability extends to 14 calendar days. Staff members off work for 14 calendar days or less receive no wage replacement for the first seven days. Regular staff members will be allowed to use accrued sick leave and/or vacation leave to compensate them for the first seven calendar days of disability not paid by the workers' compensation insurer. When a staff member is off work for 14 calendar days or more because of the work-related injury, the workers' compensation insurer will pay the staff member for the first seven calendar days. This payment is known as a "wage replacement benefit" and is computed on a percentage (66 2/3 percent) of the average weekly compensation.

Staff members who are off work due to a work-related injury for a full pay period do not accrue vacation, sick leave, or short-term disability leave, and are not paid for holidays.

Each time a staff member is not at work due to a workers' compensation injury, the total amount of the staff members' Family and Medical Leave Act (FMLA) benefits will be reduced by the amount of workers' compensation leave utilized.

Any medical expenses incurred as a result of such injury at work will be paid for by the workers' compensation insurer.

Staff members who are involved in a work-related accident will be subject to drug and alcohol testing and possible disciplinary action as stated in Work Rule V.G.

Staff members who are not able to perform all of their job functions (such as heavy lifting) may be assigned to positions that are within the limitations set by their physician when such

positions are available. If light duty work is available, an employee may be assigned to such work for a maximum of eight weeks, and only one light duty assignment will be made within a 12-month period.

210 INCLEMENT WEATHER

Staff members who determine that they are not able to report at the scheduled starting time or who determine that they are unable to remain at work until the scheduled end of the work day because of dangerous travel conditions caused by inclement weather may charge the time off to sick leave or vacation, or, with the approval of their supervisor, make up the lost time within the same work week.

In extremely rare cases the Vice-Chancellor or his or her designee may declare the University officially closed. The Vice-Chancellor or his or her designee will notify the chief of police and the Office of Marketing and Communications of the closing. The Office of Marketing and Communications will notify the campus via email and the following radio and television stations:

Radio: WCDT (1340) in Winchester, WZYX (1440) in Cowan, WDEF (92.3 FM, 1370 AM) in Chattanooga, and 93 FM (WAHR) in Huntsville

Television: WRCB (3), WTVC (9), WDEF (12) in Chattanooga and WSMV (4) and WTVF (5) in Nashville

Some University services must continue when the University is officially closed for seriously inclement weather. This is especially true when students are on campus. Departments that continue to function include: Police, Facilities Management (formerly PPS), Sewanee Dining, and Health Services. Supervisors of these departments are responsible for identifying, in advance, staff members who can most safely get to campus to staff their operations and carry on essential functions. At times, division heads may require other departments to continue services. In such cases the supervisors should identify staff members who can most safely get to campus and then request those staff members to work. Staff members who determine that they cannot safely get to work will not be disciplined even if they are working in departments that remain open.

Non-exempt staff members who are required to work during an official University closing will be paid for hours worked and, if applicable, overtime.

During inclement weather emergencies, changes in schedule and pay will be announced as needed.

300 BENEFITS

Information about current benefits is available from the Office of Human Resources and a current benefits summary may be found at on the Human Resources webpage.

All fringe benefits and practices are subject to change at the University's discretion. Any benefit may be eliminated at any time and eligibility requirements and premiums may be adjusted at the University's discretion. If such changes occur, the University will attempt to advise employees in a timely manner. Questions concerning benefits should be directed to the Office of Human Resources.

301 ELIGIBILITY FOR BENEFITS

Benefits are an important part of the University's compensation package. Once eligibility requirements are met, employees with the following appointments are eligible for all benefits (health, retirement, life insurance and disability):

Full-time regular employees, including tenure track and tenured faculty;

Term staff and contingent faculty with full-time appointments for more than 24 consecutive months who continue to work at least half-time after the 24th month.

Part-time regular staff who are scheduled to work at least 3/4 time (1,560 hours annually for non-exempt employees);

Staff members with an appointment of a minimum of 1,560 hours (3/4 time) are eligible to participate in the University's health plan. Contingent faculty members with a one year, full-time appointment are also eligible to participate in the University's health plan.

Staff members with a regular, part-time appointment who are scheduled to work at least 1,000 hours annually are eligible to participate in the retirement plan. Term staff and contingent faculty members normally do not participate in the retirement plan unless they have held a full-time appointment for 24-consecutive months and continue to hold at least a half-time appointment.

