

Staff Handbook



Fairmont State University

STAFF HANDBOOK

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INTRODUCTION

Welcome to Fairmont State University. Fairmont is a diverse community made up of students, faculty, and staff from many diverse cultures. The success of Fairmont State University in achieving its mission can only be assured if we all work together. Your role as a Fairmont State University staff member is very important to the success of this mission.

This handbook includes information related to the employment of full-time and part-time classified and non-classified employees. It is not a comprehensive manual of all policies and procedures, but is intended to answer many basic questions and to direct the reader to additional sources of information. Policies and procedures will change from time to time to accommodate changes in circumstances and applicable law. At any given time, existing policy and law will prevail over inadvertent errors or outdated material in the *Staff Handbook*.

The contents of this handbook are not a promise of employment, continued employment or the terms of employment, nor do they constitute a contract, real or implied.

Interpretation of information within this handbook is the responsibility of the Human Resources Office, in consultation with (as appropriate and necessary), senior administration and General Counsel.

The Human Resources website is an excellent source of information about employment issues and resources. (www.fairmontstate.edu. Click **Faculty/Staff** on the main page then under Administration, click **Human Resources**).

Fairmont State University Mission Statement

The mission of Fairmont State University is to provide opportunities for individuals to achieve their professional and personal goals and discover roles for responsible citizenship that promote the common good.

STAFF HIRING PRACTICES AND PROCEDURES

The following practices and procedures need to be followed when hiring non-classified and classified staff. For information on faculty hiring practices and procedures, please consult the *Faculty Handbook*.

Filling a classified staff position

1. When a classified staff vacancy occurs (position number already exists), the first step for the supervisor is to begin a **“Modify/Reclassify Existing Classified Staff Position Description”** action inside the Hiring Manager’s Site at www.fairmont.pierpontjobs.com/hr. If the position is brand new (position number does not exist), the first step for the supervisor is to begin a **“New Classified Staff Position Description”** action. Detailed instructions for completing these actions are on the HR website (under Hiring Manager’s toolkit).
2. After the position has been approved by everyone in the approval hierarchy and reaches the HR Office, HR will create a requisition (posting) and will post and advertise.
3. Individuals who are interested in the position will apply online and the hiring manager and search committee will have the ability to review the applicants once the requisition status reaches either *“Approved by AA/Search Committee Review”* or *“Search Committee Review (internal).”*

NOTE: There are some questions that cannot be asked of candidates and topics that may not be discussed in relation to the hiring process. Search committee members must be alert to avoid discussing candidates or talking with them in a way that might be considered as discriminatory. Please refer to page 11.

4. As per Series 39, Section 5, non-exempt classified employees who have applied for non-exempt classified positions have preference over external applicants.

When there are multiple internal non-exempt classified applicants for a non-exempt classified position, and if the candidates are equally qualified for the position, then the employee with the most seniority must be hired. If one internal candidate is deemed by the hiring manager to be better qualified for the position than the other internal candidates, then that individual may be hired even if he or she does not have as much seniority as other internal candidates; however, a written justification from the supervisor must be provided to Human Resources.

5. Once the successful candidate has been identified, the supervisor should take the following steps to complete the hire:
 - a) Submit all fully completed and signed interview evaluation rating forms to the Human Resources Office for all candidates who were interviewed.
 - b) Log into the Hiring Manager’s site at www.fairmont.pierpontjobs.com/hr and change all applicant statuses to either **“interviewed”** or **“not interviewed”** associating a reason with each.
 - c) Change the recommended hire applicant’s status to **“interviewed, recommend for hire.”** Once this status has been changed, begin the online hiring proposal by

clicking on **“begin hiring proposal.”**

- d) Complete hiring proposal fields and continue to next page until reaching the summary page. Submit to next level approver.
6. Once everyone has approved the hiring proposal in the approval hierarchy, HR will extend the offer. Once the offer has been accepted (or declined), the supervisor will receive a system-generated e-mail. If the position was accepted, the e-mail will contain the tentative hire date for the candidate. If the position was declined, the hiring proposal for the candidate will be canceled and the supervisor/hiring manager will receive further instructions.

If for some reason Human Resources does not obtain state approval for the hire prior to the tentative hire date, a representative from HR will contact the supervisor and employee. Otherwise, the employee will report to work on the hire date as originally scheduled.

Filling a non-classified staff position

1. When a non-classified staff vacancy occurs (position number already exists), the first step for the supervisor is to begin a **“modify/reclassify existing Faculty/FEAP/Non-Classified Position Description”** action inside the Hiring Manager’s site at www.fairmont.pierpontjobs.com/hr. If the position is brand new (position number does not exist), the first step for the supervisor is to begin a **“New Faculty/FEAP/Non-Classified Staff Position Description”** action. Detailed instructions for completing these actions are on the HR website (under Hiring Manager’s Toolkit).
2. After the position has been approved by everyone in the approval hierarchy and reaches the HR Office, HR will create a requisition (posting) and will post and advertise.
3. Individuals who are interested in the position will apply online and the hiring manager and search committee will have the ability to review the applicants once the requisition status reaches either *“Approved by AA/Search Committee Review”* or *“Search Committee Review (internal).”*

NOTE: There are some questions that cannot be asked of candidates and topics that may not be discussed in relation to the hiring process. Search committee members must be alert to avoid discussing candidates or talking with them in a way that might be considered as discriminatory.

4. Once the successful candidate has been identified, the supervisor should take the following steps to complete the hire:
 - a) Log into the Hiring Manager’s site at www.fairmont.pierpontjobs.com/hr and change all applicant statuses to either **“interviewed”** or **“not interviewed”** associating a reason with each.
 - b) Change the recommended hire’s applicant status to **“interviewed, recommend for hire.”** Once this status has been changed, begin the online hiring proposal by clicking on **“begin hiring proposal.”**
 - c) Complete hiring proposal fields and continue to next page until reaching the summary page. Submit to next level approver.

5. Once everyone has approved the hiring proposal in the approval hierarchy, HR will extend the offer. Once the offer has been accepted (or declined), the supervisor will receive a system-generated e-mail. If the position was accepted, the e-mail will contain the tentative hire date for the candidate. If the position was declined, the hiring proposal for the candidate will be canceled and the supervisor/hiring manager will receive further instructions.

If for some reason Human Resources does not obtain state approval for the hire prior to the tentative hire date, a representative from HR will contact the supervisor and employee. Otherwise, the employee will report to work on the hire date as originally scheduled.

Reference and Interview Questions

It is very important that the questions a supervisor and search committee ask during reference checks and interviews are directly related to the applicant's ability to perform the particular position being hired for. Make a list of questions and ask the same questions of each applicant or reference, in the same order. Questions related to the applicant's gender, race, age, national origin, religion, sexual preference or orientation, handicap, familial status, or other considerations not related to the job, may be discriminatory and may not be asked. Instead, rephrase the question to focus on a skill or trait directly related to the job. Ask about personal characteristics, such as height and weight, only if it is a direct qualification for the job. Request the name of an emergency contact only after the candidate has been hired. When discussing the qualifications of candidates, the comments should be limited to job-related qualities.

Unacceptable Question	Employment Issue	Acceptable Question
About maiden name, marital status.....	Work history	Have you ever worked under a different name?
Wish to be addressed as Mr., Miss, Mrs. or Ms?	None	None
About number, age of children	Work availability.....	What schedule can you work?
About babysitter	Work availability.....	Are there times you cannot work?
About skin coloring, requesting a photo	None regarding race	None
About location of current address, home ownership	None regarding race	None
About length at current address, home ownership	None regarding age	None
High school, college graduation date	Education.....	Do you have the diploma, degree required for the job?
What is your age?	None regarding age	None
Where were you born? Where are your parents from?	Employment eligibility	Are you legally eligible for employment in the U.S.?
What is your native language?	Job-related language proficiency	If job-related, in what languages are you fluent?
About religious practices; labor union, club, lodge or society membership	None regarding non-job..... related organizational affiliations	Do you have non-work responsibilities that could interfere with job duties and requirements, like travel?
About home ownership, wage garnishing, bankruptcy	Job-related credit history	Must comply with Fair Credit Reporting Act of 1970 and Consumer Credit Reporting Reform Act of 1996
Do you have a car?	Work availability.....	Are there times you cannot work?
Have you ever been arrested?	Job-related criminal history	Have you ever been convicted of a crime? If so, when, where, and what was the disposition of the case?
About job disabilities.....	Job performance	Can you perform the duties of the job for which you are applying?
About military service dates, discharge..... type, veterans disability pension	Military record	What job-related education and experience did you receive in the military?

