

Arkansas State University

System



Staff Handbook





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Jonesboro, Arkansas

To the Staff of Arkansas State University:

Across the campuses of Arkansas State University, the staff is an important internal constituency. Working together with the faculty in support of our students, the staff is responsible for the effective operation of the university, and its potential for future success. I am grateful for and proud of the important contributions made by members of the ASU staff to the education of the students we are privileged to serve.

It is important for us to recognize that our efforts are guided by a collective set of policies and benefits which have been developed over time and which will guide our growth in the future. These policies, procedures, and employee benefits are outlined in the material which follows, and I hope that you will become familiar with this information and will use it while you work at Arkansas State University. This material is dynamic in that it changes in response to employee needs, suggestions, and improvements in operational procedures. You will help shape this material through your participation in any of the several organization activities of the university. I urge your involvement in the constituent committees which define these policies and benefits and to make their integration effective in the everyday life of the university.

I am honored to serve with each of you in the significant work which lies before us. I hope that you will contact me (president@asusystem.edu) if we may be able to improve the university in any way through your suggestions for our development.

Very sincerely,

A handwritten signature in black ink, appearing to read "LESLIE WYATT".

Leslie Wyatt
President

TABLE OF CONTENTS

MISSION STATEMENTS

Page Number	
ASU System	3
ASU-Jonesboro	3
ASU-Beebe	4
ASU-Mountain Home	4
ASU-Newport	4

EMPLOYMENT POLICIES AND PROCEDURES

Affirmative Action Policy	5
Drug-Free Workplace	5
Employment of Relatives (Nepotism)	5
Equal Employment Opportunity	5
Hiring Procedures	6
Minimum Qualifications	7
New Hire	7
Personnel Records Changes	7
Recruitment	7
Shared Governance	7
Smoke-Free Environment	7
Notification of Salary Letters	7

EMPLOYMENT STATUS

Job Classification	8
12 Month to 9 Month	8
Benefit Eligibility	8
Career Service Recognition	8
Performance Evaluation	8
Change of Status	8
Class Upgrade	8
Demotion in Grade	8
Lateral Transfers	9
Reclassification	9
Reclassification to a Higher, Lower or Same Position	9
Promotions	9
Employment at another State Agency	10
Salaries	10
State Agency Transfers	10
Personal Conduct	10
Behaviors that May Result in Disciplinary Action	10
Recording Ethics	11
Progressive Discipline Policy	11
Terminations/Resignations	12

PAYROLL PROCEDURES

Check-Out Form	13
Distribution of W-2 Forms	13
Issuance of Salary Payments	13
Payroll Deductions	14
Shift Differential Pay	14

HOURS AND DAYS OF WORK

Absence from the Job	14
Eligibility for Holiday Pay	14
Extra Compensation - Classified Staff	14
Inclement Weather	15
Overtime (Compensatory Time)	15
Paid Holidays	15

Rest Period	15
Working Hours	15

EMPLOYEE LEAVE BENEFITS

Annual Leave Policy	16
Catastrophic Leave	16
Children's Educational Activity Leave	16
Court and Jury Leave	17
Disaster Service Volunteer Leave	17
Emergency Paid Leave	17
Family and Medical Leave Act	17
Leave of Absence without Pay	19
Military Leave for Service Connected Disabilities	19
Proportionate Pay for Military Members	20
Sick Leave Policy	21

EMPLOYEE BENEFITS AND SERVICES

Athletic Events	23
Bookstore	23
Educational Privileges	23
Emergency Procedures	23
Fitness Release Time Benefit	23
Flexible Benefits Plan (125)	23
Identification Card	23
Insurance - Additional	24
Insurance - COBRA	24
Insurance - Health	24
Insurance - HIPPA	24
Insurance - Life	24
Insurance - Long Term Disability	24
Lifetime Pass Policy	25
Parking	25
Professional Development Policy	25
Re-employment of Retirees	25
Retirement Policy - Early Retirement	25
Safety	26
Staff Development	26
Student Housing Discounts - ASU Jonesboro Campus	26
Unemployment Benefits	27
Weapons	27
Wellness and Health Promotion	27
Worker's Compensation Benefits	27
Workplace Violence	27

GRIEVANCE PROCEDURES

Grievance Issues	28
Informal Discussions	28
Written Complaint	28
Department Head's Response	28
Staff Hearing Committee Composition	28
Staff Hearing Committee Functions	28
Staff Hearing Committee Findings	29
Document Collection	29

HARRASSMENT

INTERNET CODE OF CONDUCT

Welcome to Arkansas State University

This handbook has been prepared to introduce you to employment in the Arkansas State University System (ASU). Please read this handbook carefully. One of your first responsibilities is to be familiar with its contents. This handbook outlines ASU's policies and procedures; however, it is impossible to anticipate every employment situation which may arise. This manual is only a summary of our policies, so please contact your supervisor or your Human Resources Department if you have any questions.

This handbook does not constitute a contract for employment with Arkansas State University, either express or implied, and Arkansas State University reserves the right at any time to change, delete, or add to any of the provisions at its sole discretion without notice. Furthermore, the provisions of this handbook are designed by Arkansas State University to serve as guidelines rather than absolute rules. Exceptions may be made from time to time on the basis of particular circumstances. If at any time you have questions regarding your employment, please contact your supervisor or your Human Resources Department.

Employment at Arkansas State University is at-will. Either you or ASU may terminate the employment relationship at any time, with or without cause and with or without notice. The at-will relationship remains in full force and effect notwithstanding any statements to the contrary made by university employees or set forth in any documents.

This employee handbook supersedes all previous employee handbooks and management memos which may have been issued on subjects covered herein.

Mission Statements

Arkansas State University System

The mission of the Arkansas State University System is to contribute to the educational, cultural, and economic advancement of Arkansas by providing quality general undergraduate education and specialized programs leading to certificate, associate, baccalaureate, masters, professional, and doctoral degrees; by encouraging the pursuit of research, scholarly inquiry, and creative activity; and by bringing these intellectual resources together to develop the economy of the state and the education of its citizens throughout their lives.

Each component of the Arkansas State University System will be characterized by:

- A supportive learning environment; personal development, leadership, and service opportunities; and facilities, technologies and support necessary to meet the needs of students, faculty, and staff;
- Racial, ethnic, gender and cultural diversity in the faculty, staff and student body, supported by practices and programs that embody the ideals of an open, democratic, and global society;
- Instructional technologies, student support services, and on-line and distance education to advance the purposes of teaching and learning; and
- A commitment to sharing human, physical, information, and other resources among system components, and with state agencies, schools and higher education institutions, to expand and enhance programs and services available to the citizens of Arkansas.

Arkansas State University-Jonesboro

Arkansas State University-Jonesboro **educates** leaders, **enhances** intellectual growth, and **enriches** lives. (ASU = e3)

Core Values - Arkansas State University-Jonesboro values the following as central to our success:

- **Student-Centered:** We are committed to education, inquiry and service in order to meet students' changing needs. We foster lifelong learning, civic and social responsibility, leadership, and individual and career growth.

- **Learning-Centered:** We nurture intellectual flexibility, knowledge and skills by integrating teaching, research, assessment and learning to promote continuous improvement of our scholarly community.
- **Excellence:** We pursue excellence within the campus community through opportunities for achievement in teaching, research, scholarship, creative activity and service.
- **Diversity:** We embrace diversity in all of its dimensions realizing that mutual respect for individuality and the inclusion of all are vital for both personal and institutional success.
- **Service:** We support and recognize service at all levels of the university. We strive to contribute to the benefit of the university, the Delta, the state, the nation and the world.
- **Integrity:** We hold high standards of character and integrity as the foundations upon which the University is built.

Vision - Arkansas State University-Jonesboro aspires to be an academic leader recognized for innovation and quality in teaching and learning, international standing in strategic research areas, and commitment to outreach and service to the Delta and beyond.

Arkansas State University-Beebe

Arkansas State University-Beebe is a public, open access, operationally separate campus of the Arkansas State University System. The major purpose of this institution is to provide comprehensive, and high quality affordable instruction and service programs. University transfer and technical programs are available to students at the associate degree and certificate levels. Instruction is also available at education centers at ASU-Searcy, ASU-Heber Springs, and the Little Rock Air Force Base, and through other off-campus locations. Instructional programs beyond the associate degree are available from ASU-Jonesboro.

Arkansas State University-Mountain Home

The mission of Arkansas State University-Mountain Home is to LEAD through educational opportunities as follows:

- Lifelong learning;
- Enhanced Quality of Life;
- Academic Accessibility; and
- Diverse Experiences.

Arkansas State University-Newport

The mission of Arkansas State University-Newport is to provide:

- Integrity of Programs and Services;
- Affordable Life Long Learning; and
- Enhanced Quality of Life,

In the Diverse Community we serve.

EMPLOYMENT POLICIES & PROCEDURES

AFFIRMATIVE ACTION POLICY

ASU is committed to the goal of equal opportunity for all. This policy is adopted by the Arkansas State University Board of Trustees. All personnel responsible for hiring employees and recruiting students share a responsibility to support the University's equal opportunity and affirmative action program and to provide leadership in achieving its goals.

DRUG-FREE WORKPLACE

It is the policy of Arkansas State University to maintain an educational and working environment which is free from the influence of unlawful drugs in compliance with the Drug-Free Workplace Act of 1988.

Therefore, it is the policy of Arkansas State University that the unlawful manufacture, possession, use, dispensing or distribution of drugs and/or alcohol by students and employees of the university on any property owned or maintained by the university or as a part of any university activity is strictly prohibited. Individuals who violate this policy will be subject to a number of sanctions imposed both by the University and by the state and federal criminal justice systems, including termination of employment. In addition to any sanctions and/or disciplinary action which may be taken by the University, the University may refer violations to the appropriate legal authorities for criminal prosecution.

EMPLOYMENT OF RELATIVES (Nepotism)

Relatives may be employed in the same or different departments within the University, and employment opportunities are offered to spouses or other relatives on a competitive basis unless prohibited by Governor's Executive Order 98-04. To avoid potential or perceived conflicts of interest that may arise when an employee participates formally or informally in decisions to hire, retain, promote, or determine the salary of a related person, the university has adopted the following guidelines:

- No employee should have any direct or indirect supervision or direction over any employee to whom they are related by blood or marriage.