An employee's benefit status is determined by his or her primary appointment except for health insurance. Health insurance is determined by hours worked (1,560 per year).

Each employee should contact the Office of Human Resources within 30 days to discuss eligibility for benefits and complete all necessary enrollment forms.

Employees must notify the Office of Human Resources of a change in marital status, deletions or additions of dependents, or changes of beneficiaries within 30 days.

The following benefits are subject to IRS guidelines and are deducted from wages on a pre-tax basis—health plan, dental insurance, vision insurance, and medical and dependent care flexible spending accounts.

400 TIME AWAY FROM WORK

401 INTRODUCTION TO TIME AWAY FROM WORK

The University has extremely generous sick leave, vacation, holiday, and short-term disability programs. Staff members who are away from work in excess of accrued leave normally will be disciplined unless they have been granted a leave of absence. Staff members who are away from work for more than one year are normally considered to have voluntarily terminated their employment.

Time away from work eligibility is determined as follows:

- Full time regular staff members or term appointees for terms in excess of two years are eligible for holiday, vacation, sick and short-term disability leave.
- Part-time regular staff members or term appointees for terms in excess of two years, who regularly work at least 1/2 time (1,040 hours annually for non-exempt staff), are entitled to holiday, vacation, sick and short-term disability leave benefits on a prorated basis.
- Full time term staff with a term appointment of a least one academic year (or nine months/ 1,560 hours) are eligible for holiday and sick leave.
- Temporary or term appointment less than nine (9) months are not eligible for these benefits.

402 VACATION

Full-time non-exempt hourly staff members receive vacation on the following schedule:

- 0-3 years: accrue 13 days/year
- 3-5 years: accrue 15 days/ year
- 5-8 years: accrue 18 days/year
- 8-12 years: accrue 20 days/year
- + 12 years: accrue 25 days/year

Part-time non-exempt staff members, who regularly work 20 or more hours per week, receive vacation hours in direct proportion to the hours worked.

Full-time exempt and non-exempt salaried staff members who have full-year appointments receive 25 work days of vacation per year. Part-time exempt and non-exempt salaried staff members who have full-year appointments and who work an equivalent of at least one-half time, receive vacation in proportion to the time worked.

Vacation for non-exempt staff members accrues biweekly and vacation for exempt staff members accrues monthly. Vacation does not accrue when staff members are on leave from the University. Vacation cannot be taken before it is earned without permission of the appropriate division head and the director of Human Resources.

Although the University seeks to schedule vacations at the times sought by staff members, it is not always possible to do so to accommodate the University's work cycle. Except in an emergency, arrangements to take vacation must be made with the staff member's supervisor prior to its use. Any staff member who believes that he or she has been unfairly prevented from

taking vacation should inform the director of Human Resources; likewise, supervisors should inform the director of Human Resources whenever a staff member is not taking advantage of the vacation benefit.

Because the University believes that individuals should take vacation for their own welfare, vacation must be taken within 24 months after being earned. This means that accrued vacation is limited to the amount of vacation a staff member accrues in two years. Any vacation accrual over that limit will be lost. In an unusual circumstance, a staff member's supervisor and the director of Human Resources can extend the time period for taking vacation.

Upon resignation or retirement, staff members are paid for accrued but unused vacation up to a maximum amount of one year's vacation accrual.

403 MILITARY LEAVE

All staff members who are members of any reserve component of the armed forces of the United States or of the National Guard shall be entitled to paid military leave for periods of military service as required by state and federal law.

404 HOLIDAYS

The University observes the following as holidays:

- New Year's Day
- Spring Holiday (last Friday in Spring Break)
- Memorial Day
- Independence Day
- Thanksgiving Day and the day following Thanksgiving
- Christmas Day and at least two other designated days

In lieu of Labor Day, any eligible staff member may take a floating holiday on or after Labor Day and before June 30, provided that the staff member was hired prior to Labor Day.

All staff members receive the same holidays; however, only staff members with a regular or a term appointment of one academic year, and who are working, on vacation, on sick leave, or an approved absence the day prior to the holiday are paid for the time off. Holiday leave may not be taken in advance of the holiday. If a staff member is required to work on a holiday, he or she may receive equivalent time off within 30 days of the holiday with the supervisor's approval unless the staff member receives holiday pay. Non-exempt staff members who work New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, or Christmas Day will be paid for the actual hours worked on the holiday plus up to eight hours of holiday pay. Holiday pay is paid at regular rates and not at overtime rates. Holiday leave does not accrue from year to year and is not paid out upon resignation or termination.