FAIRMONT STATE UNIVERSITY EMPLOYMENT

EEO and Affirmative Action

Fairmont State University is an Equal Opportunity-Affirmative Action institution. In compliance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act, West Virginia Human Rights Act, Title IX (Educational Amendments of 1972), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the other applicable laws and regulations, the institution provides equal opportunity to all prospective and current members of the student body, faculty, and staff on the basis of individual qualifications and merit without regard to race, sex, religion, age, national origin, disability, or sexual orientation as identified and defined by law. Fairmont State University neither affiliates knowingly with nor grants recognition to any individual, group or organization having policies that discriminate on the basis of race, color, age, religion, sex, national origin, disability, or sexual orientation as defined by applicable laws and regulations. Further inquiries may be directed to the Assistant Vice President for Human Resources and Campus/Community Relations, who is the Section 504, Title IX Coordinator, located at Room 324 Hardway Hall, (304) 367- 4386, or the Americans with Disabilities Act Coordinator, located at Room 309 Colebank Hall, (304) 367-4215.

Immigration Reform and Control Act of 1986

Department of Homeland Security requires that employees complete their portion of the USCIS Employment Eligibility form (Form I-9) in person on or before the first day of work. Work cannot commence until this form is completed. Employees are required to present acceptable documentation of identity and employment authorization at that time. In addition, the State of West Virginia requires verification of a social security card for employment purposes. Fairmont State University retains copies of the completed Form I-9 for a period of 3 years from the date of hire or one year after the employee terminates employment from Fairmont State University, whichever is later.

Medical Examination During Employment

Under certain conditions such as health and safety concerns, requirements of federal or state law, or for independent medical leave verification, Fairmont State University may require employees to undergo one or more medical examinations. Such examinations will be performed at the University's expense. The result of medical examinations and any associated reports will be shared with the employee and will serve as a basis for making administrative decisions related to job retention, reassignment efforts, reasonable accommodations, job separation, and other personnel matters related to the affected employee(s). Any supervisor who wishes to require such an examination can do so only after approval of the Assistant Vice President of Human Resources regarding the particular situation.

Job Accommodation During Employment

An employee in his/her present position, who is otherwise qualified and has or acquires a permanent medical impairment or impairments causing functional restrictions or limitations that can be reasonably accommodated, will be provided such measures by Fairmont State University, if reasonable accommodation will permit the employee to meet the essential requirements of his or her particular job. For additional information or to request such accommodations, contact the Office of Human Resources.

Orientation

During the first days of employment, the orientation process will begin. Supervisors will provide employees with an introduction to policies, procedures, programs, performance, and expectations of the position. The supervisor is the primary authority and best source for specific information regarding position responsibilities and performance expectations. The supervisor is the first person to contact concerning any questions, problems, or complaints pertaining to duties and responsibilities or workplace conditions.

A new employee orientation program is conducted at the time of employment by the Office of Human Resources.

Probationary Period

A three-month and six-month probation and evaluation period is provided for new classified employees. HR will initiate the online performance evaluations for the supervisor at the appropriate time. If an employee meets the standards of performance at the end of the six-month probationary period, s/he will be considered a regular classified employee.

If an employee does not meet the standards of performance that have been previously discussed with the supervisor, the probationary period may be extended an additional six months. The supervisor will make this six-month extension recommendation in the online provisional evaluation process. The supervisor must identify specific deficiencies and include a planned corrective program, outlining goals and objectives within a specific time frame for achieving the desired performance. The employee will be notified of the extension and the deficiencies and improvements required. If the initial probationary period is extended, the supervisor will be responsible for completing an additional six-month evaluation. HR will initiate this evaluation for the supervisor at the appropriate time. At the discretion of the President, the probationary period may be extended to a maximum of twelve months.

During the initial or extended probationary period, employees are ineligible for the tuition waiver program.

A classified employee may be separated during the initial or extended probationary period if he/she fails to meet established position expectations. During this time period, termination of a newly hired employee may occur following one letter of warning for misconduct or performance issues.

Non-classified employees are “will and pleasure” and the aspects of probation do not apply to the terms of their employment.

Employment Status (HEPC Series 8, Personnel Administration)

Full-Time Regular Employee — an employee in a staff position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Such an employee is eligible for all applicable benefits of a full-time regular employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE. Length of service as a full-time regular employee with the State of West Virginia shall be credited toward initial placement on the salary schedule for classified employees.

Part-Time Regular Employee — an employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a part-time regular position is not eligible for most benefits, but may be covered under the classification program.

Casual Employee — a casual employee position is created to meet specific operational needs at an institution for no more than 225 hours in a twelve-month period. Individuals in a casual employee position are not eligible for benefits and are not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

Student Employee — an employee enrolled at the institution as a student and whose primary purpose for being at the institution is to obtain an education. A student employee is not eligible for benefits and is not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

Non-Classified Employee — an employee who is responsible for policy formation at the department or institutional level, is in a critical retention position, or reports directly to the President of the institution. Non-classified employees are not subject to the classification program but are eligible for benefits, if at least .53 FTE. Non-classified employees serve at the “will and pleasure” of the president.

Overtime

Classified and non-classified positions are either in exempt or nonexempt positions as determined by the Federal Fair Labor Standards Act (FLSA). This determination is made based on FLSA criteria.

Non-Exempt Employees — are entitled to overtime compensation at the rate of 1.5 times the actual hourly rate for all hours worked in excess of 40 during the work week. Hours worked between 37.5 and 40 are compensated at the straight time hourly rate. Holidays and sick or annual leave hours are not hours worked. Employees should presume that they

should not work overtime at their own initiative but only with their supervisor's approval. The immediate supervisor must approve and complete a "Request for Overtime" form. Requests for overtime must be submitted to the Office of Human Resources for non-exempt employees before the overtime is worked. Employees will be paid for overtime unless a compensatory time agreement exists.

Exempt Employees — do not receive overtime compensation. These employees meet the Fair Labor Standards Act criteria for executive, professional, or administrative positions.

Questions regarding overtime must be directed to the Office of Human Resources (Ext. 4383). Questions regarding how to calculate pay or hourly rate should be directed to the Payroll Office (Ext. 4818).

Equalization of Overtime

Overtime rosters will be posted by supervisors for any overtime assignments which are anticipated more than one work day in advance. Employees shall be placed on the roster based on seniority. Overtime will be offered to the most qualified senior employee. The next occasion for overtime will be offered to the next qualified senior employee. This process will continue until the list is exhausted. If the employee whose turn it is to be offered overtime refuses the overtime work, it will be offered to the next person on the list. If all employees decline, then overtime is assigned to the most junior employee whose name appears on the roster and who is capable of doing the work.

Required Overtime

Employees may be required to work overtime under certain circumstances. However, the work must be of reasonable duration. Also, employee health, safety, and endurance must be considered, and the direction to work must be issued under reasonable circumstances.

Compensatory and Holiday Time Off

Compensatory time off shall be allowed only to the extent authorized by federal and state law. Non-exempt employees will be paid for overtime and holiday pay unless a compensatory time written agreement exists. Any comp time must be used within a one-year period following the holiday. When a classified or non-classified exempt employee is required to work on any designated institution holiday, that employee shall be given substitute time off on an hour-for-hour worked basis.

Flex Time

An employee may request and work other than Fairmont State University business hours, to include flex time, four-day work week, and job sharing provided that he/she works the required number of hours in the respective work week with the approval of the immediate supervisor. The supervisor, with the approval of the President, may approve or deny a request for flexible work hours. Based on operational need, the supervisor has the authority to require flex time only in unusual circumstances. Flex time may be granted on a fixed schedule or on a short-term basis.

Lunch Breaks

When an employee is scheduled to work more than four (4) hours, the supervisor is required to give him/her a lunch break of 30 minutes. When an employee works a shift of less than four hours, it is at the supervisor's discretion whether she/he takes an unpaid meal break of 30 minutes, the exact timing of which is at the discretion of the supervisor. (Police officers are an exception to this policy because of their duties as to emergency response.) An employee is not allowed to take a lunch break at the end of his/her shift and leave early.