- No employee should participate in any peer judgment or administrative review of any employee to whom they are related by blood or marriage.

Provided, however, in some extraordinary and narrowly limited circumstances it may be in the best interest of the University to allow an employee to hold a supervisory position notwithstanding the concurrent employment of a spouse or relative. In such cases, appointment to such a position is only available upon the prior recommendation of the president of the System and approval of the Board of Trustees. In such cases, the chancellor and the administrative head of the campus or service area shall develop written procedures to protect the employees involved, and the University, from the appearance of bias, prejudice or favoritism. Special situations other than outlined above require presidential and/or Board approval.

"Employee" means a person whose employment is not seasonal or temporary and whose actual performance of duty requires fifteen hundred (1500) or more hours during the fiscal year.

"Supervisory employee" means any individual having authority in the interest of the University to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees of the University; or the responsibility to direct other employees of the University, to adjust their grievances, or to effectively recommend an action if the exercise of authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Arkansas State University to provide equal employment opportunity to all qualified persons; to prohibit discrimination against any employee or applicant for employment because of race, color, ancestry, religion, gender, age, disability, national origin, status as a Vietnam era special disabled veteran or other status protected by law; and to promote the full realization of equal employment opportunity through a positive continuing program of affirmative action. It is the responsibility of all departments and all personnel, supervisory and non-supervisory, to see that this policy is implemented throughout the University.

Non-Discriminatory Responsibilities of ASU

Arkansas State University is committed to compliance with all federal and state laws regarding discrimination of any type including the following provisions.

Section 504 of the Rehabilitation Act of 1973

Section 504 protects **qualified individuals with disabilities** who are defined as persons with a physical or mental impairment which substantially limits one or more major life activities. Major life activities include caring for self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices are AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness. Persons who have a history of, or who are regarded as having, a physical or mental impairment that substantially limits one or more major life activities, are also covered. In addition to meeting the above definition, for purposes of receiving services, education or training, **qualified individuals with disabilities** are persons who meet normal and essential eligibility requirements.

Title II of the Americans with Disabilities Act of 1990

ASU is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). Title II of the ADA prohibits discrimination against **qualified individuals with disabilities** on the basis of disability in all programs, activities, and services of public entities. It is ASU's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of non-discrimination, ASU will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made ASU aware of his/her disability, provided that such accommodation does not constitute an undue hardship on ASU. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact their supervisor or their Human Resources Department. ASU encourages individuals with disabilities to come forward and request reasonable accommodation.

Title IX of the Education Amendments of 1972

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX benefits both males and females, and is at the heart of efforts to create gender equitable schools. The law requires educational institutions to maintain policies, practices and programs that do not discriminate against anyone based on sex. Under this law, males and females are expected to receive fair and equal treatment in all areas of public schooling including recruitment, admissions, educational programs, and activities, course offerings and access, counseling, financial aid, employment assistance, facilities and housing, health and insurance benefits, marital and parental status, scholarships, sexual harassment, and athletics.

Age Discrimination Act of 1975

The Age Discrimination in Employment Act (ADEA) protects individuals who are 40 years of age and older from employment discrimination based on age. The ADEA's protections apply to both employees and applicants. Under the ADEA, it is unlawful to discriminate against a person because of his/her age with respect to any term, condition, or privilege of employment including, but not being limited to, hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training.

Retaliatory Action Prohibited

Retaliation against a person who files a charge of discrimination, participates in an investigation, or opposes an unlawful employment practice is prohibited by the above laws and Arkansas State University. Any employee who needs further explanation or who believes he or she has been discriminated against under these laws should contact his/her Human Resources Department.

HIRING PROCEDURES

Each person seeking employment with the University shall file an application for employment with his/her Human Resources Department. Pre-employment testing may be required in cases where necessary to determine minimum qualifications. Test results will be made available as necessary to department heads and/or supervisors. During the interview process, each applicant will be required to complete (1) an Employee Disclosure and Certification form, and (2) and Employee

Disclosure Requirements Notice in accordance with the Governor's Executive Order 98-04. These forms must be approved by the Human Resources Department. No offer of employment may be made prior to this approval process. To be considered for employment with the University, a person must meet any minimum age limitations required by law. For example, employees must be at least 18 years old if employed in a hazardous occupation and 21 years of age if employed as an officer in the University Police Department. Background checks will be performed as authorized by law and university policy.

MINIMUM QUALIFICATIONS

Each class specification will contain statements of minimum qualifications necessary to perform job duties described in the class at a satisfactory level upon entry of the employee to the class. Minimum qualifications statements are summaries of the education and experience or other qualifications necessary to provide the knowledge, abilities and skills required for satisfactory job performance.

NEW HIRE

Employees entering the University for the first time will be paid at pay level I of the grade assigned to the classification entered unless a special entry rate has been approved prior to the hire date. Employees may be paid at a rate less than Pay Level I provided the agency or institution does not have the funds and provided the employee agrees to accept the lower rate. The University will certify as to the shortage of funds and the employee will sign a Certification of Understanding and Agreement to accept the lower rate of pay. As a condition of employment, a person hired or appointed to a position within the University on or after August 12, 2005, shall be required to accept payment of salary or wages by electronic funds transfer.

PERSONNEL RECORDS CHANGE

Your Human Resources Department maintains complete and permanent records on each employee and uses this information for official purposes. Employees are responsible for notifying their supervisor and their Human Resources Department of changes in name, address, telephone number, dependent status, change in number of dependents for tax withholding purposes, and other personnel changes. Employees may make an appointment with their Human Resources Department

representative to review information contained in their personnel file. Information in personnel files shall remain confidential and may be only reviewed by the employee, supervisor, hiring supervisor, appropriate Human Resources personnel, or other appropriate university employees unless required to be disclosed by law.

RECRUITMENT

Vacancies in full-time academic and nonacademic positions (excluding student employment) are advertised locally, regionally, and/or nationally. For more information, please contact your Human Resources Department.

SHARED GOVERNANCE

Staff employees at Arkansas State University-Jonesboro participate in shared governance. These procedures are currently documented at section I.c. of the Faculty Handbook of Policies and Procedures and may be accessed on the ASUJ web page.

SMOKE-FREE ENVIRONMENT

Pursuant to Arkansas law, smoking is prohibited on all university property, including buildings, grounds, and vehicles no later than August 10, 2010. On campuses which are not totally smoke-free prior to August 10, 2010, smoking is permitted only in designated areas outside of the buildings. Such areas shall be located not closer than 20 feet to any door or entrance. Any person convicted of violating the smoking prohibition shall be punished by a fine.

NOTIFICATION OF SALARY LETTERS

Employment is not guaranteed for each fiscal year. Some campuses provide staff members with notification letters that their position has been funded for the upcoming year. Such letters are for informational purposes only and do not constitute an express or implied promise of employment and do not change the at-will status of staff employees.

EMPLOYMENT STATUS

JOB CLASSIFICATION

Staff employees, are described as “classified employees” or “non-classified employees.” Classified employees under state law are assigned to a class with others having similar duties and responsibilities. A class may be divided into several levels. For positions that are classified by the State, the classification is determined by the Office of Personnel Management with the help of the university’s Human Resources Department and the departments concerned, subject to state laws. Each classified position will have a state job specification which outlines basic duties and minimum qualifications for the position.

12 MONTH TO 9 MONTH

Nine-month positions do not accrue vacation. If a twelve-month employee moves to a nine-month position, his/her will forfeit all accrued, unused vacation at the time of transfer.

BENEFIT ELIGIBILITY

Employees appointed on a regular full-time basis may participate in university benefit programs. Employees appointed for regular one-half time (20 hours a week) or more participate proportionately in vacation, sick leave and retirement. Such employees are eligible for insurance coverage. Employees who are employed on a temporary or temporary part-time basis are not eligible for benefits. Extra help employees of the University may not exceed fifteen hundred (1500) hours per fiscal year.

CAREER SERVICE RECOGNITION

Employees become eligible to receive yearly career service recognition payments on their career service credit date. Employees who have received career service payments in the previous biennium shall receive payments on their career service credit date or their increase eligibility date, whichever occurs first within the fiscal year so long as sufficient funds are available for such purpose. Payments to non-classified employees shall be made on the anniversary of the employee’s latest hire date.

Years of Service Annual Payment

10-14\$600
15-19\$700
20-24\$800
25 or more\$900

PERFORMANCE EVALUATION

Performance evaluations are conducted for new hires at 90 days and for all employees annually by May 1. The evaluation process should be an opportunity for supervisors and employees to review specific information on performance, to determine what priorities for performance should be, and to set future goals for development. Your Department of Human Resources or your supervisor can provide specific information on the performance review process.

CHANGE IN STATUS

A change in status occurs when an employee receives a promotion, a demotion in grade, a reclassification, or a transfer. During the first six months in any position, an employee is not eligible for transfers to other positions on any campus. In the event of a change in status, the employee’s accrued annual leave and sick leave are transferred and will become the obligation of the department to which he/she is transferred. When transferring to a position that is not eligible for annual and/or sick leave, the employee may not use such leave in the new position. Further explanations regarding changes in status are set out in the following text.

CLASS UPGRADE

A Class Upgrade refers to the enactment of legislation which has the effect of raising the grade level assigned to a specific classification. The employee shall be eligible for an additional six (6%) percent increase in his/her maximum annual salary. If this rate of pay falls below Pay Level I of the new grade, the employee’s rate of pay shall be adjusted to Pay Level I.

DEMOTION IN GRADE

A reduction in grade occurs when an employee is assigned lower level job duties and moved to a different classification which has a lower grade than the employee’s old classification. Normally a reduction in grade will result in a decrease in pay.

An employee who is demoted for cause or voluntarily solicits a demotion of one grade will receive a six (6%) percent salary reduction.

An employee who is demoted for cause or voluntarily solicits a demotion of two or more pay grades will receive an eight (8%) percent salary reduction. If the new rate of pay is above Pay Level IV for the new grade, the employee's rate of pay shall be adjusted to Pay Level IV.

Any employee who is assigned to a position in a classification the employee formerly occupied within a twelve-month period after promotion from the classification shall be eligible for a rate of pay no greater than that for which the employee would have been eligible had the employee remained in the lower graded classification. Any employee who is placed in a lower graded position because the original position has expired due to lack of funding, program changes, or withdrawal of federal grant funds, may continue to be paid at the same rate as the employee was being paid in the higher graded position upon approval of the Office of Personnel Management after seeking the review of the Legislative Council.