405 SICK LEAVE

Staff members accrue sick leave at the rate of one day for each calendar month up to a maximum of 40 days. Sick leave does not accrue when a staff member is on leave from the University. Staff members with academic year (or nine months/1,560 hours) appointments or

staff members who work more than half-time, but less than full-time, accrue sick leave on a prorated basis.

Absence due to illness shall be reported to the absentee's supervisor as soon as possible on the first day of absence. A doctor's statement may be required for sick leave in excess of three days, or whenever the supervisor or Human Resources deems it appropriate to question the validity of such leave. Sick leave may be used to cover absences due to illness, injury, or required medical examination of a staff member or a staff member's child, spouse, or parent. Sick leave may also be used to make arrangements for and attend the funeral of a member of one's immediate family (see *105 NEPOTISM* for definition of immediate family).

When a staff member is absent from work on sick leave for more than three working days for a serious health condition, the staff member must apply for family and medical leave to cover that absence if the staff member is eligible for such leave. The staff member's supervisor is responsible for working with the Office of Human Resources to ensure that the paperwork required by the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) is completed (see *407 FAMILY AND MEDICAL LEAVE*).

If an absence due to illness or injury exceeds the accumulated sick leave credit, accrued vacation will be used. Extended sick leave with pay may be granted for a prolonged illness at the discretion of the Vice-Chancellor. Leave without pay, subject to the approval of the individual's supervisor and the director of Human Resources (see *408 LEAVE OF ABSENCE WITHOUT PAY*), may be used after all other leave has been exhausted. Staff members absent due to illness or injury for a full pay period do not accrue sick leave and vacation.

Sick leave may not be transferred to another staff member under any circumstances and staff members are not reimbursed for accumulated sick leave upon final separation from the University.

406 SHORT-TERM DISABILITY LEAVE

Full-time staff members accumulate 22 days of short-term disability leave for each full year's service to the University up to a maximum of 110 days.

Staff members who are employed less than full-time or who have academic year appointments accrue short-term disability leave in proportion to the time worked. For example: a non-exempt staff member working 20 hours per week receives one-half of the short-term disability leave benefits received by a full-time staff member. Full-time coaches who do not accrue vacation and sick leave accrue 22 days of short-term disability leave per year, and part-time coaches accrue in proportion to the time worked.

A staff member becomes eligible for short-term disability leave benefits after 22 working days (based on a 5 day work week) of total disability under a qualified physician's care and with a written statement from the physician certifying disability. The University may require that the certifying physician provide detailed information regarding the nature of the disability, the program of treatment, and the prognosis for the staff member's return to work. The certifying physician may also be asked to provide periodic reports verifying that the staff member is still under the physician's care and following the prescribed course of treatment. If the staff member is no longer under a physician's care or is no longer following the prescribed course of treatment, the University reserves the right to discontinue this leave. The University also reserves the privilege of requiring a second medical opinion from a University-designated physician before approving disability benefits. Should the medical opinions of the staff

member's physician and the University-designated physician concerning short-term disability differ, a third physician, chosen mutually by the staff member and the University, will be asked to render an opinion. The majority opinion of the three physicians will be binding.

Staff members who return to work following short-term disability leave and who qualify as disabled due to the same illness within six months after their return are not required to meet the 22-day elimination period a second time. However, the 22-day elimination period must be met if the staff member is off for a different illness.

Should the staff member remain disabled after six months, the disabled staff member should apply for long-term disability (see *HUMAN RESOURCES FOR INFORMATION*).

Staff members on short-term disability leave for a full pay period do not accrue sick leave, vacation, or short-term disability leave, and are not paid for holidays. Employees who are granted short-term disability leave may not work for another employer or otherwise engage in activities inconsistent with the employee's representation that he or she is unable to work due to disability. Employees who violate this policy may be terminated.

As of the date of retirement, resignation, or termination of employment, the staff member forfeits all accrued short-term disability leave. Should the staff member be re-employed by the University, he or she receives no short-term disability benefits due to prior service.

Short-term disability leave will under no circumstances continue to be paid after the date of termination of employment.

Any questions about this short-term disability leave policy should be directed to the director of Human Resources.