Rest Breaks

Employees may be granted rest periods not to exceed two 10-minute breaks per 8 hour day. Additional unauthorized time away from the work site must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. The purpose of such break periods is to provide relief from duties and absence from the work station, offering employees the opportunity to attend to personal activities (i.e., to smoke, to make personal calls). Based upon operational needs, an employee may be required to work through a break; in such cases, the employee is not entitled to additional compensation. Breaks are compensated work-release time and may not be used or accrued to make up work time, leave work early, or extend lunch time, etc.

Work Schedules (HEPC Series 8)

The work week is defined as a regularly recurring period of one hundred sixty-eight hours in the form of seven consecutive twenty-four hour periods. Work begins at 12:01 a.m. on Sunday and ends at 12:00 a.m. (midnight) the following Saturday. The standard number of work hours for a full-time classified or non-classified employee is 37.5 hours during the work week. Employees are expected to be punctual and functioning in their positions consistent with their scheduled work hours. Based on operating need, supervisors have the authority to require employees to work more than their normal hours. Supervisors also have the authority to assign employees to work different shifts on a temporary or permanent basis. When practical, employees will be given 15 days advanced notice of any significant schedule change. However, employees have the responsibility of reporting as assigned by their supervisors, even if there has not been advanced notice of a significant schedule change given to the employee. It is the policy of Fairmont State University not to routinely make temporary, non-emergency changes in an employee's work schedule.

University Business Operational Hours

The official business hours of Fairmont State University are 8 am. to 4 p.m., Monday through Friday. The business hours relate to the time period when University administrative offices are open to meet daily operational needs. Each office must maintain University business hours. The vice president or director may implement flex time schedules and establish specific work schedules for each position. Flex time may also apply to shifts other than day shift.

Procedures for Reporting Unscheduled Absences

Notification of an unscheduled absence, prior to an employee's scheduled start time, is of the utmost importance. If for any reason an employee is unable to report to work as scheduled, the employee must notify their supervisor prior to their scheduled start time with the reason and expected duration of the absence. Failure to notify an immediate supervisor concerning an absence can result in discipline to the employee, including termination. It is the obligation of the employee to make certain that the immediate supervisor or designee is notified of an absence prior to the employee's scheduled start time.

Reporting On-the-Job Injuries

On-the-job injuries must be reported to one's supervisor as soon as possible after they occur. The employee must submit a written accident report form to the designated supervisor **no later than 24 hours after the injury occurs**. All accidents must be reported, immediately or no later than the end of the employee's shift or workday, regardless of whether they result in a Workers Compensation claim. Each employee's supervisor or designated party is responsible for having the appropriate form completed and submitted immediately to the Campus Safety Specialist or Office of Human Resources. Special rules apply to leave caused by Workers Compensation claims. For further information, employees should contact the Office of Human Resources. The Accident/Incident Report form is available in the Office of the Safety Specialist and the Human Resources Office.

Hiring of Relatives

Consistent with Fairmont State University policy, employees may neither initiate nor participate in institutional personnel decisions involving a direct benefit to an immediate family member. Such decisions include, but are not limited to, hiring, supervision, retention, promotion, salary, and leave of absence. Family member is defined by one of the following: relationships by blood (parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin); or relationships by marriage (husband, wife, stepparent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, or niece.)

Transfer and Promotion Opportunities

All transfer and promotion applications require completion of an electronic application through the HR online employment system. The employee must apply for a specific vacancy as advertised. It is the employee's obligation to provide information and complete an application for review in each decision. Questions concerning the transfer and promotion process should be directed to the Office of Human Resources.

Access to Personnel Files

A confidential personnel file containing pertinent employment information is maintained for each employee in the Office of Human Resources. The employee is entitled to inspect or copy his or her personnel file in the presence of a Human Resources staff member. The employee shall not be entitled to inspect or copy any letter of reference or other similar record that he/she has previously waived the right to inspect when the information was solicited by or supplied to Fairmont State University based on such waiver. The employee shall not be entitled to inspect or copy any other record exempt by WV Code 29B-1-4 unless there is clear and convincing evidence of a legitimate reason sufficient to overcome exception.

If employees wish to examine their personnel files, they should notify the Office of Human Resources by phone or by filing a written appointment request at least 24 hours in advance of the desired appointment time. Personnel files may be examined only during normal Fairmont State University business hours. The response of the Office of Human Resources to outside requests for employment verification is restricted to the release of the employee's name, employment dates, and job title. Salaries of state employees are a matter of public record.

WORKPLACE STANDARDS

Employee Rights and Responsibilities

Employees are required to provide a full day's work each day on the job; to behave in a civil, professional manner; to treat others with respect; to comply with state and federal laws and regulations related to individual rights, business operations and procedures, health and safety, conflict of interest, and to comply with West Virginia Higher Education Policy Commission (HEPC) and Fairmont State University regulations, rules, policies, and procedures. Employees are entitled to be treated with respect and dignity by supervisors and other employees and are entitled by statute and policy to file a grievance for work-related disputes free from retaliation.

Management Rights and Responsibilities

Managers and supervisors at Fairmont State University should treat employees with respect and dignity. Managers and supervisors are responsible for compliance with University policies and procedures and for communicating and applying operational based directives. Managers and supervisors are also responsible for carrying out administrative directions and decisions.

Management/supervisory rights and responsibilities include, but are not limited to, such things as:

- Determining the work force direction and objectives;
- Determining the number and type of positions required, changed or consolidated;
- Establishing standards of performance and conduct;
- Determining the people to be hired;
- Conducting employee evaluations;
- Determining disciplinary action;
- Scheduling of the work force, including determination of the number of shifts to be worked, and the scheduling and amount of overtime to be worked;
- Determining when reductions in work force are required, including hour reductions and layoffs
- Determining when recalls are required;
- Establishing a safe work environment;
- Providing the materials and equipment to do the work required; and
- Ensuring adherence to applicable laws and policies.

Solicitation

Solicitation and selling of products and articles on Fairmont State University property, owned or leased, is prohibited except by organizations and groups directly affiliated with and recognized by Fairmont State, and authorized by written approval of the institution's President or the President's designee. The names of Fairmont State University and the West

Virginia Higher Education Policy Commission may not be used to secure funds for any purpose or through any means without the written permission of the institution's President or the President's designee. Employees may not participate in the solicitation of funds by sales or donation, stated or implied, using the name of the institution or their title without the written permission of the University President or the President's designee.

University Property

Fairmont State University programs, personnel, time, titles, and property, including equipment, systems, vehicles, information, supplies, and office space are to be used in conducting authorized business of the University. Use of such for personal benefit or gain may be grounds for disciplinary action.

Private information protected under policy or law, such as certain financial, personnel, patient, donor, or student information, histories, and mailing lists, is to remain confidential. Such information may be disclosed, viewed, or copied only with proper authorization and must be disposed of in a manner that retains this confidentiality. Willful disclosure, viewing, or copying of private information without authorization from one's supervisor may result in disciplinary action and/or legal prosecution.

Employees are responsible for securing the University building, office, room, equipment, and other keys assigned to them for work-related reasons. Costs incurred by the institution as the result of unauthorized use or the misuse of University property, such as but not limited to personal telephone calls, will be recovered from the responsible employee. Personal calls must be avoided at all times except for emergencies. An employee may not use institutional phones for personal long-distance calls or telegrams, unless he/she is charging them to his or her home telephone number or personal credit card or securing a personal access code whereby charges will be incurred directly to the employee.

Dress and Grooming Codes

All employees are to be suitably attired and groomed during work hours or when representing the interests of Fairmont State University. The supervisor will determine the appropriate dress and grooming codes for each department or work area, according to operational need. Dress and grooming codes will be nondiscriminatory.

General Harassment Policy

Fairmont State University does not tolerate harassment in the work place, or of members of the University community, and wants to provide an environment free of any form of harassment. Harassment is defined as any form of conduct that would be offensive, intimidating, or threatening to the average person and is done on the basis of race, national origin, ethnicity, age, veteran status, disability, religion, sexual orientation, gender, and association with persons different from oneself. Harassment may be of a sexual, racial, or more general nature.

Employees or students who believe they have been harassed in violation of this policy should take the steps that are outlined in the General Harassment Policy. The policy is available online under the Board of Governors web page.

Drug-Free Workplace Policy and Procedures

All employees of Fairmont State University, including faculty, staff, administrators, and student employees, must comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690 Title V, Subtitle D, 41 U.S.C. 701 et. seq.) and The Safe and Drug Free Schools and Communities Act of 1989.

Prohibitions –

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place.
2. Reporting for work under the influence of a controlled substance or alcohol is prohibited.