LATERAL TRANSFERS

A lateral transfer from a classification within a grade to another classification within the same grade will be at the same pay that the employee is receiving prior to the transfer.

RECLASSIFICATION

Reclassification is defined as a change in the assignment of a position from one classification title to another classification title of either a higher or lower salary grade when material and permanent changes in the duties and responsibilities of the position being recommended for reclassification have occurred or when it is necessary to establish a new classification title to meet federal standards as a prerequisite for federal programs. The allocation of a position to a particular class may be changed by the state Office of Personnel Management between legislative sessions to assure correct classification. No position will be reclassified to a grade higher than that grade authorized by the General Assembly.

RECLASSIFICATION TO A HIGHER, LOWER, OR SAME GRADED POSITION

An employee whose position has been reclassified to a lower or same graded position shall maintain his/her current rate of pay. An employee whose position has been reclassified to a higher graded position shall be eligible for an additional six (6%) percent increase in his/her maximum annual salary. If this rate of pay falls below Pay Level I of the new grade, the employer's rate of pay shall be adjusted to Pay Level I.

PROMOTIONS

When an employee is moved from a position in one classification to a higher pay grade or when a position which an employee occupies is reclassified to a position with a higher pay grade, a promotion takes place. A promotion may occur within a department or between departments. Normally, promotions involve an increase in pay. Upon promotion, change to a higher grade with significantly higher job duties, an employee's salary shall be calculated as follows:

Minor - promotion to a classification which is one grade higher than the former classification. The employee's maximum rate of pay shall be increased by six (6%) percent; or

Major - promotion to a classification which is two (2) or more grades higher than the former classification. The employee's maximum rate of pay shall be increased by eight (8%) percent:

If the new rate of pay falls below Pay Level I for the new grade, the employee's rate of pay shall be adjusted to Pay Level I. However, the rate of pay may not exceed Pay Level IV of the new pay grade.

If the employee being promoted is receiving a shift differential, the salary adjustment is computed based on the rate of pay for which the employee would be eligible when not receiving the differential. Compute the new rate of pay according to promotion policy. An additional 5.5% percent may be given as shift differential if the employee meets the conditions for receiving Shift Differential Pay.

EMPLOYMENT AT ANOTHER STATE AGENCY

A university employee may accept employment from another state agency provided the individual's combined salaries do not exceed the line-item maximum salary for which the individual is eligible at the primary agency of employment and provided appropriate approval is given. The secondary employing agency must submit a Concurrent Employment Request for State approval by preparing the initial part of the form and submitting it to the primary employing agency. The primary employing agency completes the remaining portion of the form and submits it to the State for approval. Approval for a non-faculty employee must be approved by the campus Human Resources Department. The Chief Fiscal Officer of the Arkansas Department of Finance and Administration approves the completed Concurrent Employment Request and notifies both agencies.

SALARIES

Pay increases are determined each year by administrative action, giving consideration to legislative recommendations and the availability of funds. A pay increase may also be recommended for an employee who has been promoted to a position of considerably broader responsibility. No automatic increases are granted.

STATE AGENCY TRANSFERS

When an employee transfers between state agencies and/or institutions of higher education, the employee's accrued leave must be accepted by the receiving agency. Upon transfer, the employee should begin accrual at the receiving agency's accrual rate. Classified employees who transfer between state agencies and/or institutions of higher education may be compensated in accordance with the state's Classification and Compensation Act as though the transfer or rehire was from that same act.

PERSONAL CONDUCT

Employees should always conduct themselves in the workplace so as to promote the orderly and efficient operation of the university. Violations shall be regarded as cause for disciplinary action, up to and including discharge. Discharge may result from an accumulation of minor infractions as well for a single serious infraction. Employment at ASU is always at-will, meaning an employee may be terminated at any time with or without cause and with or without notice. Any employee

may be subject to immediate dismissal and may not be considered eligible for reemployment for dishonesty, insubordination, incompetence, violence, unprofessional conduct, or other unacceptable behavior. In the event termination is necessary, the supervisor should review all information regarding the termination with the Human Resources Department, prior to action.

BEHAVIORS THAT MAY RESULT IN DISCIPLINARY ACTION

Employees are prohibited from engaging in conduct listed below and may receive discipline up to and including termination for such behavior. This list has been established to serve as examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee behavior.

- Displaying disrespectful and/or inappropriate behaviors toward a student, employee, or supervisor;
- Refusing to do assigned work or failing to carry out the reasonable assignment of a manager, supervisor, or department head;
- Being inattentive to duty, including sleeping on the job;
- Falsifying a time card or other university record or giving false information to anyone whose duty is to make such record;
- Smoking within no-smoking areas or no-smoking operations or any area of the University that must be entered for the conduct of university business;
- Operating state-owned vehicles, equipment or private vehicles on state business without proper license or operating any vehicle on university property or on university business in an unsafe or improper manner;
- Possessing an unauthorized weapon, firearm, or explosive on university property;
- Appropriating state or student equipment, time, or resources for personal use or gain;
- Computer abuse, including but not being limited to, plagiarism or programs, misuse of computer accounts, unauthorized destruction of files, creating illegal accounts, possession of unauthorized passwords, disruptive or annoying behavior on the computer and non-work related utilization of computer software or hardware;
- Misusing or willfully neglecting university property, funds, materials, equipment or supplies;

- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence;
- Interfering in any way with the work of others;
- Stealing or possessing without authority any equipment, tools, materials, or other property of the University or attempting to remove them from the premises without approval or permission from the appropriate authority;
- Sexual Harassment including, but not being limited to, unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature or behaviors which create a hostile environment. Examples include:
 1. Verbal harassment including, but not being limited to, comments or questions about a person's sexual behavior, sexually oriented jokes, comments or questions about a person's body, and conversations with sexual innuendo;
 2. Physical harassment including, but not being limited to, unwelcome touching, fondling, patting, pinching, or kissing; and
 3. Direct or implied threats that failure to cooperate with the request or advance will result in negative employment consequences.
- Improper behavior related to attendance, including excessive absenteeism, tardiness, leaving work early, extending break periods, or failure to report or work when scheduled;
- Failure to report leave time used;
- Taking or attempting to take property from the University, its students, employees, visitors or patrons;
- Providing false information on employment applications or other records;
- Failure to comply with safety rules and regulations, including failure to immediately report all accidents and injuries, failure to comply with and/or follow safety rules and regulations, and failure to wear required personal protective equipment;
- Non-work-related use of official position and influence for personal profit;
- Unauthorized disclosure of records or other business information; and
- Misconduct related to the use and/or possession of alcoholic beverages and controlled substances, including:
 1. Unlawful manufacture, distribution, possession or use of illegal drugs or controlled substances;

2. Consuming or possessing alcoholic beverages on university premises;
3. Consuming or possessing controlled substances on university premises without a prescription;
4. Being under the influence of alcohol when reporting to or while at work;
5. Being under the influence of controlled substances without a prescription or being under the influence of illegal drugs when reporting to or while at work; and
6. Failure to pass a required drug or alcohol screen.

Other misconduct such as, but not limited to, the following:

1. Use of vulgar or obscene language;
2. Threatening and/or intimidating other persons, fighting and/or instigating a fight, and/or horseplay;
3. Verbally abusing, physically attacking or obstructing any person;
4. Gambling on university property;
5. Acts of moral turpitude;
6. Illegal acts committed by employees when not at work that reflects adversely upon the University; and
7. Ethnic intimidation based upon a person's race, color, religion, or national origin.

RECORDING ETHICS

Arkansas State University does not permit the recording of conversation surreptitiously. The concealed recording of conversations among administrators, faculty, students, or staff constitutes grounds for dismissal.

PROGRESSIVE DISCIPLINE POLICY

Arkansas State University utilizes a progressive discipline policy. It is the goal of the University to use progressive steps in employee disciplinary matters except when immediate termination is warranted. The existence and use of a progressive discipline policy does not in any way alter the at-will status of employees. The employee's supervisor will administer any appropriate corrective or disciplinary action. Appropriate action will be determined based on factors such as severity, frequency, and degree of deviation from expectations and length of time involved. Because of the great variety of situations that

may arise, the University may need to make decisions related to employment in a manner other than as provided in this section. Disciplinary actions may take place in several forms. The forms of disciplinary actions are Verbal Counseling, Written Counseling, Final Counseling, and Dismissal. Your Human Resources Department should be consulted when disciplinary action with an employee is necessary. The following outlines the four forms of disciplinary action.

Verbal Counseling

Verbal counseling sessions may take place between employees and supervisors in situations that are deemed less serious in nature. Every effort to determine and resolve the cause of the problem should be made. At the same time, however, it should be specifically stated that the employee is receiving a formal warning. Documentation of the verbal counseling should occur utilizing the Employee Counseling Form (available from the forms section of the Human Resources website). Copies of all documentation of verbal counseling should be distributed as follows: one copy to the employee, one copy to the department file, and one copy to your Human Resources Department for inclusion in the employee's personnel file.

Written Counseling

Written counseling sessions take place between a supervisor and an employee when the behavior of the employee is a repeated violation and verbal counseling has been administered, when the behavior hinders the operations of the department in which the employee works, or when the behavior hampers the progress of the University. Written warnings should be documented on an Employee Counseling Form. Copies of all written warnings should be distributed as follows: one copy to the employee, one copy to the department file, and one copy to your Human Resources Department for inclusion in the employee's personnel file.

Final Counseling

Final counseling is utilized when previous counseling has failed to produce the proper results. Final Counseling may also be utilized to address an initial incident or an incident that is too severe for a verbal or written warning yet not sufficiently severe for dismissal. Copies of all Final Counseling Forms should be distributed as follows: one copy to the employee, one copy to the department file, and one copy to your Human Resources Department for inclusion in the employee's personnel file.

Dismissals

Employment may be terminated after other disciplinary measures have failed or when a first time incident occurs that is extremely serious. An employee may be discharged at any time without regard to any progressive steps if he or she commits an offense for which immediate discharge is specified as a penalty or if, in the University's judgment, the employee's continued presence would be contrary to the well-being of the University or its employees. Your Human Resources Department should be consulted prior to the dismissal of an employee.