407 LEAVE OF ABSENCE WITH PAY

Paid leave shall be granted to a staff member who serves on a jury in any state or federal court as required by law. The staff member will receive his or her regular pay less court payments. If excused by the court, the staff member must return to duty for the remainder of the day. A copy of the summons to jury duty must be furnished to the staff member's supervisor on the next scheduled work day following receipt of the summons.

All staff members who are members of any reserve component of the Armed Forces of the United States or of the National Guard shall be entitled to paid military leave for periods of military service as required by state and federal law.

Staff members may be excused once annually for the purpose of attending church conventions of any denomination, providing they are official delegates to the convention and such absence is approved by the department and division heads, and does not exceed two days.

Staff members on leave of absence with pay for a full pay period do not accrue vacation, sick leave, or short-term disability leave.

408 FAMILY AND MEDICAL LEAVE

The following information about FMLA is provided in accordance with federal law. Please contact the Office of Human Resources for further information about FMLA.

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Tennessee state law may provide an additional four weeks of unpaid leave for the birth of a child to full-time staff members who have been employed for at least one year and who provide at least three months' notice of the need for leave. Further information is available in the Office of Human Resources.

Employees on FMLA leave may not work for another employer or otherwise engage in activities inconsistent with the employee's representation that he or she is unable to work due to the employee's or a family member's serious health condition. Employees who violate this policy are subject to termination.

409 LEAVE OF ABSENCE WITHOUT PAY

Leave of absence without pay may be granted for justifiable absences. Normally requests must be recommended by the department and division heads (a specific period for the leave must be recommended), and approved by the director of Human Resources. A staff member who does not return to work at the end of the leave period will be deemed to have resigned.

A staff member on leave of absence without pay for FMLA, military duty, or formal study may be eligible to continue membership in all group insurance plans in which enrolled prior to commencement of the leave for the full period of the leave. Costs for such insurances shall be at the regular staff member rates of contribution or COBRA rates.

Vacation time, sick leave, and short-term disability will not accrue during leave without pay.

410 CLOSING UNIVERSITY OFFICES FOR FUNERALS

In the case of the death of a current or retired staff member, the head of the deceased staff member's department may close his or her office in order to permit the staff to attend the funeral. If departments other than the deceased staff member's department wish to close their offices or permit staff to attend the funeral, they should obtain permission from the head of their division.

When an office is closed for a funeral, regular non-exempt staff members scheduled to work during the funeral will have the time the office is closed counted as time worked. Payroll will need to be notified that the office has been closed in order to process time records properly.

500 DISCIPLINARY ACTION AND SEPARATIONS

501 DISCIPLINARY ACTION

All staff members are at-will employees of the University, and the University reserves the right to terminate employment at any time for any lawful reason. However, progressive disciplinary action will normally precede separation for staff members who have finished the introductory period and have regular appointments. However, the seriousness of the actions determines whether and in what manner progressive discipline is implemented.

1. On the occasion of the first violation of a work rule the supervisor shall take the following action:
 - a. Meet with the staff member to discuss the matter;
 - b. Inform the staff member of the nature of the problem, the action necessary to correct it, and the consequences if it is not corrected; and
 - c. Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.
2. Should another violation of the work rules occur, the supervisor and a representative from the Office of Human Resources shall hold a meeting with the staff member at which the following action shall be taken:
 - a. Issue a written reprimand to the staff member; and
 - b. Warn the staff member that a third incident will result in more severe disciplinary action.
3. Should additional violations occur, the supervisor shall consult with his or her supervisor and the director of Human Resources about which one of the following actions should be taken:
 - a. Issue a written reprimand or warning;
 - b. Suspend the staff member without pay for up to 10 working days; or
 - c. Terminate the staff member.

No wages, vacation, or sick leave shall be paid or accrued to any staff member while he or she is suspended from work.

Staff members who believe they have been improperly disciplined may use the grievance procedure (see *601 GRIEVANCE PROCEDURES*).

502 TERMINATION FOR INADEQUATE PERFORMANCE

A general though non-exhaustive list of work performance infractions is contained in Appendix A, Work Rules. The procedures contained in one through three of 501 herein will normally apply to minor work performance inadequacies. In some cases of performance inadequacies, at the University's discretion, the procedures contained in one through three of 501 herein shall not apply, and the supervisor may recommend to his or her supervisor immediate termination of the staff member or some other disciplinary action. Decisions on termination normally are

made jointly by the supervisor's supervisor and the director of Human Resources. Termination is effective on the date specified by Human Resources.