Notice to Employees – As a condition of Fairmont State University employment, every employee shall abide by the terms of this policy and notify their supervisors and the Office of Human Resources of any conviction of drug or alcohol related charges resulting from any activity occurring in the work place or otherwise on university premises no later than five days after such conviction.

Sanctions – Any employee found in violation of this provision shall be subject to disciplinary action, including dismissal, and may be required to participate in a drug abuse assistance or drug rehabilitation program.

Smoking Policy

Smoking of tobacco, except in designated areas, is prohibited in all buildings and facilities of Fairmont State University. Smoking is also prohibited in any motor vehicle owned, leased, or otherwise operated by the University. Smoking within 20 feet of building entrances is prohibited as designated by signage. Cigarette ashes and cigarette remains should be placed only in designated receptacles. Tobacco products, such as snuff and similar substances, are prohibited in all buildings and institutional vehicles.

Hazardous Materials

A Material Safety Data Sheet is to be maintained in the workplace for any hazardous material present. Employees are encouraged to review those safety sheets. Employees who are concerned about materials which they believe may be hazardous, but which have not been identified as such, should consult with the supervisor before handling the material. If the concern is not satisfied, the employee may contact the Campus Safety Specialist or the Assistant VP of Facilities Management and Capital Projects.

PAYROLL

Paychecks

Employees are paid twice a month. If a month has 30 calendar days, pay day will be on the 15th and the 30th of the month. If a month has 31 days, pay day will be on the 16th and the 31st of the month. When a pay day falls on a weekend, pay checks will normally be issued the preceding Friday. The University is required by law to make deductions from paychecks for federal and state income taxes, Social Security, and retirement (if full-time). Employees should immediately notify their supervisors or the Payroll Office if they believe there is a problem with their pay check. New employees will have one pay check held in arrears.

Direct Deposit of Paychecks

All employees are strongly encouraged to have their pay checks deposited directly into their bank accounts. Direct Deposit applications are available in the Payroll Office. New employees are required to register for Direct Deposit. Deposits to checking, savings, and credit union accounts are available.

Non-Exempt Salaried Employees

Non-exempt salaried employees must submit a monthly work record signed by their supervisor to the Payroll Office, verifying hours worked. The monthly work record, as well as instructions for its completion, can be found under Human Resources in the forms repository.

Non-Exempt *Hourly* Employees

Time sheets are submitted to the Payroll Office twice a month for all hourly employees. Each month is divided into two pay periods; the first covers the work period from the 1st to the 15th, the second covers from the 16th through the end of the month. Time sheets are to be delivered to the Payroll Office (Room 324 Hardway Building) on the 16th and 1st of each month. Due to mandatory cutoff dates established by the State Auditor's Office, it is imperative that hourly employees adhere to these due dates. Failure to do so will result in the time sheet being held for processing until the following pay period. Salaried employees who fall to zero in both their annual and sick leave balances will be placed on the hourly payroll.

BENEFITS

Employee Benefits Plan

Fairmont State University provides full time employees an opportunity to participate in a comprehensive package of benefits that includes retirement, health, life, disability, dental, vision, spending accounts, and other benefits. Employees learn about each of the plans at the new employee benefits session. All plans, programs, benefits, services and other provisions are subject to review and change.

Retirement Programs

The State of WV requires participation in a tax-sheltered 401(a) Defined Contribution Plan. The Higher Education Policy Commission (HEPC) makes decisions regarding the offered programs. Benefit eligible employees contribute six percent of their gross pay, which is matched at six percent by the institution. The funds are fully vested from the date of entry. Employees choose either TIAA-CREF www.tiaa-cref.org or Great-West Retirement Services www.gwrs.com

In addition to the required plan, both companies offer tax-sheltered plans for those who wish to contribute more than six percent of gross wages: The Supplemental Retirement Plan 403(b); or Deferred Compensation Plan 457(b). All employees, including part time and adjunct faculty, can participate in a 403(b) plan.

Health Insurance Plans

West Virginia Public Employees Agency (PEIA) offers plans that include hospital, surgical, major medical, prescription and other medical care coverage. The pre-tax premiums are based on salary. New employees who enroll the month of hire will have coverage the first of the following month. www.peia.wv.gov

PEIA Life Insurance

The basic, health plan under PEIA (The Public Employees Insurance Agency) includes \$10,000 term life insurance with an accidental death and dismemberment benefit. Employees not needing coverage under the health plan may elect life insurance only. Additional optional life insurance may be purchased by employees for a monthly premium based on age and the principal sum selected — up to \$500,000. Dependent life insurance may also be purchased. Enrollments under both options are subject to a statement of health after employees have been with the institution for three months or more.

Mountaineer Flexible Benefit Plans

During the annual Open Enrollment period, employees can enroll in pre-tax dental, vision, hearing plan, and medical and dependent care spending accounts. Also, employees enrolled in a high-deductible health plan can enroll in a Health Savings Account (HSA), and a Limited-Use Medical Expense account. A post-tax legal plan is also available. New booklets are sent to the employee's home address each Open Enrollment.

Short Term Disability Insurance

The plan provides a **“non-taxable”** income benefit after 7 consecutive days of illness or the end of sick leave, and up to 26 weeks of disability. New full time faculty and staff are eligible to enroll within the first 31 days of hire; thereafter, enrollment requires a statement of health. The income benefit is 60% of basic salary up to a maximum benefit of \$1,000 per week. Rates are based on salary. Income benefits for all faculty & staff are calculated on 52 weeks to allow summer benefit coverage for less than 12 month employees.

Long Term Disability

The plan provides a **“nontaxable”** monthly income up to age 65 in the event of total disability. New hires have 31 days from their date of hire to enroll without a statement of health. The benefit begins after six full months of continuous disability and the end of sick leave. The basic monthly income benefit replaces 60% of your monthly wage base up to a maximum of \$10,000 per month, less benefits from other sources (such as Social Security or Workers Compensation). Rates are based on age and salary.

Also included is an “Annuity Benefit,” which pays a monthly “retirement” benefit to the employee's TIAA-CREF or Great-West basic retirement account, which equals 12% of your monthly wage base.

Personal Accident Insurance

Life Insurance of North America (INA) is a post- tax plan, and provides from \$10,000 to \$100,000 (single or family coverage). The plan protects against losses due to accidents; and pays benefits for paralysis, dismemberment, loss of eyesight, speech or hearing resulting from an accident.

REACH/Employee Assistance Program

A program provided by the institution for employees and their dependents. REACH offers confidential and professional face-to-face counseling services to help you and your family resolve job-related, personal and family problems. There is also unlimited telephone counseling. The program is available 24 hours a day, 7 days a week by calling (800) 950-3434. REACH'S Worklife Web service <http://reachworklife.powerflexweb.com> (username: reach-fsu; password: reacheap) offers individuals access to 98 interactive, online courses

that cover a wide range of personal and professional growth topics. In addition, the site has valuable information on a wealth of articles. For example under the topic “THRIVING” are the following sites: Health Tools, Live Healthy, Medical Care, Infants & Toddlers Health, Children’s Health, Women’s Health, Men’s Health, Senior’s Health and Health Challenges. These categories break down into areas such as asthma, allergies, cancer, stroke, medications, etc.

Phased Retirement

Retired employee ages 55 & over with 5 years full time service may be eligible for phased retirement with approvals from Dean or Supervisor and the President. Contracts are up to three years at one-third time and one-third salary. Requests must generally be made six months in advance. All benefit plans are subject to change.

Open Enrollment Period

Changes to health insurance are allowed during the annual Open Enrollment period or within 60 days of an IRS qualifying family status change (documentation will be required for a family status change).

Social Security

All employees except student employees (unless student works in the summer and is not enrolled in class) must contribute to Social Security. The employee’s contributions are matched by Fairmont State University.

Unemployment Compensation

Wages at Fairmont State University are reported quarterly to Workforce West Virginia. For more information about this program, contact the local Workforce West Virginia Career Center.

Workers Compensation

Fairmont State University employees are protected against job-related injuries by the BrickStreet Insurance Company which administers Workers Compensation in West Virginia, and to which Fairmont State University pays premiums for all employees. Employees injured on the job must report the injury to their supervisor before the end of the work shift or work day. All accidents must be reported on a Fairmont State University Occupational Injury/Illness Report Form. The employee should secure a BI-1 Form from the medical provider which should be submitted to BrickStreet Insurance Company. This information is then entered into the University’s log of occupational injuries and illnesses.