TERMINATIONS/RESIGNATIONS

The University strives to maintain good working conditions. Instances of personal or job dissatisfaction should be discussed with the supervisor and/or your Human Resources Department before the employee considers termination of employment. If an employee wishes to terminate employment with the University, two weeks' notice to the supervisor is requested, but not required. If an employee voluntarily terminates employment with proper notice and the employee's work record has been satisfactory, the employee may be considered for reemployment. Should it be necessary to eliminate a position because of a reduction in work force, reasonable efforts may be made to place the employee elsewhere in the university. Upon termination, resignation, retirement, death, or other action by which a person ceases to be an employee of the University, the amount due the employee or his/her estate from accrued annual leave shall be issued within 30 days of completing checkout process. This amount shall not exceed 240 hours or the balance in the employee's annual leave account, whichever is less.

When an employee terminates and returns to the University within twenty (20) workdays, both sick and annual leave may be reinstated subject to the following:

1. An employee receiving lump sum payment for annual leave upon termination and who is subsequently rehired within twenty (20) workdays may "buy" back the annual leave by repaying the University for the number of days paid but not yet expired on or before the day of reemployment.
2. An employee who received a lump sum payment for annual leave and who elects not to "buy" back the annual leave may not be reemployed by the University until the number of

workdays for which annual leave was paid has elapsed. If the period that the employee is out of state service exceeds the twenty (20) workdays limit, reemployment is to be treated as a rehire with subsequent loss of sick leave.

3. An employee rehired within six months after having been laid off due to budgetary reasons is entitled to restoration of accrued sick leave.

PAYROLL PROCEDURES

CHECK-OUT FORM

Upon termination of employment, existing employees must complete the check-out procedure by obtaining signatures from the appropriate departments to verify that all accounts are paid in full and that any supplies, keys, or other materials issued to them have been returned. Final paychecks cannot be released until complete. In addition, employees who transfer from one department to another must return all keys and supplies to the department from which they are terminating. Checkout forms are not required for interdepartmental transfers.

DISTRIBUTION OF W-2 FORMS

University employees' W-2 forms for the previous calendar year will be distributed prior to January 31 of each year. All employees (current and terminated) are responsible for notifying Human Resources of any change in their permanent mailing address.

ISSUANCE OF SALARY PAYMENT

Salary payments for the System, and for the Jonesboro, Beebe, and Newport campuses are issued on the 15th and last day of the month. Payments for the Mountain Home campus are issued once a month. Contact the Department of Human Resources or your supervisor for information on payment distribution.

Full-time employees are required to use Direct Deposit. New hires or rehires must complete the Mandatory Direct Deposit Notification form at the time of employment.

Exceptions to this requirement include:

1. Student workers;
2. Graduate students; and
3. Full-time employees who are granted exemption due to hardship.

The University is required by federal law to withhold social security, if applicable, and federal income tax according to exemptions claimed on the employee's W-4 form filed with your Human Resources Department. State law requires the deduction of state income tax according to exemptions claimed on the state withholding certificate.

PAYROLL DEDUCTIONS

At the employee's request, state law permits items to be withheld from payroll checks, including retirement; group insurance for health, life, and dental; Arkansas State Employees Association dues; and 125 Flexible Benefit Program deductions. Your Human Resources Department will be able to provide a list of current authorized payroll deductions.

SHIFT DIFFERENTIAL PAY

Employees who are regularly assigned to a late shift may be compensated at an additional percentage not to exceed 5.5%. To be eligible for shift work, the hours of work must not begin earlier than 2:30 p.m. and end no later than 8:00 a.m. the following day. When an employee has been on the late shift and has been receiving the shift differential pay and is removed from shift work or reassigned to a normal shift, the employee's salary shall revert to the former rate of pay on the day of the change in shift assignment.

HOURS AND DAYS OF WORK

ABSENCE FROM THE JOB

If an employee must be absent or late reporting to work for any reason, he/she must notify his/her supervisor prior to the beginning of the work schedule. If an employee fails to inform his/her supervisor in a timely manner, disciplinary action will result. If an employee misses three consecutive days without calling his/her supervisor, he/she has voluntarily resigned from his/her position and will be terminated. Requests to use sick leave for purposes of medical, dental, or optical examinations, hospital stays, funerals, or other authorized uses should be made in advance when possible. Forms are available either online or from the supervisor for recording the various types of leave taken. Completion of these forms is necessary for accurate recording of leave taken, regardless of rank or status. The forms must be submitted to your Human Resources Department.

ELIGIBILITY FOR HOLIDAY PAY

All employees who receive full benefits are eligible to receive holiday pay only if they are in pay status on their last scheduled workday before the holiday and at least one hour on the first scheduled workday after the holiday. When a holiday occurs while an employee is on annual or sick leave, that day will be considered a holiday and will not be charged against the employee's annual or sick leave. When a holiday occurs on an employee's regularly scheduled day off, the employee will be given equivalent time off. Employees must work on holidays when the needs of the department require it. The needs will be determined by the supervisor and/or department director. Days off in lieu of holidays worked may be taken at a time approved by the employee's supervisor. Such time off is to be taken as soon as is practical. Normally, holidays which occur on a Saturday will be observed on the preceding Friday. Holidays which occur on a Sunday will be observed on the following Monday.

EXTRA COMPENSATION - CLASSIFIED STAFF

As established by ACT 147 of 1983, the state-supported institutions of higher education may pay additional compensation to classified employees for the performance of additional duties assigned to them at non-job related, institution-sanctioned events provided that those

additional duties are performed at times other than normal working hours. All extra compensation must be approved by your Human Resources Department prior to any work being performed.

INCLEMENT WEATHER

The University remains open for all academic classes and all other services during severe weather except in extreme circumstances. Any decision to close the University or to delay or cancel classes is made solely by the chancellor of the specific campus of the University. The University will notify the local news media to publicize the closing. All those who travel to the campus should use good judgment in making travel arrangements during severe weather. On those occasions when severe weather occurs and the University remains open, all employees are expected to meet their employment obligations and to arrive for work on time. Those employees who arrive more than two hours late will be charged annual leave time (if available) or leave without pay. Employees are expected to notify appropriate administrative personnel of the inability to get to campus or of a late arrival. In the unusual event that the University is closed, employees of designated departments providing essential services are expected to report to work. Such departments include but are not limited to University Police Department and Facilities Management. Employees uncertain of whether their presence is required should contact their supervisors. Equivalent time off will be awarded to staff members of essential service departments who work during such periods.

OVERTIME (Compensatory Time)

Classified, non-exempt employees are eligible for compensatory time, as outlined by the State of Arkansas, in accordance with the Fair Labor Standards Act. The following policy will be used in granting compensatory time:

1. Compensatory time shall mean time earned for work week with supervisor's authorization.
2. Compensatory time will be earned at the rate of one and one-half hour for each full hour worked in excess of 40 hours per week. The actual number of hours worked in excess of 40 should be reported by completing a Compensatory Time Earned Form to your Human Resources Department.
3. Compensatory time should be used as soon as possible.

4. Compensatory time may be used in lieu of sick leave and must be used until depleted before using annual (vacation) leave.
5. Classified employees whose job duties involve public safety activity, an emergency response activity, or a seasonal activity can accrue no more than 480 hours of compensatory time. The 480 hours equal 320 hours of straight time.
6. Classified employees whose job duties do not involve public safety activity, an emergency response activity, or a seasonal activity can accrue no more than 240 hours of compensatory time. The 240 hours equal 160 hours of straight time.
7. Compensatory time earned shall be included as a separate category on the employee's time sheet kept in your Human Resources Department.
8. Employees shall request to use earned compensatory time by completing a Request for Leave form.
9. Upon termination, a lump sum payment of accrued or unused compensatory time will be made at a rate of not less than:
 - A. The average regular rate received by an employee during the last three years of his/her employment; or
 - B. The final regular rate received by an employee, whichever is higher.

PAID HOLIDAYS

ASU employees are eligible for eleven paid holidays per year. Generally, these days are observed on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving (2 days), and Christmas (5 days).

REST PERIODS

The University recognizes that a short rest period or coffee break is important for reducing fatigue and allows time away from the work routine. Under normal circumstances, employees are therefore allowed a 15-minute break in the morning and another one in the afternoon on all regularly scheduled eight-hour days.

WORKING HOURS

The normal work hours for an employee are determined by the position held. Generally the work schedule is 8:00 a.m. to 5:00 p.m., with one hour for lunch or 8:00 a.m. to 4:30 p.m. with 30 minutes for lunch, Monday through Friday. However, it may be necessary for a department to vary the normal work hours based upon departmental needs.

EMPLOYEE LEAVE BENEFITS

ANNUAL LEAVE POLICY

All employees who work 1,500 hours or more per year in a regular full-time position accrue annual leave. Employees will accrue half their monthly accrual of annual leave if employed on the first working day of the month and work through the 15th of the month. Employees will accrue half their monthly accrual if employed on the 16th of the month and work through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first working day thereafter).

Annual leave may not be accumulated during a period of leave without pay when such leave is for ten or more days within a calendar month.

Annual leave is granted on a basis of workdays, not calendar days.

Non-workdays, such as weekends and holidays falling within a period of annual leave, are not charged as annual leave. Annual leave must be earned before it can be authorized and is deducted from the employee's accrued leave in increments of not less than one-quarter hour.

Annual leave is cumulative; however, no employee may retain in excess of 30 days on December 31 of each year. During the calendar year, accrued annual leave may exceed 30 days, but excess must be used prior to December 31. Accrued annual leave may be requested by an employee at any time. The supervisor will grant the request when it least interferes with the efficient operation of the department.

CLASSIFIED STAFF

Regular full-time classified staff employees accrue annual leave in accordance with the following schedule, while employees who work less than full-time but more than 1,500 hours per year accrue annual leave in the same proportion to the time worked:

Years of Employment	Accrue Monthly	Accrue Annually
1-3 years	1 day	12 days
4-5 years	1 day, 2 hours	15 days
6-12 years	1 day, 4 hours	18 days
13-20 years	1 day, 6 hours	21 days
Over 20 Years	1 day, 7 hours	22.5 days

- A. Through 3 years: Employees must have completed three (3) full years of employment before movement to the next higher accrual rate.
- B. 4 through 5 years: Employees must have completed three (3) full years of employment and be starting their fourth (4th) year.
- C. 6 through 12 years: Employees must have completed five (5) full years of employment and be starting their sixth (6th) year.
- D. 13 through 20 years: Employees must have completed twelve (12) full years of employment and be starting their thirteenth (13th) year.
- E. Over 20 years: Employees must have completed twenty (20) full years of employment and be starting their twenty-first (21st) year.