503 TERMINATION FOR MISCONDUCT

In cases involving serious misconduct, including but not limited to dishonesty, insubordination, improper conduct, failure to report for work, the threat or use of violence or physical harm to any individual, stealing or damaging University or any individual's property, using or being under the influence of alcoholic beverages or drugs while on duty or otherwise violating the provisions of the Drug-Free Campus Statement or other serious infractions of University Work Rules (Appendix A), the procedures contained in one through three of 501 herein shall be disregarded. The supervisor may recommend to his or her supervisor suspension of the staff member immediately and, if appropriate, termination of the staff member. Decisions on suspension and termination normally are made jointly by the supervisor's supervisor and the director of Human Resources. Termination is effective on the date specified by Human Resources.

504 RESIGNATIONS AND TERMINATIONS

Staff members who are away from work for a period of one year for any reason are normally terminated at the end of that year.

If a non-exempt staff member wishes to resign, at least two weeks' written notice should be given to the department head who will inform the Office of Human Resources. If an exempt staff member wishes to resign, at least one month's written notice should be given to the department head.

A staff member's termination date is the last day the staff member works at the University of the South. The staff member should give proper notice (two weeks for non-exempt staff members and one month for exempt staff members). Except in special circumstances, the staff member must also be at work (not on vacation, etc.) during the notification period. That is, non-exempt staff members must be at work the two weeks prior to the termination date and exempt staff members must be at work the month prior to the termination date. The departing staff member and his or her dependents, in accordance with federal law, may be entitled to continue health insurance coverage at his or her expense. The staff member should consult with the Office of Human Resources if he or she wishes to continue health plan coverage.

Unused vacation up to the maximum amount a staff member receives in one year, may be paid upon termination of employment.

All terminating staff members are required to complete the necessary processing before leaving the University. Any keys to University buildings or other University property must be returned to the supervisor, and all University bills and loans must be paid. Failure to observe these procedures may affect the amount and issuance of the final paycheck.

505 UNEMPLOYMENT COMPENSATION

The University provides unemployment compensation as a benefit to staff members, consistent with state and federal law. If unemployed through no fault of one's own, one may apply for this compensation at the local office of the Tennessee Department of Employment Security.

According to applicable laws, the following conditions may render the unemployed ineligible for unemployment compensation:

1. voluntary resignation from work;
2. discharge for misconduct;
3. refusal or failure to apply for or to accept suitable work.

506 LAYOFF

It is the policy of the University to attempt to provide regular employment for its staff, consistent with the University's needs and resources. Should it become necessary to reduce staff, the University will comply with the applicable state and federal legal requirements.

600 RESOLVING STAFF MEMBER CONCERNS

601 INTRODUCTION TO GRIEVANCE PROCEDURES

In the interest of good working relations it is expected that a staff member should discuss work-related problems with his or her supervisor. Should that step fail to resolve a problem, the director of Human Resources is available to assist the staff member and the supervisor in the resolution of personnel problems. All staff members and supervisors are encouraged to consult with the Office of Human Resources whenever doubts arise regarding staff member responsibilities, privileges, or behavior. Most concerns regarding policy or procedure can be resolved by the supervisor, the supervisor's supervisor, or the director and staff of the Office of Human Resources.

602 GRIEVANCE PROCEDURES

A grievance is defined as, and limited to, a written complaint involving an alleged violation of a specific provision of this *Handbook*.

The grievance procedure is available to all regular full-time and regular part-time staff members who have successfully completed the introductory period. Such a staff member who has a complaint or dissatisfaction arising from an interpretation, application, or a claim of violation of policy, rules, or regulations as described in this *Handbook* may initiate a formal grievance.

The following matters cannot be considered under these procedures:

1. Elimination of a position.
2. Changes in policy.
3. Termination of staff members.
4. Concerns regarding the staff member's Collaborative Review or compensation.
5. Allegations of sexual discrimination under Title IX of the Education Amendments of 1972 and disability discrimination under the Rehabilitation Act of 1993 for which a different grievance procedure is provided (see *APPENDIX C POLICY ON PROHIBITED DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT AND RETALIATION*)

In order to use the grievance procedure, a staff member must file his or her complaint with the Office of Human Resources within 20 working days following the incident which is the subject of the grievance.