On-the-job injuries or occupational illnesses that involve no more than three days of disability leave or absence from work will not be charged against the employee’s accumulated sick leave. If on-the-job injuries or illnesses require a medical leave beyond the three-day period, the employee must choose either of the following options:

- (1) Receive earned and accumulated sick leave benefits until they are exhausted and forfeit any benefits determined to be due under the West Virginia Workers Compensation Laws; or
- (2) Request leave of absence without pay, reserving for future use any earned and accumulated sick and annual leave, and receive only Workers Compensation benefits for which he/she is determined eligible.

It is never appropriate for an employee to receive both University pay and Workers Comp pay for the same work day.

Falcon ID Cards

Fairmont State University ID Cards are very important to faculty and staff. It is issued to each full-time and part-time regular employee by the Falcon Center reception desk as a form of identification and is required for use in the libraries, to have a check cashed, to park in the parking garage (decal required), to enter into the Falcon Center (membership dues required) and to attend all campus activities and athletic events. Also, employees can deposit funds onto the Falcon Card at the Enrollment Center (main campus) to use it as a “debit card” for different services around campus. There is no charge for the first Falcon card.

For further information, please contact the Falcon Center ID Card Office at (304) 368-7227 or email at idcardoffice@fairmontstate.edu.

UCA Accounts

Library staff members assist faculty, staff, and students who are having problems with UCA accounts, including training and activating the UCAs.

Parking Permits

All faculty and staff members are required to obtain a parking permit each year from the Office of Enrollment Services located in the Turley Center. Employees have a choice as to how parking fees are paid. The fees can be paid either through automatic payroll deduction or by lump sum payment.

INFORMATION TECHNOLOGY

Information Technology, Policy No. 53, establishes a base line for Fairmont State's expectations of the user community. It applies to all users of the Fairmont State Information Technology Environment (FSITE), including all faculty, staff, students, contractors, consultants, temporaries, as well as those who represent themselves as being connected in any way with Fairmont State and/or who make use of Fairmont State computing and/or information technology (IT) resources. All FSITE users are expected to be familiar with and comply with this policy. Violations of Fairmont State policies governing the use of FSITE may result in restriction of access to Fairmont State information technology resources in addition to any disciplinary action that may be applicable under other Fairmont State policies, guidelines, or procedures, up to and including dismissal.

Please note that the email accounts of employees terminating for any reason will be deactivated and disabled at close of business on the employee's last day physically at work.

For further details on this policy, please go to
http://www.fairmontstate.edu/files/u2/fsu_policy_53.pdf

LEAVE COVERAGE

Annual and sick leave may not be taken before it is accrued. If an employee works less than a full month, annual and sick leave shall be accumulated on a pro-rata basis.

During a terminal leave period, no type of leave may be accrued. Terminal leave is the period following the last day of scheduled work from employment such as resignation, retirement, etc.

A recognized institutional holiday occurring during an employee's leave period shall not be considered as a day of leave, provided the employee is not in a terminal leave period.

ANNUAL LEAVE

All full-time employees in classified, non-classified, and 12-month faculty positions shall be eligible for annual leave with pay on the following basis:

Less than 5 years service (classified)	1.25 days accrual per month
5 but less than 10 years service (classified)	1.50 days accrual per month
10 but less than 15 years service (classified)	1.75 days accrual per month
15 or more years service (classified)	2.00 days accrual per month
Non-Classified and 12-month faculty	2.00 days accrual per month

NOTE: Full-time regular employees working between 1,040 hours and 1,950 hours over at least nine (9) months of a twelve (12) month period shall accumulate annual leave on a prorated basis.

Annual leave shall not be granted to casual (225 hr) or part-time (1,039 hr) employees.

Accumulation Limits – Accumulated annual leave for continuing employees may not exceed twice the amount earned in any twelve (12) month period. An employee is entitled to compensation for accumulated leave at termination of service, but in no case may this exceed twice the amount earned in any twelve (12) month period.

Calculation Based on Years of Service to the State of West Virginia – Annual leave accrual rate shall be based on years of service to the recognized agencies of the State of West Virginia.

Crediting Years of Service – An annual appointment period of nine (9) months or more shall be credited for one year of service for annual accrual rate determination.

Illness During Annual Leave – Illness which occurs during scheduled annual leave is counted as annual leave.

Scheduling and Use of Annual Leave – Annual leave must be approved in advance by the supervisor. Annual leave shall be arranged to fit operating schedules; however, consideration shall be given to an employee's request. Seniority may not be considered by the supervisor when arranging vacation schedules. An employee may not take leave before it is earned.

Transfer of Annual Leave – Up to fifteen (15) days of accumulated annual leave may be transferred from other agencies of the West Virginia State Government to institutions of Higher Education. Certification of the employee's annual leave balance, which existed at the state agency, must accompany the request for transfer and bear the signature of an officer of that agency.

Unused Annual Leave Credits - In the event of an employee's death, accumulated annual leave will be credited to the employee's estate.

Lump Sum Payment Option for Unused Annual Leave - Upon termination of active employment through resignation, retirement, or otherwise, an employee may opt to be paid a lump sum amount of accrued and unused annual leave or to remain on the payroll until such accrual is exhausted.

Leave Request/Time Sheet Documentation - Hourly employees must submit leave requests as-well-as reflecting on their time sheets that they have used sick or annual leave that day.

SICK LEAVE

All full-time employees in classified, non-classified, and 12-month faculty positions accumulate sick leave at the rate of 1.5 days per month of active employment.

Accumulation of Sick Leave - Sick leave is accumulated without limit. Employees working between 1,040 hours and 1,950 hours over at least nine months of a twelve-month period shall accumulate sick leave on a prorated basis.

An employee may use sick leave if ill or injured or when in need of medical attention.

An employee may use sick leave for a member of the immediate family who is ill, injured, or in need of medical attention. Immediate family is defined as: father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered to be member of the household and living under the same roof.

Sick Leave for more than Five (5) Consecutive Days - Requires satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution. An employee having an extended illness or serious injury shall, before returning to duty, obtain satisfactory medical clearance to help ensure adequate protection and shall indicate the employee's ability to perform her/his duties. Such medical clearance shall be in writing. Also refer to page 35; Medical Leave verification/assessment is required.

Transfer of Sick Leave - Accumulated sick leave may be transferred to Fairmont State University for employees coming to Fairmont State from other agencies of West Virginia State Government. Certification of the employee's sick leave balance which existed at the state agency must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one year from the last day of employment with the other state agency.

Reinstatement of Sick Leave Upon Reemployment - When an employee terminates employment for reasons other than retirement, all sick leave credited to that employee shall be considered ended as of the last working day with the institution and no reimbursement shall be provided for unused sick leave. If an employee resigns in good standing and is later reemployed, he/she may have his/her accumulated sick leave reinstated if the date of termination is less than one year from reemployment. However, if the employee returns to work after more than one year from the date of termination, no more than 30 days of sick leave may be reinstated.

Sick Leave Conversion Upon Retirement - Upon meeting certain requirements, individuals retiring from Fairmont State University may be eligible to apply unused sick leave as a credit toward the premium for the West Virginia Public Employees Insurance Plan, just as they can apply unused annual leave for this purpose. This option is not available to employees hired after July 1, 2001.

Medical Leave Verification – Medical leave verification/assessment is a signed statement from the treating health care provider to validate the illness or other cause for which sick leave or medical leave of absence may be granted. The health care provider signing the medical assessment must be current and appropriately licensed. The document must provide information regarding the individual's medical condition, diagnosis, prognosis, functional limitations, including duration and treatment plan, if any. Based upon the medical assessment, employability and/or accommodation determinations will be made by Fairmont State University.

Medical leave verification/assessment is required:

- To validate a sick leave absence of more than five (5) consecutive days under the terms of the sick leave policy;
- To return to work following a sick leave absence of more than five (5) consecutive days, surgery, or a medical leave of absence;
- If requested of the employee by the supervisor following a sick leave absence, regardless of duration, as a condition of returning to work;
- To apply for and sustain catastrophic leave eligibility;
- To apply for and sustain a medical leave of absence; and/or
- To assure continued access to benefit coverage while on medical leave of absence.