NON-CLASSIFIED STAFF

Non-classified employees will accrue leave at an annual rate of 22.5 days.

CATASTROPHIC LEAVE

Arkansas State University maintains a catastrophic leave bank to assist employees during a catastrophic illness. In the event an employee is unable to work for a prolonged period of time due to severe illness, and upon exhaustion of all earned sick, annual, holiday, and compensatory leave time, the employee may apply to the leave bank for additional paid leave. For eligibility requirements or more information, please contact your Human Resources Department.

CHILDREN'S EDUCATIONAL ACTIVITY LEAVE

Employees are allowed the opportunity to participate in their children's educational activities by granting eight (8) hours of children's educational activity leave per calendar year.

"Child" means a person enrolled in pre-kindergarten through grade 12 (preK-12) who is of the following relation to a state employee:

1. Natural child;
2. Adopted child;
3. Stepchild;
4. Foster child;
5. Grandchild; or
6. Ward of the state employee by virtue of the state employee having been appointed the person's legal guardian or custodian; or any other legal capacity where the employee is acting as a parent for the child.

“Educational activity” means any school-sponsored activity.

“Educational activity” includes without limitation:

1. A parent-teacher conference;
2. Participation in school-sponsored tutoring;
3. Participation in a school-sponsored volunteer program;
4. A field trip;
5. A classroom program;
6. A school committee meeting;
7. An academic competition; and
8. Assisting with athletic, music, or theater programs.

All state full-time employees shall be entitled to eight (8) hours of leave during any one (1) calendar year for the purpose of attending or assisting with the educational activities of a child. Unused leave may not be carried over to the next calendar year and is not compensated to the state employee at the time of retirement.

The supervisor must approve the leave request before the leave may be taken. Leave shall be granted if the employee's time off will not interfere with the efficient operation of the office.

COURT AND JURY LEAVE

Any employee who serves as a witness, juror, or party litigant shall be entitled to regular university compensation, in addition to any fees paid by the court for such services, for necessary appearances in any court, and any absences from work for such purposes shall not be counted as annual leave. Employees who are accepted by the court as expert witnesses and paid a fee in excess of the normal witness fee shall be required to take annual leave for the time required for such testimony.

DISASTER SERVICE VOLUNTEER LEAVE

Employees requesting leave to provide volunteer disaster assistance may be eligible for “Disaster Service Volunteer Leave” pursuant to Act 268 of 1997. An employee of the University who is trained and certified as a disaster service volunteer by the American Red Cross, whose specialized disaster relief services are requested by the Red Cross in connection with a disaster, and who obtains consent from the chancellor of the university may be granted leave from work with pay for not more than 15 working days in any 12 month period to participate in

specialized disaster relief, without loss of seniority, pay, annual leave, sick leave, compensatory time, offset time or overtime wages.

- 1) The University shall compensate an employee granted leave under this section at the employee's regular rate of pay for those regular work hours during which the employee is absent from work.
- 2) Leave under this act shall be granted only for disaster relief services occurring within the State of Arkansas or for disaster relief services occurring within states contiguous to the State of Arkansas.
- 3) An employee deemed to be on leave under this Act shall not be deemed to be an employee of the State for purposes of workers' compensation.

Employees who are not “certified disaster service volunteers” may submit leave requests subject to review and approval or disapproval.

EMERGENCY PAID LEAVE

The Governor may authorize up to 40 hours of Emergency Paid Leave for those State employees who suffer loss of, or substantial damage to, their principal place of residence due to a natural disaster.

FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act of 1993 (FMLA) provides time off for employees to care for family members or due to their own illness. To be eligible, employees must have been employed by Arkansas State University for a total of 12 months and have worked a total of 1,250 hours in the past 12 months.

The FMLA entitles eligible employees to a total of 12 work weeks of leave during any 12- month period for one of the following reasons:

- The birth of a child, and to care for the newborn child;
- The placement with the employee of a child for adoption or foster care;
- The care of the employee's spouse, child, or parent for a serious health condition; or
- A serious health condition that makes the employee unable to perform the functions of the employee's job.

At the beginning of 2008, the President signed into law permission for an employee to take up to 26 workweeks of leave to care for a member of the National Guard or Reserves, who is undergoing medical

treatment, recuperating from a medical procedure, therapy, other outpatient status, or is otherwise on the temporary disability retired list for a sickness or illness.

The 12-month period used by Arkansas State University for determining eligibility is a rolling year, with the 12-month period beginning the first day of FMLA leave usage. (For example, if an employee begins leave for surgery on April 10 of 2008, the 12-month period begins on April 10, 2008 and ends on April 2, 2009.)

Serious Health Condition

Generally a serious health condition is defined as:

- A condition which requires overnight hospitalization;
- A minimum of three days of absence, with a doctor's visit and a continuing regimen of care; or
- A chronic condition for which the employee or family member continues to receive care.

Conditions for which cosmetic treatments are administered, routine dental, orthodontia, or periodontal problems or illnesses such as cold, the flu, or upset stomach, are not ordinarily considered a serious health condition.

If an employee knows in advance that leave will be taken, the employee should notify the supervisor at least 30 days prior to leave, or as soon as practicable if the leave will begin in less than thirty (30) days. A request for Family and Medical Leave form should be completed by the employee as soon as the employee knows he/she will be requesting time off for FMLA. A medical certification from the employee's doctor must also be submitted in a timely manner for leave that cumulatively exceeds five (5) days. The supervisor may request that a recertification be submitted after a thirty (30) day period.

If a supervisor learns that leave is for an FMLA purpose after leave has begun, the entire leave time may be counted as FMLA leave. An employee desiring to have a leave period designated as FMLA must so notify the supervisor within two business days of returning to work. FMLA leave is unpaid leave (meaning the employee does not receive any pay entitlement from this type of leave). ASU does require that the

employee use any available sick leave, compensatory time, and/or annual leave, prior to being placed in unpaid leave status.

Only the amount of leave actually taken may be counted toward the 12 weeks of leave to which an employee is entitled. For example, if an employee requests FMLA for chronic health condition which requires that he/she see a specialist in Little Rock, the amount of time taken off for travel and the doctor's visit should be counted.

Maternity

An expectant mother may take FMLA leave before the birth of the child for prenatal care or doctor's visits or if her condition makes her unable to work.

An employee may request FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed. For example, the employee may be required to attend counseling sessions, appear in court, consult with his/her attorney or doctor representing the birth parent, or submit to a physical examination.

After the birth or placement of a child for adoption or foster care, an employee may use any or all remaining leave time. He/she may not return on a part-time basis or intermittently take additional time after returning to work, unless the child is seriously ill, without supervisor's approval.

An employee may request intermittent or reduced-schedule leave to care for a family member in situations where the family member's condition itself is intermittent or where the employee may be needed to share care responsibilities with another party or to make arrangements for changes in care, such as transfer to a nursing home. Intermittent leave may be taken for a serious health condition which requires treatment by a health care provider intermittently rather than one continuous period of time.

Intermittent or reduced-schedule leave may be taken for absences where the employee or family member is incapacitated because of a chronic serious health condition even if he/she does not receive treatment by a health care provider (for example: asthma, diabetes,

and epilepsy). In these cases, an employee is incapacitated only if the employee is unable to perform the essential functions of the position.

If spouses are both employed by the University, they may take a combined total of 12 weeks to care for a newborn, newly adopted/foster child, or to care for the employee's parent with a serious health condition. They may use the balance of their leave time for other FMLA situations. For example, if a husband and wife are both employed by the University and have a baby, the mother might take eight weeks of FMLA leave and the father might take four weeks. Together they have taken 12 weeks for the birth. The father may still take eight additional weeks within a one-year period for another FMLA situation. The mother may still use the additional four weeks for another FMLA situation.

FMLA allows leave for substance abuse only to undergo treatment by a healthcare provider and specifically excludes employee absence because of use of the substance. Stress qualifies as a serious health condition only if it rises to the level of mental illness or results in a physical illness.

All medical information gathered as a result of the serious health condition is considered confidential.

During the FMLA leave, benefits coverage will be continued. Employees who are placed on leave without pay status must make arrangements to pay any benefits premiums for which they are responsible. They may be given a 30-day grace period to make these payments.

Upon return from FMLA leave, an employee will be returned to his/her original position or an equivalent position. If a medical certification was required, the employee will be required to provide a return to work certification. Return to work may be delayed if this certification is not provided.

The amount of FMLA time used by an employee will be recorded by your Human Resources Department. Leave slips used to report records are maintained in your Human Resources Department for a minimum period of three years.

LEAVE OF ABSENCE WITHOUT PAY

The supervisor may grant an employee's written request for a leave of absence without pay not to exceed six months unless granted in accordance with the provision for military leave. Leave without pay is not to be granted until all of the employee's accumulated annual leave has been exhausted and any employee on leave of absence without pay does not accumulate annual leave or receive pay for any legal holidays. An employee may continue with the insurance programs, provided arrangements have been made in advance with your Human Resources Department for the employee to pay all applicable premiums.

Approval or disapproval of requests for leave without pay should be determined based upon the university operation and mission and whether approval would create an undue hardship on the University. "Undue hardship" is defined as:

- An action requiring significant difficulty or expense when considered in relationship to a number of factors. These factors include, but are not necessarily limited to, the nature of the position occupied by the employee and cost of the request in relation to the size, resources, nature, and structure of the agency's operation and mission; or
- Financial difficulty and requests that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature of the operation of the University.

The University will assess, on a case-by-case basis, whether a particular request for leave without pay would cause undue hardship.

MILITARY LEAVE FOR SERVICE CONNECTED DISABILITIES

All employees of the University, who have been rated by the United States Department of Veterans Affairs or its predecessor to have incurred a military service-connected disability and have been scheduled by the United States Department of Veterans Affairs to be reexamined or treated for the disability shall be entitled to a leave of absence with pay for a period not to exceed six (6) days for that purpose during any one (1) calendar year.