A staff member may select one member of the University faculty or staff who does not have a direct interest in the outcome to support the staff member during the grievance process. The director of Human Resources shall, if requested, help the staff member find a suitable person.

Time spent in grievance hearings shall be with pay for the staff member whenever it occurs during normal working hours.

Staff members are expected to exhaust the remedies available to them in the University grievance procedure prior to instituting any proceedings regarding the subject matter of the grievance in any state or federal court or agency. If, prior to or subsequent to commencing a

complaint under the University's grievance procedure, a complainant files a claim regarding the subject matter of the complaint with a state or federal court or agency, the University reserves the right to discontinue the grievance proceedings.

The director of Human Resources, in his or her discretion, may extend any time limit of this grievance procedure.

STEP ONE—Discussion with immediate supervisor

Most grievances and on-the-job conflicts can and should be settled in conversation between the staff member and the staff member's supervisor. In some situations, the staff member may wish to discuss the matter directly with the director of Human Resources.

STEP TWO—Discussion with higher-level supervisor

If the staff member and the immediate supervisor are not able to reach a mutually satisfactory resolution to the grievance, the staff member may discuss the matter with the next-higher-level supervisor within five working days of the discussion with the immediate supervisor. Failure to proceed in a timely manner shall be deemed a waiver by the staff member and the grievance shall be deemed to have been settled.

If the staff member is satisfied with the decision reached by the next-higher-level-supervisor, no additional action is required. If not satisfied, the staff member may proceed to step three. (If no decision is communicated to the staff member within five working days of the initial discussion between the staff member and the next-higher-level supervisor, the staff member may proceed directly to step three.)

STEP THREE—Written grievance

For any further action, the grievance must be in writing, signed by the staff member, and submitted to the department head within five working days of the completion of step two.

The written grievance:

1. must identify the provision of the *Handbook* which is alleged to have been violated,
2. must have a concise statement of the facts surrounding the grievance, and
3. must state the remedy sought.

Any grievance which does not include these essential elements may be rejected.

STEP FOUR—The director of Human Resources' hearing

The department head must forward a copy of the written grievance to the director of Human Resources who will convene a meeting to include the director, the department head, and the staff member within five working days of the receipt of the written grievance. The meeting may also include any other person the director of Human Resources deems necessary to understand and resolve the grievance. The staff member may be accompanied by one member of the University faculty or staff who does not have a direct interest in the outcome. At this meeting each party may present information concerning the grievance. The director of Human Resources may also obtain information from other sources.

The director of Human Resources or a designated representative shall render a recommendation for resolving the grievance in writing to the staff member within seven working days from the date the meeting was held.

STEP FIVE—The Final Appeal

If the staff member is not satisfied with the recommendation of the director of Human Resources, he or she must initiate an appeal within seven working days after receipt of the recommendation by sending the determination letter and the basis for the appeal to the provost.

The provost will then appoint a three-member Review Committee. This committee will normally consist of a member of the Employees' Advisory Committee who is not from the same working unit as the grievant, a member of the administration, and a member of the Faculty Committee on Advice and Grievances, who will serve as chair of the Review Committee. The chair of the Review Committee will convene and conduct a meeting at which the grievant and the person(s) against whom the grievance was filed may appeal and present information concerning the grievance. The director of Human Resources may also present additional information. The recommendation of the Review Committee will be by majority vote of its members, and the recommendation and its justification will be sent to the provost within 30 days of the review meeting. The provost will render his or her decision within 10 days of receipt of the Review Committee's recommendation. The decision of the Provost is final.

700 HUMAN RESOURCES OPERATIONS

701 EMPLOYMENT RECORDS

The University maintains certain records on each staff member, which are directly related to the staff member's job with the University. These records include the staff member's personnel file, benefits file, and payroll file. Medical information, unrelated to work performance or attendance, is filed separately.

Access to the files by any University official is on a need-to-know basis. Examples of individuals who have a legitimate need to inspect employment records include: the Vice-Chancellor, the provost, treasurer, the University general counsel, the director and staff of the Office of Human Resources, and a department head who is considering a staff member for promotion, transfer or other personnel action.

In order to keep employment records up-to-date, staff members are urged to notify the Office of Human Resources of any changes in name, address, telephone number, marital status, number of dependents, beneficiary designations for any of the University's benefits, and persons to be notified in the event of an emergency.

When a change in the number of dependents or marital status occurs, the staff member should request (from the Office of Human Resources) and complete a new W-4 form for income tax withholding purposes.