It is the employee's responsibility to pursue and obtain the necessary medical assessment from the treating health care provider, and present the completed evaluation to the HR/Benefits Office in a timely manner. Provision of incomplete, unacceptable, or untimely

medical information may result in:

- Prohibition to charge time absent from work to accrued sick leave;
- Prohibition to return to work if one's capacity to perform essential duties is in question;
- Ineligibility for catastrophic leave;
- Disallowed or discontinued medical leave of absence;
- Discontinuation of benefit access; and/or
- Disciplinary action, up to and including termination of one's employment with Fairmont State University.

For additional information, refer to Higher Education Policy Commission Series 38 or contact the Office of Human Resources (Ext. 4383).

GENERAL LEAVE POLICIES

Sick Leave Policy

An employee out sick for more than five (5) consecutive days and/or for surgery or medical condition is required to provide satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution. The original should be sent to the immediate supervisor and a copy should be attached to the Request for Leave form sent to Payroll/HR.

Emergency Leave – Emergency leave of up to five (5) days within any fiscal year, with pay, may be granted by the President of Fairmont State or designee in the event of extreme misfortune to the employee or his/her immediate family, provided that all accrued annual leave has been exhausted.

Typical events, which may qualify an employee for such leave, include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

Funeral Leave – When a death occurs in the immediate family, a reasonable amount of time may be charged to accrued sick leave as required for the employee to arrange for and attend the funeral and related services, including travel time. For the purpose of administering this leave policy, the immediate family is defined as father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, aunt, uncle, niece, nephew or others considered to be members of the household and living under the same roof. "Reasonable" amount of time is determined at the discretion of the supervisor, and is based upon geographic distance, workload and similar factors.

The Family and Medical Leave Act (“FMLA”)

Employees are eligible for FMLA if they have worked for their employer for at least 12 months, and have worked for at least 1,250 hours over the previous 12 months (military leave period counts toward 12 months /1250 hours worked). FMLA provides employees with up to 12 workweeks* of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave (employee and the employer must continue their share of the cost). FMLA can also be paid from the employee’s sick or annual leave. FMLA leave will run concurrent with paid sick or annual leave. Thus, the 12 weeks would include any paid leave that is used by the employee during this period. The leave request must be made through the Benefits Office.

*A twelve month period is measured backward from the date an employee uses FMLA, also called a rolling calendar year.

Reasons for taking FMLA leave:

- To care for the employee’s child after birth or placement of a child with the employee for adoption or foster care, or
- To care for an immediate family member (the employee’s spouse, son, daughter, or parent) with a serious health condition, or
- For a serious health condition that makes the employee unable to perform his/her job, or
- Because of any qualifying exigency arising from the employee’s spouse, son, daughter or parent being on active military duty or active duty for National Guard or Reserves (reasons: short term deployment (7 days or less); military events & related activities; counseling; childcare and school arrangements; financial and legal arrangements; post-employment activities.
- To allow the employee to care for a “spouse, son, daughter, parent or next of kin”, who is a member of the Armed Forces, including National Guard or Reserves, and who has a serious injury or illness (26 weeks, special one-year period).

Pregnancy-related illness or Disabilities - Disabilities which may be caused by pregnancy shall be treated the same as any other off-the-job illness or disability would be treated for sick leave entitlement. Pregnancy-related illness shall include pregnancy, miscarriage, abortion, childbirth and recovery.

Leave Documentation: Employee is required to provide a medical statement from a licensed physician that either they are unable to work, or that it is necessary for the employee to care for a relative with a serious illness.

Catastrophic Leave

A classified, non-classified, or 12-month faculty employee experiencing a catastrophic illness or injury as defined by the West Virginia Code and Fairmont State policy may request approval to receive paid leave time donated by other employees. Within

established limits, employees may voluntarily donate accumulated sick or annual leave directly to an approved recipient. For information, contact the Office of Human Resources (Ext. 4383). Upon approval of catastrophic leave, an employee's status will immediately be changed to hourly and arrears payment will be in effect upon returning to work.

Medical Leave of Absence without Pay

An employee requesting a medical leave of absence without pay must provide the Benefits Office satisfactory medical evidence, such as a statement from the attending physician that s/he is unable to work. If the evidence is satisfactory, the medical leave of absence may be authorized without pay only for the period of disability specified by the attending physician. The employee is expected to report to work on the first workday following expiration of the disability period. Failure to do so, except for satisfactory reasons submitted in advance, is reason for termination of employment by the institution. An employee, prior to return to duty, needs to obtain satisfactory written medical clearance to help ensure adequate protection and the medical clearance also needs to indicate the employee's ability to perform his/her duties. A medical leave of absence without pay may be granted for no more than 12 months (the FMLA 12 week leave will be included in a medical leave without pay). An employee must exhaust all sick leave. If both sick and annual leave are exhausted, the employee will be changed to hourly upon return to work until 10 days of sick and 10 days of annual leave have accrued. In addition, the employee will need to submit a request that s/he be returned to salaried to the Office of Human Resources. An employee must pay the employee portion of health insurance and other benefits (disability, life insurances, etc.) during the leave of absence. Also, an employee enrolled in the short term disability plan sponsored by the institution must contact the Benefits Office for claim forms.

The institution has the right to look at individuals on a case-by-case basis; however, a leave of absence may not extend past one year and will include a possible combination of FMLA, sick leave, unpaid leave, catastrophic and parental leave; having a leave balance in excess of one year's absence does not entitle the employee to remain on medical leave of absence in order to exhaust that leave. PEIA states that a leave of absence is intended for an employee who is expected to return to work and for whom the employer maintains an open position; this will be done for a maximum of one year of paid leave, unpaid leave, or any combination thereof.

Military Leave

An employee who is a member of the National Guard or any reserve component of the armed forces of the United States shall be entitled to and shall receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of 30 working days ordered or authorized under provisions of state law in any one (1) calendar year. The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such

employee may receive other compensation from federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increases, and experience with the institution. An employee shall be required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave.

Benefits of this section shall accrue to individuals ordered or called to active duty by the President of the United States for 30 working days after they report for active service.

Parental Leave

A full time employee who has worked at least 12 consecutive weeks for the state may request up to 12 weeks unpaid parental leave. The request may be due to birth or adoption by the employee or because of a planned medical treatment or care for the employee's spouse, son, daughter, parent or dependent that has a serious health condition. The employee must provide her/his supervisor with written notice two (2) weeks prior to the expected birth or adoption; or for the medical treatment; or for the supervision of a dependent. Failure to submit a written request may be cause for denial. The employee must provide the Benefits Office with certification by the treating physician and/or documentation regarding dependent status. All annual leave must be exhausted before the parental leave begins. No more than a total of 12 weeks of parental leave may be taken in any 12 consecutive month period. The institution shall continue group health insurance coverage provided that the employee pays the full premium cost (both the employer and employee share) of the health insurance.

Personal Leave of Absence without Pay

An employee must provide a written request to the Benefits Office. Upon written approval, the employee may be granted a continuous leave of absence without pay for a period of time not to exceed 12 consecutive months provided all accrued annual leave has been exhausted. The President or the President's designee, at her/his discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay. The institution shall continue group health insurance coverage provided the employee pays the employer the full premium cost (employee and employer share).

Witness and Jury Leave

Upon application in writing, an employee of Fairmont State University may be granted leave as indicated hereinafter in this section provided the employee is not a party to the action. Annual leave will not be charged under the provisions of this section.

When, in obedience to a subpoena or direction by proper authority, an employee appears as a witness for the Federal Government, the State of West Virginia, or a political subdivision thereof, the employee shall be entitled to leave with pay for such duty and for such period of required absence.

When attendance in a court is in connection with an employee's usual official duties, time required in going and returning shall not be considered as absence from duty.

When an employee serves upon a jury or is subpoenaed in litigation, the employee shall be entitled to leave with pay for such duty and for such period of required absence.

The employee shall report to work if he/she is excused by the court before the end of her/his regular work day. Provisions for employees who work a shift other than day shift shall be made according to institutional policy.

EMERGENCY INFORMATION

Declared Emergency

At the discretion of the President of Fairmont State University, or designee, in consultation with local or state public safety officials, University operations may be shut down in total or in part because of any circumstance which threatens the health or safety of employees and/or students, including inclement weather. The President will later declare when emergency conditions no longer exist.

Full-time regular classified employees are eligible for regular pay for work time lost because of a declared emergency. Work time lost will be considered regular work time for pay purposes and will not require time charged to accrued leave nor will there be a requirement that the time be made up. Under Higher Education Policy Commission, Series 38, when extended power and utility interruptions occur administrators should make arrangements for employees usual work routine to be accomplished at alternate work locations, or make affected employee available to other administrators for work in other areas. If an administrator deems it advisable and the employee agrees, time off during the utility service interruption may be granted and charged against an employee's accumulated annual leave.