If an employee receives a leave of absence under this section, the employee shall be entitled to his/her regular salary during the time the

employee is away from his/her duties during the leave of absence. The leave of absence shall be in addition to the regular annual leave and sick leave allowed to the employee. During a leave of absence, the employee shall be entitled to preserve all seniority rights, efficiency or performance ratings, promotional status, retirement privileges, and life and disability insurance benefits and any other rights, privileges, and benefits to which he or she has become entitled.

For purposes of computations to determine whether the employee may be entitled to retirement benefits, the period of the leave of absence shall be deemed continuous service.

The University shall continue to contribute its portion of any life or disability insurance premiums during the leave of absence on behalf of the employee, if requested, so that continuous coverage may be maintained.

PROPORTIONATE PAY FOR MILITARY MEMBERS

A. During the period that an employee of the University is called into active duty, as a member of the National Guard or any of the reserve components of the armed forces by order of the president or the governor, of an emergency nature for contingency for more than thirty (30) consecutive days, the employee shall be eligible for continued proportionate salary payments, which when combined with the employee's active duty pay, incentives, and allowances, except for uniform and clothing allowances, equal the amount that the employee would have otherwise received but for the employee's required active duty under the order of the president or the governor.

B. Differential payments will be calculated and payable to the current active state employees only.

C. Terminated employees are not eligible for payments. However, if an employee's service terminated as a result of a disability incurred while on active duty, the employee is entitled to the payment.

D. If an employee becomes deceased while on active duty, the employee's beneficiary is entitled to the payment.

E. Payments dating back to September 11, 2001, to the present are to be paid as a onetime lump sum payment. Thereafter, if the employee is still on active duty, payments will be made on a bi-weekly basis.

F. Employees must provide a Leave and Earning Statement showing the employees' military pay or Form DD214 which indicates the date the employee was called to active duty and the date released from active duty.

G. Leave and Earning Statements for those currently on active duty, after the initial submission to payroll, need only be submitted thereafter when a pay change occurs. The payments will be subject to state and federal taxes.

H. Payments authorized will not be retirement eligible earnings at the time of payment and will not be reported to APERS, thus there will be no matching paid to APERS. When the employee returns to state service as an active state employee, the retirement service will be purchased for them by the University and the retirement matching will be paid at the time. If the employee is a member of the APERS contributory plan, he/she will pay his/her contributions to APERS by personal payment. These contributions will not be tax deferred.

Regular, full-time employees who are members of the National Guard or any of the reserve branches of the US Armed Forces will be granted leave at the rate of fifteen (15) working days per calendar year, plus necessary travel time for annual training purposes. Up to fifteen (15) unused military leave days may be carried over to the succeeding year for a maximum of thirty (30) military leave days for military training purposes for that calendar year.

Military leave for annual training or other official training duties will be granted without loss of pay and shall be in addition to annual leave.

The employee must attach a copy of his/her military orders to each request for military leave.

Active Duty for Military Service

A regular, full-time employee who is drafted or called to active duty in the Armed Forces of the United States or who volunteers for military service, shall be placed on extended military leave without pay; all unused sick leave at the time of military leave will be reinstated at the time the employee returns. All accrued, unused annual leave at the time of military leave will be reinstated at the time the employee

returns to state employment unless the employee requested and received a lump-sum payment for the accrued, unused annual leave when placed on the extended military leave.

Active Duty for the Purpose of Specialized Training

In cases where an employee volunteers or is ordered to active duty for the purpose of special training, the employee will be placed on leave without pay for the period of training unless the employee elects to use his accrued annual leave. This leave without pay is given in addition to the paid leave for annual military training. The employee retains eligibility rights including accumulated annual leave (unless the above option has been exercised) and any sick leave not used at the time the employee begins the training. The employee does not accumulate annual or sick leave during the leave without pay period, and the annual leave accrual rate will be calculated as though there had been no period of absence.

When the employee is released from active duty, he/she shall be reinstated to the position vacated or an equivalent position for which he/she is qualified in the same agency or its successor in interest.

Employees performing active military service for fewer than thirty-one (31) days must report for reemployment on the first regularly scheduled workday within eight (8) hours after discharge from military service. Those serving more than thirty (30) but less than one hundred and eighty one (181) days must report within fourteen (14) days after discharge. Those serving more than one hundred and eighty (180) days must report for reemployment within ninety (90) days after discharge from military service.

The reinstated employee will not lose any seniority rights with respect to leave accrual rates, salary increases, reduction in force policies, or other benefits and privileges of employment. The period of military service shall, for purposes of computations to determine whether such persons may be entitled to retirement benefits, be deemed continuous service and the employee shall not be required to make any contributions to any state supported retirement fund. To receive service credit for retirement purposes, a copy of the employee's DD214 must be submitted to the appropriate retirement system. The retirement system will notify the University to remit the employer's contributions

to update the employee's account.

Former employees returning to the university after military service, but who extended their enlistment or re-enlisted for additional military service beyond the initial period for more than a period of four (4) years (or five (5), when re-enlistment was at the request of the military) will lose all re-instatement rights and will be considered a rehire. Military service time may be extended beyond the five (5) year period for reasons stated in 38 US Code Section 4312(c).

Regular, full-time employees who are called to active duty in emergency situations (and in situations covered by 10 United States Code §12304) as declared by the governor or president shall be granted leave with pay. (Arkansas Code Annotated §§ 21-4-102(d) and 21-4-212(d)). The period of leave with pay for emergency active duty will not exceed thirty (30) working days per calendar year. Periods beyond the thirty (30) day limit may be charged to annual leave at the employee's option and if necessary, to leave without pay. If an employee's active duty in emergency situations begins in one calendar year and ends in the next calendar year and the employee is subsequently redeployed due to an emergency situation, the employee is eligible for thirty (30) days paid leave in the new calendar year. To be eligible for emergency active military duty paid leave, the employee must be actively employed by the University and submit a copy of military orders for each emergency deployment.

Military leave for emergency active duty situations is granted in addition to annual military leave for training purposes and annual leave.

SICK LEAVE POLICY

Sick leave is a benefit available to university employees who work in regular full-time positions. Paid sick leave is not granted as annual leave, but should be used when an employee is unable to work because of illness, injury, or medical, dental or optical treatment. Sick leave may also be granted to employees due to the death or serious illness of a member of the employee's immediate family. Immediate family shall mean the father, mother, individual acting as a parent or guardian, sister, brother, husband, wife, child, grandparents, or grand-child, of the employee or the employee's spouse. An employee may be required to furnish to his/her supervisor a certificate from an attending physician for

five or more consecutive days of sick leave. A certificate from a Christian Science practitioner listed in The Christian Science Journal may be submitted in lieu of a physician's certificate. Sick leave may not be used in the place of annual leave or for non-health related situations. Employees who leave university employment are entitled to be paid for unused accrued sick leave in accordance with Arkansas law.

Full-time staff accrue sick leave at the rate of one day for each complete month of service. One hundred twenty (120) days of sick leave may be carried over at the end of the calendar year.

Employees working less than full-time but more than 1,000 hours per year in a regular half-time position accrue sick leave in the same proportion to time worked.

Employees will accrue half their monthly accrual of sick leave if employed on the first working day of the month and work through the 15th of that month. Employees will accrue half their monthly accrual if employed on the 16th of the month and work through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first working day thereafter).

Sick leave may not be accumulated during leave without pay when such leave totals ten or more days within a calendar month. When an employee is laid off due to budgetary reasons or curtailment of university activities and is reemployed by the University within six months, accrued sick leave may be restored.

Sick leave is granted on a basis of workdays and not calendar days. It is deducted from the employee's accrued sick leave in 15-minute increments. Non-workdays such as weekends and holidays falling within a period of sick leave are not charged as sick leave. Absence due to illness or disability is charged in the following order:

1. Earned sick leave;
2. Earned annual leave; then
3. Leave without pay.

Employees who are absent from work due to a temporary occupational injury or illness and who are entitled to Workers' Compensation benefits may, upon proper application, utilize their accrued sick leave as a supplement to Workers' Compensation so as to receive weekly

benefits from both sources equal to but not in excess of their normal weekly pay at the time of the injury or onset of illness. This option, when exercised, will reduce the employee's accrued sick leave on a basis proportional to the sick leave pay being claimed.

Maternity leave shall be treated as any other leave for sickness or disability. Upon return from maternity leave the employee will be given the same or comparable position to the one she occupied prior to the leave. The employee is expected to give her supervisor as much notice as possible prior to beginning maternity leave and at least two weeks' notice prior to returning to work.

EMPLOYEE BENEFITS & SERVICES

The University reserves the right to modify, amend, or terminate any benefit plan at any time and for any reason.

ATHLETIC EVENTS

All university employees may purchase Arkansas State University-Jonesboro season football and basketball tickets for themselves and their immediate family at a reduced rate. Rates will be available preceding each athletic season.

BOOKSTORE

The discounts available at each campus vary. Please contact your Human Resources Department for more information. Employees will be asked to show proof of employment on all purchases.

EDUCATIONAL PRIVILEGES

Arkansas State University regular, full time employees, retired employees, their spouses and their unmarried dependent children (dependent children must be 23 years of age or less, unmarried, living at home or in a residence hall, and must be an identified dependent for IRS tax purposes on the annual tax form, or some other form of dependency documentation, such as divorce decree) may enroll for undergraduate studies for credit or for audit on a space-available basis at a 75% discount of tuition. For graduate level studies, these persons are eligible for a waiver of one-half tuition. Persons who receive the tuition discount will have any university-sponsored scholarships adjusted accordingly. Persons who choose to accept a full-fee grant-in-aid or assistantship will be charged the regular tuition. Dependent tuition discounts will continue to be available after the death of a current full-time employee or retiree of the University.

EMERGENCY PROCEDURES

All campuses will have an Emergency Procedures Manual that will outline steps to be taken in case of fire, earthquake, bomb threat, explosion, chemical leak, tornado, campus evacuation, active shooters, or other events requiring the activation of the campus warning system.

FITNESS RELEASE TIME BENEFIT

ASU employees may make use of a three (3) hour per week release time benefit for physical fitness purposes. This program is a 12 month benefit and is available to fulltime, benefited employees. This benefit may not be used in conjunction with the educational benefit. Employees who wish to make use of this benefit, should see their supervisor.