702 PERSONNEL FILE

Each staff member's personnel file contains information needed by the University in conducting its business or required by federal, state, or local law.

Each staff member is allowed to inspect and make copies of his or her personnel records, except for letters of recommendation (which are usually provided on a confidential basis) and termination forms (which contain ratings which are provided on a confidential basis). A staff member seeking to inspect his or her personnel file should inform the Human Resources office coordinator, who will schedule a mutually convenient time for the inspection. A reasonable fee may be charged for any copies of records.

If after inspecting his or her personnel records the staff member believes that certain material is irrelevant, inaccurate or obsolete, he or she may submit a written request to the director of Human Resources to remove the material from the file. If the material is not removed, the staff member is permitted to place a written statement of disagreement in the file.

703 RELEASE OF EMPLOYMENT INFORMATION

All requests from sources outside the University for personnel information concerning applications for employment, current staff members, and former staff members shall be directed to the Office of Human Resources, which will normally only release employment dates, positions held, and location of job site without the written consent of the individual who is the subject of the inquiry or his or her representative.

APPENDIX A

WORK RULES

I. INTRODUCTION

Work rules are defined as rules issued by the University regulating the conduct of staff members while at work. Work rules are designed to protect the rights and increase the safety of all. They provide written guidance to both supervisors and staff members regarding the standards of behavior expected at work.

The University's general work rules are listed below. Committing any of the infractions on the list may be sufficient grounds for disciplinary action ranging from reprimand to immediate discharge. The severity of the discipline will depend upon, among other things, the seriousness of the offense, the number of infractions, the prior disciplinary history of the staff member, and the specific context of the incident(s) giving rise to the infraction(s). Staff members who feel the work rules have been applied unfairly are encouraged to discuss the matter with their supervisor or the director of Human Resources. Staff members who are concerned that a co-worker is violating the work rules may discuss the matter with their supervisor or with the director of Human Resources.

These work rules constitute the general work rules applicable to staff members of the University. Additional work rules may be issued which concern only individual positions or classes of positions or work units when such work rules are required by the nature of the work performed. Likewise, *these work rules do not constitute all infractions for which staff members may be disciplined*. Other work rules, for example, are provided by law or established by the University administration. Violation of them may also result in appropriate disciplinary action. An employee's conduct away from work may also result in disciplinary action, including termination.

II. WORK PERFORMANCE INFRACTIONS

- A. Insubordination, disobedience, failure or refusal to follow the written or oral instructions of a supervisor or to carry out work assignments.
- B. Neglecting job duties and responsibilities.
- C. Loafing, loitering, sleeping, engaging in unauthorized personal business, or visiting during work hours.
- D. Disclosure of confidential information or records to unauthorized personnel.
- E. Falsifying employment application or other records or giving false information.
- F. Failure to observe all safety rules and practices, including the use of protective equipment and clothing, or in the operation of vehicles and equipment.
- G. Failure to report as soon as possible, but no later than 24 hours following their occurrence, all accidents or injuries occurring during working hours or while in the performance of University business, including traffic accidents, regardless of the ownership of the vehicles involved.

- H. Inadequate work performance.
- I. Failure to cooperate in any University investigation.
- J. Failure to comply with any University policy.

III. ATTENDANCE INFRACTIONS

- A. Failure to report promptly at the scheduled starting time; leaving before the scheduled quitting time; or failure to notify the proper authority in a timely manner of an impending absence or tardiness.
- B. Unexcused or excessive absenteeism.
- C. Abuse of sick or other leaves.
- D. Leaving work during working hours without the supervisor's permission.
- E. Failure to observe the time limits for lunch or rest periods.
- F. Failure to notify one's supervisor of membership in the Volunteer Fire Department.
- G. Falsifying time records or clocking in or out for another person.

IV. PROPERTY INFRACTIONS

- A. Abuse or misuse of University or private property, materials, equipment, or technology resources such as email and internet access.
- B. Stealing or unauthorized possession or use of University or private property, equipment or materials.
- C. Unauthorized posting or removing of notices, signs, posters, or similar materials.
- D. Unauthorized entry to University property.
- E. Unauthorized use of the University's long-distance phone service for personal calls.