When operational needs require a full-time regular classified employee to work during a University declared emergency period in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for the actual hours worked during the University declared emergency period.

Emergency Guide

The Emergency Guide is to be kept in a location where it can be quickly accessed. The guide is viewable on the web, and print copies are available from the Department of Public Safety located on the 3rd floor of the Falcon Center. The emergency guide covers the following:

- Emergency contacts
- Weather or emergency closing information
- Mental health emergency
- Shooting incident
- Fire
- Explosive device/potential explosive device/bomb threat
- Hazardous materials

- Evacuation
- Evacuating persons with disabilities
- Suspicious mail/packages
- Utilities/power outage
- Weather emergencies
- Lockdown
- Emergency communications
- Personal injuries (worker's compensation)
- Missing student

Emergency Numbers

Police/Fire/Rescue 911

Campus Police (304) 367-4357 (HELP)

Absence Due to Inclement Weather

Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, or the employee must be removed from the payroll in question. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same work week at the discretion of the employee's supervisor.

HOLIDAYS

Guidelines for Fairmont State University holidays are provided in the Board of Governors Policy #4. The employee holiday calendar is posted online at <http://www.fairmontstate.edu/calendars/EmployeeHolidays.asp>

Holidays are intended to grant full-time regular employees the benefit of one (1) workday of paid time off. Persons employed at less than 1.00 FTE receive time off on a prorated basis.

There are 12 paid holidays per fiscal year, plus additional days for any statewide, primary or general election. Specified holidays include:

- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day
- New Year's Day
- Dr. Martin Luther King's Birthday

One-half day preceding Christmas or New Year's Day shall be a holiday when Christmas or New Year's Day falls on a Tuesday, Wednesday, Thursday, or Friday. These half days are in addition to the twelve. The remaining six holidays are designated at the discretion of the President according to operational need. Half-holidays shall be counted as half-days in computing the total number of holidays. Proclamations of a legal holiday by the President of the United States, Governor, or any other authority are recognized at Fairmont State only when they are communicated through the Higher Education Policy Commission. If a specified holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the legal holiday.

When operational needs require a full-time or part-time non-exempt classified employee to work on any of the observed University holidays, in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for actual hours worked on the holiday. The CTO must be used within six (6) months following the holiday.

If an observed holiday occurs on an employee's scheduled annual leave, the day will not be charged to annual leave unless the employee is in a terminal leave period.

Any specific adjustment regarding a day of observation will be announced by the President's Office or designated authority.

In accordance with the law, Fairmont State University will consider granting reasonable time off to employees who may observe religious holidays not included on the list of University observed holidays, as long as this causes no undue operational problems and hardships within the department. Such time off requires prior supervisory approval and will be charged to accrued annual leave or compensatory time off.

Holidays for Half time (.53 FTE) Employees

Half time employees receive holiday pay if the holiday falls on a day they are regularly scheduled to work and during the hours they are regularly scheduled to work.

STAFF DEVELOPMENT AND TRAINING

Educational Activities

Employees are encouraged to utilize University educational opportunities for career development and self-improvement. An employee, at the discretion of his/her immediate supervisor, based on operational need, may receive time off during scheduled work hours for the purpose of attending educational activities. Work release time is subject to the prior approval of the employee's executive officer or director. Occasional in-service training may be required as a term of employment. Supervisors have discretion over requiring employees to attend specified training activities, however some training activities may be mandated.

The Teaching and Learning Commons (TLC) provides a one-stop shop for students, faculty and staff to obtain the technology-related assistance they need. This department strives to promote customer service for the students' needs while providing leadership, as well as IT solutions and instructional and professional support, to faculty and staff. To view currently available training opportunities, please visit:

<http://www.fairmontstate.edu/it/tlc/training-and-development>

Employee Class Attendance

Given the rapidly changing nature of higher education and the need for greater productivity from its workforce, the primary goal of the Fairmont State University Board of Governors, Policy No. 40, is to improve the preparation of its employees. Therefore, it is actively encouraged that all employees obtain as a minimum an associate degree or equivalent level of post-secondary education.

A full-time Fairmont State University employee may be allowed time off during scheduled work hours to attend class, provided the employee's absence will not interfere with his/her work unit's operation. Each unit head has the responsibility to approve or reject requests. This policy is applicable to both exempt and non-exempt employees. For details relating to this policy, please refer to the Fairmont State University Board of Governors Employee Class Attendance Policy No. 40.

Tuition and Fee Waivers

Limited tuition waivers are available for employees and their eligible dependents who wish to take courses at the institution. Contact Financial Aid for more information on how to apply.

ADDITIONAL PROGRAMS AND PRIVILEGES

Annual Employee Benefits and Health Fair

The Benefits Health Fair offers health screenings, wellness and benefit plan information. The fair is held each April during the PEIA open enrollment period. credit union accounts are available.

Athletic Events

Your ID card will admit you and your immediate family to all home athletic contests. A special area, Section H, is reserved for faculty and staff for basketball games.

Bookstore

The campus bookstore offers a complete line of trade books, textbooks, school supplies, office supplies, clothing, imprinted items, and miscellaneous items.

Childcare

Pierpont Community and Technical College Laboratory Preschool offers an enrichment program for three year old children and Universal Pre-K for four-year-old children of students, faculty and staff. The preschool is located on the first floor of the Education Building. For more information call Director & Lead Teacher Amber Myers at (304)367-4846.

Library Privileges

Employees may use library facilities, collections, and information services. Contact the Ruth Ann Musick Library for information about accessing these services (Ext 4213).

Parking

All employees are expected to have a valid parking permit on their vehicles each year and may not park on campus without one. Questions concerning traffic or parking regulations should be directed to the Campus Police at (304) 367-4157.

Wellness Programs

Wellness programs are held throughout the year. Employees can also visit the PEIA Pathways to Wellness website: www.peia.wv.gov

The Falcon Center offers a fitness area, pool, sauna, whirlpool, all types of fitness equipment, and a 4-lane cushioned track. For more information, call (304) 368-7222 or go to <http://www.fairmontstate.edu/falconcenter/memberships>

EMPLOYEE ORGANIZATIONS

Classified Employees Council

The Classified Employees Council is an advisory council to the President of the University and a means for all classified employees to express their opinions about job conditions, fringe benefits, employee-employer relations, or other areas that affect their jobs. The Classified Employees Council is composed of elected members from the six major occupational categories as well as the classified employee representative to the Fairmont State University Board of Governors and the classified employee representative to the Advisory Council of Classified Employees.

Staff Development Committee

The Classified Employees Council has created a Staff Development Committee (SDC) to oversee the funds provided to classified staff for training and development. Requests for staff development funds should go to the chair of the SDC. The SDC, Classified Employees Council, or the Office of Human Resources can provide information regarding staff development.

CLASSIFICATION AND COMPENSATION

The Assistant Vice President of Human Resources is responsible for the assignment of all Fairmont State University classified positions to appropriate job titles and pay grades within the Higher Education Classification System. This system requires that the work performed by employees in classified positions be documented in a Position Information Questionnaire. Fairmont State University's position descriptions (PDs) are housed online in the Hiring Manager's Site and must be updated by the appropriate supervisor or employee and reviewed online by the appropriate administrators anytime there is a modification/reclassification request. If significant changes occur in the essential duties or responsibilities of a classified position, it is the responsibility of the supervisor, through established University procedures, to submit a modify/reclassify action inside the Hiring Manager's site at www.fairmont.pierpontjobs.com/hr.

Questions regarding position descriptions and online position reviews should be directed to the Office of Human Resources at ext. 4383.

Review of Online Position Information

Supervisors are responsible for ensuring that current, certified position descriptions are online for every staff member. To request a review of a position description for purposes of considering a change in the pay grade of a classified position, the supervisor needs to submit a modify/reclassify action inside the Hiring Manager's site at www.fairmont.pierpontjobs.com/hr. The justification field should include an explanation of what has changed since the last version of the PIQ. The Assistant Vice President of Human Resources may elect at any time to perform a desk audit of the employee's position in order to better determine the duties included in the employee's responsibilities. Classified positions may be administratively downgraded. Appropriate administrative/executive staff review upgrade requests following a job factoring evaluation by the Assistant Vice President of Human Resources.