By utilizing the release time benefit, ASU employees agree to the following:

1. Supervisors work with employees and set a time for their fitness activities that is beneficial to both the employee and the office. Employees and supervisors must have an understanding that this is for physical fitness and not just getting extra time off.
2. Supervisors are not required to keep a record of employee release time. All employees who want to participate should be considered trustworthy. Supervisors who choose to document their employee's release time may do so at their discretion.
3. If a supervisor finds solid evidence that an employee is abusing this benefit, the supervisor can terminate the employee's participation for the term in the same manner that he or she would for abusing classroom participation.
4. Any injury that may occur during an employee's release time, as a result of participation in activities, or in transit to and from the activities, is not incurred in the course and scope of employment, or in the coming to or going from employment, and is therefore not covered by workers' compensation. By participating in the release time benefit, an employee personally accepts the responsibility of personal injury or property damage.

FLEXIBLE BENEFITS PLAN (125)

The Flexible Benefits Plan (125) is voluntary and enables employees to tax-shelter a portion of their income to pay for insurance premiums for family coverage or to redirect money into a spending account that can be used for medical expenses, childcare, or other non-ASU insurance coverage.

IDENTIFICATION CARD

Employees will be issued an identification card. Upon termination, the ID card must be returned to the supervisor or your Human Resources Department before the last check will be released.

INSURANCE - ADDITIONAL

For a complete list of insurance options available to full-time employees, please contact your Human Resources Department.

INSURANCE - COBRA

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), continuation of medical coverage for 18 months, at the employee's expense, will be allowed for employees leaving ASU, their spouses and dependents, except those employee terminated for gross misconduct.

Reduction in hours of employment that could cause coverage to cease is also considered as a qualifying event for continued coverage.

Divorce, legal separation, loss of dependent child status, the covered employee's death or entitlement to Medicare, may also give a covered spouse and dependent children the right to elect continued coverage under COBRA for up to three years. Coverage in each of these instances would cease in the event of any of the following: remarriage, the spouse or widow becomes covered under another plan, failure to pay the monthly premiums, or dependents cease being dependents as defined in the medical certificate. In the event of termination of employment or a qualifying event that ends dependent coverage, continuation of coverage may be elected by notifying Cobra-Services at (800-488-8757). Also upon termination of coverage, at your request, ASU will issue a certificate of Credible Coverage to present to future employers as proof of the coverage under this plan. For further information, contact your Human Resources Department.

INSURANCE - HEALTH

All regular full-time employees are eligible for health insurance coverage at Arkansas State University. The duties and privacy practices of Arkansas State University's group health plan are to protect the privacy of an employee's medical information. The Plan provides health benefits under the plan in which the employee is enrolled. The Plan receives and maintains your medical information in the course of providing these health benefits to the employee. The Plan hires a third party administrator, such as BlueAdvantage Administrators of Arkansas, to help provide these benefits. These business associates also receive and maintain medical information in the course of assisting the Plan. All statements of coverage are subject to the terms, conditions, restrictions and other eligibility requirements set forth in the Plan document.

Changes in the coverage may be made during the annual open enrollment period. Please contact your Human Resources Department for more information.

INSURANCE - HIPAA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) allows employees and dependents health coverage with a reduced preexisting exclusion period, if specific portability requirements are met. A "preexisting condition" is a condition present before the enrollment date in any new health plan. This is any condition for which medical advice, diagnosis, care or treatment was recommended or received within the six month period ending on the enrollment date. If at the time an employee changes health carriers, he/she has a minimum of 12 months of continuous health coverage (without a break in coverage of 63 days or more), he/she will not have to start over with a new 12-month exclusion for any preexisting conditions. The employee will receive credit for the length of time that he/she had continuous health coverage reducing the 12 month exclusion period. ASU will furnish a certificate of coverage to an individual to provide documentation of prior creditable coverage upon request or at termination from ASU's plan.

INSURANCE - LIFE

Arkansas State University provides life insurance for all regular, full-time employees and their dependents at no cost to the employee. Please contact the Department of Human Resources for requirements and benefit amounts. Employees may elect to apply for additional coverage. Supplemental Life Insurance may be purchased by the employee in increments of \$25,000, up to five times the annual salary with a maximum of \$250,000. Dependent Life may also be purchased for an employee's spouse or children.

INSURANCE - LONG-TERM DISABILITY

Arkansas State University provides a long-term disability plan for regular full-time employees who have completed the required 90 days of service. The benefit amount is 60% of salary up to \$6,000 per month. Application must be completed at the time of disability, and there is a 180-day elimination period. Please contact your Human Resources Department for requirements and benefit amounts.

LIFETIME PASS POLICY

All faculty and staff members who have rendered 10 or more years of full-time service to the University at the time of retirement shall be entitled to one free ASU Jonesboro general admission ticket to all athletic and university-sponsored events, with the exception of private or professional promotional events such as for-profit concerts, rodeos, ice shows, and other programs held in the Convocation Center or the Fowler Center. The retiree may purchase a ticket for his/her spouse at athletic events at the employee discount rate or elect to upgrade the general admission ticket they receive.

The lifetime pass policy is administered through the Office of the Associate Vice Chancellor for Finance and Administration on the ASU Jonesboro campus in coordination with individual campuses. This policy is effective with retirements after July 1, 1997. The policy will be reviewed annually and may be modified, amended, or terminated at any time and for any reason.

PARKING

Staff members of ASU campuses who choose to park a vehicle in ASU parking areas are required to register the vehicle and display a parking decal as instructed in the Parking and Traffic Regulations Handbook. Each vehicle which does not display the parking sticker in the proper manner will be considered in violation of the rules and subject to a fine.

PROFESSIONAL DEVELOPMENT POLICY

The University utilizes the Professional Development Program to recognize employees for professional development efforts. Employees must submit to their Human Resources Department a statement of Educational Purpose listing the specific educational program, job relatedness, and current job field prior to completion of goal. This form must be submitted and the purpose approved by the employee's supervisor, appropriate vice chancellor, and Human Resources Department. Approved degrees and technical programs must be from regionally accredited institutions. To be eligible, employees must be in a full-time position a minimum of one year prior to completion of goals. Employee must provide proof of completion prior to payment. For additional information please contact your Human Resources Department.

RE-EMPLOYMENT OF RETIREES

Former employees who retired from the University pursuant to Act 187 of 1987 (the Early Retirement Incentive Program) may not be re-employed by the University. Any former employee who retired from the University and is rehired shall be paid the current entry rate for the classification in which they are hired unless the University utilizes: (1) a special entry rate based on Labor Market conditions, or (2) an exceptionally well-qualified special entry rate. A retiree who is rehired and placed in a regular position may be rehired at his/her exit salary as long as the salary does not exceed pay level IV of the position in which they are re-employed. The retiree shall be considered a new hire or a rehire and eligible for benefits including insurance, sick leave, annual leave, and career service bonus, consistent with state policy. Participation in one of the state-sponsored retirement systems is excluded unless specifically requested by the rehired retiree and approved by the appropriate retirement system. Any former employee who retired from a state agency, institution, board, or commission and is rehired in an extra-help position is ineligible for benefits except holiday pay if in a pay status on the last scheduled work day before the holiday and at least one hour on the first scheduled day after the holiday. If an employee receives compensation for unused sick leave at retirement pursuant to A.C.A. 21-4-501 and returns to state employment, the employee shall not be required to wait until the expiration of the number of days for which he or she received additional compensation before returning to state employment or to repay the amount of the compensation. As a condition of employment, a person hired or appointed to a position in any agency in state government on or after August 12, 2005, shall be required to accept payment of salary or wages by electronic funds transfer.

RETIREMENT POLICY - EARLY RETIREMENT

Employees between the ages of fifty-five (55) and sixty (60) shall become eligible for early retirement benefits in the calendar year in which the sum of their age and the number of years of continuous full-time service to the university totals seventy (70).

Employees sixty (60) years of age and older are eligible for early retirement benefits in the calendar year in which they have at least ten (10) years of continuous full-time service to the university.

Employees electing early retirement benefits will receive the following:

1. Medical insurance (including spouse and eligible dependents, if covered at the time the employee retires) at 50% of the full cost of the premium;
2. Life insurance and accidental death and dismemberment benefits equal to the scheduled amount at the time of the early retiree's retirement; and
3. Continuing eligibility of the early retiree, their spouse and eligible dependents for tuition discounts in effect for current university employees.

The benefits provided to early retirees enumerated in items (1) and (2) above will terminate at the earlier of the age at which the early retiree becomes eligible for Medicare coverage or the date the early retiree becomes eligible for similar benefits under any other arrangements for members in a group, whether insured or self-insured.

The University reserves the right to modify, amend, or terminate any benefit plan at any time for any reason.

SAFETY

It is the intention of Arkansas State University to provide safe and healthy working conditions and to establish and promote safe practices at all times by all employees. The University's primary goal is to achieve the greatest degree of freedom from risk and to provide a safe and healthy work atmosphere. The University will continue to be guided and motivated by this policy and, with the cooperation and input of all employees, will actively pursue a safe environment throughout the University.

STAFF DEVELOPMENT

Arkansas State University employees are encouraged to take advantage of job enrichment opportunities to improve their effectiveness in their work and to promote their own career advancement.

All regular full-time employees are eligible for educational enrichment opportunities including the following:

1. With the approval of the supervisor, an employee may enroll in one course for up to 3 hours per week for credit or audit during the fall and/or spring semester during their regular workday (includes lunch hour).

2. With the approval of the supervisor, an employee may enroll in one course each summer term during the regular workday provided the employee takes two hours of vacation per class. This policy is waived for Admissions Counselors, who may take one three-hour course per summer term without taking vacation pay as the nature of their job prevents them from taking classes during their regular working hours during the fall and spring semester.
3. With acknowledgement of the immediate supervisor and upon verification of employment status by Human Resources, an employee may take up to the full class load allowed by the University during hours outside of their regular workday.
4. The supervisor may exercise flexibility in determining an employee's work schedule. This flexibility must ensure the department's needs are met without reducing the number of hours in a regular workday.

All nonacademic, non-administrative employees may use two workdays per year to attend seminars or other work-related workshops. Prior approval of the supervisor is required before the employee enrolls in the training experience.