V. PERSONAL ACTION INFRACTIONS

- A. Threatening, attempting, or inflicting bodily harm to University personnel or members of the general public.
- B. Using threatening, intimidating, abusive, or profane language toward others.
- C. Inappropriate behavior that is disruptive to the operation of the office or endangers the physical or mental well-being of co-workers or other community members including students.
- D. Failure to observe smoking regulations.
- E. Unauthorized possession or use of weapons. It is a felony under Tennessee law to carry weapons on University property.
- F. Making false or malicious statements concerning other staff members or the University.

- G. Unauthorized possession or use of alcoholic beverages or narcotics during work hours, while on University time or at a University work site or otherwise violating the provisions of the Drug-Free Campus Statement of the University of the South.
- H. Reporting to work in a condition endangering the safety of the staff member, of co-workers or of other University personnel; or inability to perform job responsibilities due to the influence of alcohol and/or narcotics.
- I. Immoral conduct or indecency.
- J. Violation of health or sanitation procedures, directions and requirements, including littering, or creating unsanitary conditions.
- K. Unless authorized by the departmental supervisor, staff members may not distribute printed materials of any kind in any work areas and may not sell merchandise or solicit contributions or support for any cause during working hours.
- L. The unauthorized distribution of printed matter on University time or premises.
- M. The unauthorized possession, lending, borrowing, duplication, or use of University keys or credit cards; or failure to report promptly their loss.
- N. Dress or grooming which is inappropriate or unsanitary for the staff member's specific assignment. Dress standards are established by departments.
- O. Gambling while on University time or premises.
- P. Soliciting or accepting unauthorized compensation, reward, gratuity, or gifts for a matter related to a staff member's job.
- Q. Failure to comply with any University policy.

VI. OUTSIDE ACTIVITIES AND EMPLOYMENT

Engaging in any outside activities or employment which could involve a conflict of interest in terms of the staff member's relationship to the University is a violation of the work rules.

APPENDIX B

POLICES

Policies and procedures are located on the provost's webpage (see list below).
(<http://www.sewanee.edu/provost/information-for-faculty-and-staff/policies-and-procedures/>)

Policies and Procedures

The Provost's Office maintains on this page policies and procedures for the University, the general campus community, and the Domain.

Admissions

[Campus Visits, Interviews](#)

Advancement

[Fundraising Projects Policy](#)

[Named Space Policy](#)

[Physical Recognitions Policy](#)

Business and Finance

[Capital Projects Policy](#)

[Contract Policy](#)

[Intellectual Property Policy](#)

[Purchasing Card Policy](#)

[Surplus Property Policy](#)

Communication

[Death Announcements Procedures](#)

[Media Relations Policy](#)

[Procedures for Distributing Information to College Students](#)

Domain

[Camping Policy](#)

[Gate Key and Road Use Policy](#)

Facilities Management

[Bed Bug Policy](#)

Faculty

[Consensual Relations Policy](#)

[Faculty Appointment Procedures](#)

[Faculty Handbook](#)

[Medical Leave Policy](#)

[Parental Leave Policy for Tenured and Tenure-Track Faculty](#)

[Personnel Procedures for Non-Tenure-Track Faculty](#)

[Personnel Procedures for Tenured and Tenure-Track Faculty](#)

[Research Misconduct Policy](#)

[Sabbatical Leave Policy](#)

[Titles and Policies for Non-Tenure-Track Faculty](#)

Financial Aid

[Financial Aid for a Ninth Semester in College](#)

Grants

[Financial Conflict of Interest Policy](#)

[Grants Overhead Policy](#)

Human Resources

[Alcohol and Drug Testing Policy](#)

[Benefits Summary](#)

[Conflict of Interest Policy](#)

[Employee Disability Accommodation Policy](#)

[Employee Gift Policy](#)

[Employee Protection \(Whistleblower\) Policy](#)

[Moving Expense Policy](#)

[Non-Discrimination, Harassment, and Retaliation Policy](#)

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Leases

[Lease Policies and Procedures](#)

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Parking

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Regulatory

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Safety

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[Hosting Events for Students at Homes](#)

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[Non-Discrimination, Harassment, and Retaliation Policy](#)

[Protection of Minors Policy](#)

[Service of Alcoholic Beverages at University Events](#)

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[Vehicle Use Policy](#)

[Weapons Policy](#)

Student Life - College

[EQB: The Guide for Living in Community](#)

Student Records

[FERPA Policy](#)

[Notification of Student Rights with Respect to Their Education Records](#)

Technology

[Policy on Technology Projects](#)