DISCIPLINARY ACTION

Each employee must maintain standards of performance and conduct as outlined by the immediate supervisor and institutional policy and to comply with applicable policies, procedures, and laws. When a classified employee does not maintain the appropriate standards of performance or conduct, disciplinary action, including but not limited to, demotion, suspension, transfer, or dismissal may be taken. The supervisor will give the employee notice of the unacceptable performance, an explanation of the supervisor's concerns, and an opportunity for the employee to provide an explanation for the behavior in question. Notice and an opportunity to explain should usually precede major disciplinary actions such as suspension or dismissal.

Depending upon the actual and potential consequences of the offense, employee misconduct may be considered minor misconduct or gross misconduct. Minor misconduct is that which is generally deemed by the supervisor as correctable by counseling and/or instruction through progressive discipline. Progressive discipline requires notice of concern and expectations to the employee through counseling and letter(s) of warning, with potential suspension, demotion, transfer, and termination. Gross misconduct is of substantial actual and/or potential consequence to operations or persons, typically involving flagrant or willful violation of policy, law, or standards of performance or conduct. Gross misconduct may result in any level of discipline up to and including immediate dismissal at the President's discretion.

Campus police officers and all non-classified staff are not covered by the progressive disciplinary policy because they are "at will" employees. Additional information regarding disciplinary action may be obtained by contacting the Office of Human Resources.

A list of reasons for possible dismissal includes, but is not limited to:

1. Reporting to work under the influence of alcohol or narcotics or partaking of these substances while at work;
2. Malicious destruction or theft of property at the institution, the Board of Governors, or its visitors, patrons, or employees;
3. Wrongful injury to an employee of the Board of Governors or an employee's institution;
4. Refusal to comply with institutional rules;
5. Neglect of duty;
6. Dishonesty;
7. Sleeping on duty;
8. Failure to maintain established performance standards;
9. Habitual absence from work without permission or proper explanation;
10. Tardiness; and
11. Insubordination.

Additional information regarding disciplinary action may be obtained by contacting the Office of Human Resources (ext. 4383).

GRIEVANCE PROCEDURE

The statutory grievance procedure is available to all state employees for resolution of most work-related concerns. Exceptions include pension or other retirement system issues, insurance issues, or matters not within the vested authority of the employer. Grievances are filed with the President's Office and must also be sent by the grievant to the Grievance Board in Charleston. Grievances must be filed within 15 days of the aggrieved incident. For additional information refer to W.Va. Code 6C-2-1 et seq., contact the Office of Human Resources, or go to the Grievance Board's website <http://pegboard.state.wv.us/>

Under all procedures, the employee or the employee's designated representative has the responsibility to clearly indicate that a grievance is being filed, provide an explanation of the issue including the specific policy violation, and the remedy sought for resolution of the issue. Grievance must be filed with the President's office and with the Grievance Board in Charleston.

PERFORMANCE APPRAISALS

Staff members will have their job performance evaluated by their supervisors during the probationary period and at least once annually thereafter, prior to June 30th. The appraisal interview with the employee will be accomplished for the purpose of clarifying job understanding and expectations, improved performance, improved communications, performance counseling, goal setting and development. The performance appraisal results will be used as a factor to be considered in employee transfer, promotion, retention, and demotion determinations and, for non-classified employees, will be used to determine in part the employee's salary increase.

TERMINATIONS

Voluntary Termination

Employees who intend to resign from their positions are expected to give their supervisors at least two weeks advanced written notice. In order for an employee to leave with a record in good standing with Fairmont State University he/she must: (1) provide advance notice of his/her resignation, (2) return all University property such as keys, equipment, IDs, uniforms, documents, etc., and (3) settle any monetary or other obligations with the University. An employee is expected to work throughout the two-week notice, unless waived by the immediate supervisor. Employees who do not leave Fairmont State with a record in good standing may be ineligible for reemployment with the University.

Dismissal for Cause

When it is determined by the supervisor that an employee is not meeting performance or conduct standards or fails to comply with legal or policy requirements, termination for cause may occur consistent with the disciplinary procedures.

Automatic Termination

Absence from work for three consecutive work days without proper notice, explanation, and/or authorization shall be deemed gross misconduct and neglect of duty, and the employee's University employment will be terminated.

Reduction in Force

The elimination of any full-time regular classified position requires the prior written approval of the President. In the event a full-time regular classified position is eliminated because of lack of funds or work, the University will comply with the requirements of WV Code 18B-7-1. Consultation of supervisors with the Fairmont State University Office of Human Resources for proper layoff management is required prior to notification of layoff to any full-time regular classified employee.

Separation from University Employment for Medical Reasons

Whenever it is medically, psychologically, or psychiatrically determined that an employee can no longer perform the essential duties of the position and reasonable accommodation cannot be made, the employee will be separated from the University for medical reasons. The employee should investigate what benefit entitlements are applicable. Existing laws and policies will guide the University in protecting the employment and retention rights of disabled employees who are considered otherwise qualified within the meaning of such laws.

Terminating Employee Health Insurance Privileges

On April 7, 1987, federal law adopted the Consolidated Omnibus Budget Act (COBRA). COBRA mandates employers to offer continuation of group health insurance to certain employees who lose coverage. In the case of employee terminations, the law requires the employer to notify the plan administrator within 30 days after the employee's termination of employment. The Public Employees Insurance Agency (PEIA), not Fairmont State University, will notify terminating employees of his or her COBRA rights. The University is required to complete a PEIA health insurance termination transaction for every PEIA participant who leaves Fairmont State University or becomes ineligible for benefits. Any employee on a nine-month contract who terminates in May, June, or July, regardless if benefits are escrowed, will generally be covered by insurance only to the end of the month in which regular wages are received.

MISCELLANEOUS INFORMATION

Change of Name or Address

A “Change of Employee Name or Address” form is required for name or address changes and should be completed and submitted to the Benefits, Payroll, or the Office of Human Resources. It is important that this information be kept current in order to ensure that W-2 Wage and Tax Statements and other important mail reach the employee. Employees also need to update address for health, life and retirement benefits.

A new social security card is required to change your name on payroll and benefit plans and must be presented at the time of the name change request.

Change in Beneficiaries

To change benefit plan beneficiaries, contact the Benefits Office for the necessary forms.

Change in Exemptions

Tax changes can be made in the Payroll Office, 324 Hardway Hall.

Frequently Asked Questions (FAQs)

Links to the following frequently asked questions can be found under FAQs FSU on the Human Resources website. See instructions on page 49.

- Organizational Chart
- Information on setting up computer, phone, & UCA for new employees
- Reserving Conference Rooms
- Time Sheets
- Dining Services
- Photo ID's
- Parking Information
- Benefits Information
- Leave Reporting (how to view leave balances)
- Fitness/Wellness Information
- Classified Employee Handbook
- Classified Staff Salary Schedule
- Emergency Response Guide
- Campus Directory
- Employee Holiday Calendar
- Board of Governors Information
- Marion County Chamber of Commerce - Business Directory

Instructions for Viewing FAQs:

1. Go to www.fairmontstate.edu
2. Click Faculty Staff
3. Under Administration, click Human Resources
4. Click Current Employees
5. On the lower left side of page, under Page Links, click FAQs FSU
6. Click on desired link

CONCLUSION

Copies of policies, rules, and laws cited in the *Staff Handbook* are available on the HR website (www.fairmontstate.edu). If you have any questions or comments about the contents of the *Staff Handbook*, you should discuss them with your supervisor or the Human Resources staff.

The *Staff Handbook* is not an implied or expressed employment contract. The provisions of the *Staff Handbook* are guidelines rather than policies, and Fairmont State University reserves the right to depart from such guidelines where circumstances warrant. Existing policy and law will prevail over any inadvertent errors in the *Staff Handbook* text. This includes the provisions of all rules of the West Virginia Higher Education Policy Commission and the Fairmont State University Board of Governors. Guidelines outlined in the *Staff Handbook* may be changed at any time at Fairmont State University's discretion. The duration of employment for any employee is unspecified, and is at the discretion of Fairmont State University within appropriate parameters established by applicable rules, policies, and laws. This edition of the *Staff Handbook* supersedes and replaces all previous handbooks, including but not limited to the *Board of Regents Staff Handbook* of 1987, the *Fairmont State College Handbook* of 1999, the *Fairmont State University Classified Employee Handbook* of 2005, and the *Fairmont State University Staff Handbook* of 2007.

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