To recognize employees for professional development, some campuses have developed professional development policies. For more information, please contact your Human Resources Department.

STUDENT HOUSING DISCOUNTS ASU-JONESBORO CAMPUS

Dependents of full-time employees are eligible for employee room discounts, if and only if, the employee is eligible for full university benefits.

An outline of the policy follows:

- 1) Rooms are available in Arkansas, Kays, Northpark Quads, and University resident halls only.
- 2) There will be no set number of rooms reserved for this purpose.
- 3) Rooms will be provided no later than the 12th class day of the fall semester.
- 4) Dependents who want to pay full price to guarantee rooms will not be eligible for rebate.
- 5) Room scholarship recipients will not receive discount.
- 6) Recipients of the discount are required to purchase a non-discounted meal plan.

- 7) Private and private deluxe rooms are available at the discount only after all private room offers to residents paying full price have been exhausted.
- 8) Taxes are assessed at the value of the benefit.
- 9) Discount is 75% of the room cost per semester.
- 10) Must be a full-time student to receive discount.
- 11) Recipients are subjected to the terms and conditions of the Room and Board Contract.
- 12) Employee must be eligible for full university benefits.

UNEMPLOYMENT BENEFITS

University employees are covered under the State Unemployment Compensation Act. Unemployment compensation will be paid if the person qualifies for benefits.

WEAPONS

To the fullest extent allowed by Arkansas law, all weapons are prohibited on all campuses within the Arkansas State University System. Weapons include but are not limited to firearms, explosive devices, hazardous chemicals (other than pocket-sized sprays used for personal protection), knives with blades longer than four inches, nun chucks, brass knuckles, tasers or other electrical stun devices, bows or cross bows, arrows, objects that propel projectiles, replicas of weapons (such as water or toy guns), or any device or substance designed or used to inflict a wound, cause injury, or incapacitate. If a weapon is discovered, it will be confiscated and employees will be subject to disciplinary procedures, including termination and/or arrest.

WELLNESS AND HEALTH PROMOTION

The Department of Wellness and Health Promotion aspires to provide a healthy workplace for Arkansas State University employees. Activity and education based programs are provided in an effort to assist employees in leading healthy lifestyles. ASU employees are encouraged to take advantage of wellness opportunities that are provided to improve or maintain their health and wellbeing.

WORKERS' COMPENSATION BENEFITS

Arkansas State University strives to maintain a safe and healthy environment for all employees. The University provides Workers'

Compensation benefits for employees who are injured during the course of work. To ensure that full benefits may be obtained, it is crucial that the employee notify his/her direct supervisor immediately following a work-related injury. The employee and the supervisor must complete all Workers' Compensation paperwork within twenty four (24) hours of the initial injury. The employer will not be responsible for disability, medical or other benefits prior to receipt of the report of injury. All medical work-related injuries/illnesses will be treated at medical facilities designated for the campus. For specific information on designated facilities, employees should contact their supervisor or the Department of Human Resources. Employees working at off campus sites are to seek medical care at the nearest facility and coordinate further care with the Department of Human Resources. All work-related injuries/illnesses must be reported immediately. Accrued sick leave, if available, may be used to supplement Workers' Compensation benefits so that the employee will receive normal pay. Therefore, all payments from Public Employees Claims Division for Workers' Compensation must be reported to the payroll office.

WORKPLACE VIOLENCE

Arkansas State University observes a zero-tolerance policy regarding workplace violence. Fighting or other activities which may endanger the wellbeing of employees, students, or others may result in immediate termination of employment. Actions that create an environment that is threatening, violent, intimidating, hostile, abusive, or offensive will not be tolerated and must be immediately reported to a supervisor.

GRIEVANCE PROCEDURES

GRIEVANCE ISSUES

The staff grievance procedure applies only to alleged institutional error which affects the terms or conditions of that staff member's employment. Institutional error occurs when no legitimate reason exists for the action taken. Decisions which require the exercise of judgment or discretion cannot constitute institutional error. This procedure may be used for complaints alleging discrimination on the basis of sex, age, and disability or for allegations of discrimination taken against the staff member by students, employees, or third parties. Often, grievances can be reviewed and resolved through the informal discussion process. However, when a difference of opinion exists and the grievance remains unresolved, the issue should proceed through a more formal complaint procedure for a final decision.

All grievances will be investigated within the stated time frame to ensure prompt yet thorough action. The University will grant time adjustments only for extenuating circumstances. Arkansas State University will not, and is prohibited from, discriminating against any person who has filed a grievance. A grievance must be activated within 60 days from the time the events leading to the complaint occurred.

INFORMAL DISCUSSIONS

Initially, a staff person having a grievance should discuss the grievance with the immediate supervisor. It is the supervisor's responsibility to give an impartial, informal hearing; to make a complete investigation; and, if possible, to arrive at a resolution which is mutually agreeable. The supervisor is expected to reply orally to the staff member within ten (10) working days. If a mutually agreeable resolution is not reached within ten (10) working days after presentation of the grievance to the supervisor, the employee may submit a written complaint to the head of the department. If the grievance involves the immediate supervisor and the employee does not feel comfortable discussing the situation with the supervisor, the employee may contact his/her Human Resources Department.

WRITTEN COMPLAINT

If the grievance is not solved through informal discussions, a written complaint should be submitted to the head of the department within

ten (10) working days after a response is received from the supervisor. A grievance may be filed in the Human Resources Department and, upon request, a staff person there will assist in the preparation of a complaint and explain the steps involved in the grievance procedure. The Human Resources Department maintains files on all grievances and monitors their outcome once they have reached this level.

DEPARTMENT HEAD'S RESPONSE

After receiving a written complaint, the department head has ten (10) working days to prepare a written response. In that time, the department head shall consult the supervisor involved, study all the pertinent facts, carefully examine any policies involved, discuss the issue with the employee and if possible, resolve the matter within the framework of existing university policy to the satisfaction of the employee and the supervisor. The employee and the Human Resources Department should receive written notification of the department head's response to the complaint. If the time period has expired without a response, or if a mutually agreeable resolution is not reached within this time period, the employee has ten (10) working days to submit a written complaint to the Staff Hearing Committee. This action should be forwarded through your Human Resources Department with a copy of the notification sent to the department head.

STAFF HEARING COMMITTEE COMPOSITION

The Staff Hearing Committee is made up of a 21 member pool representing administrative, professional, clerical, and service/maintenance staff. Members are appointed by the chancellor and serve a two year term with one half of the committee being replaced annually. The chancellor of the campus appoints 7 of these members to review each case. The committee elects a chairman each year. A member of Human Resources sits as an ex-officio, non-voting member of the Staff Hearing Committee, offering technical assistance on procedural and policy matters.

STAFF HEARING COMMITTEE FUNCTIONS

The Staff Hearing Committee functions in a flexible and informal manner to determine whether institutional error has occurred and, if so, to recommend an appropriate corrective action. Complaints for Staff Hearing Committee review must be submitted to the Human Resources Department to be forwarded to the committee. The committee has

twenty (20) working days to prepare a written response after it has received a complaint. All proceedings shall be in closed session and will not include the grievant, the party complained against, or other witnesses unless the Committee requests their oral testimony. In the event that oral testimony is requested, the grievant and the party complained against may be present and question the witnesses. Each party may have an advisor present during the testimony who may provide personal consultation but may not actively participate in the hearing.

In reviewing a case two options are open to the Committee:

1. It may find no institutional error has occurred and recommend that no further action be taken.
2. It may find that institutional error has occurred and recommend a remedy for a change in the term or condition of employment.

STAFF HEARING COMMITTEE FINDINGS

In all instances the committee shall make a record of its findings, a statement of its conclusion, including the reason or policy criteria used in reaching a decision, and its recommendations for resolution of the grievance. The Committee decision shall be forwarded to the chancellor of the campus for action. Copies will be filed with the Human Resources Department as a part of the complaint record and sent to the grievant and the department head. The chancellor may accept or reject the Committee recommendation after review of all file materials. The chancellor's decision is final.

DOCUMENT COLLECTION

When a grievance proceeding has been closed, all material relating to that case shall be retained on file in the Human Resources Department for five years. Care will be taken to ensure that no incomplete or inaccurate information pertaining to the grievance is retained in the file.

HARASSMENT

Definitions & Policy

Arkansas State University is committed to creating and maintaining a university community that is free from all forms of harassment, including sexual harassment.

Sexual Harassment occurs:

1. When submission to, or toleration of, such conduct on or off campus is made a term or condition of instruction, employment, or participation in other university activities;
2. When submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making employment or academic decisions affecting the individual; and
3. When conduct has the purpose or effect of unreasonably interfering with an individual's academic or employment performance or creating an intimidating, hostile, or offensive university environment.

Supervisors and staff members must recognize that their positions necessarily embody unequal power relationships with their subordinates and students, respectively. Because of the inherent power difference in these relationships, the potential exists for the less powerful to perceive a coercive element in suggestions relative to activities outside those appropriate to the professional relationship. It is the responsibility of supervisors and staff members to behave in such a manner that their words or actions cannot reasonably be perceived as coercive.

Employees should report incidents of sexual harassments to the Human Resources Department. ASU prohibits retaliation and will not retaliate against any employee who makes a good faith report of alleged harassment, even if the employee was in error.

INTERNET CODE OF CONDUCT

Information Technology Resources may be used only for their authorized purposes -- that is, to support the research, education, administrative, and other functions of Arkansas State University. The particular purposes of any IT resource as well as the nature and scope of authorized, incidental personal use, may vary according to the duties and responsibilities of the user. A copy of the Internet Code of Conduct can be found at http://its.astate.edu/about/appropriate_use_policy.htm



This handbook does not constitute a contract for employment with Arkansas State University, either express or implied, and Arkansas State University reserves the right at any time to change, delete, or add to any of the provisions at its sole discretion. Furthermore, the provisions of this handbook are designed by Arkansas State University to serve as guidelines rather than absolute rules, and exceptions may be made from time to time on the basis of particular circumstances. Employment at Arkansas State University is at-will. Either you or ASU may terminate the employment relationship at any time, with or without cause. The at-will relationship remains in full force and effect notwithstanding any statements to the contrary made by university employees or set forth in any documents.

This employee handbook supersedes all previous employee handbooks and management memos which may have been issued on subjects covered herein.

Revised December 2008