

CLAFLIN UNIVERSITY  
HUMAN RESOURCES



POLICIES & PROCEDURES  
MANUAL

AUGUST 14, 2006

**CLAFLIN UNIVERSITY**  
**OFFICE OF HUMAN RESOURCES**  
**POLICIES AND PROCEDURES MANUAL**  
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## **University Policy Number 1000.1: POLICY ON SELECTION AND HIRING**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to employ highly qualified applicants who will contribute to the overall success of the University's strategic goals. The selection and hiring process will enable the University to maintain an effective and productive workforce that is critical to its mission and ongoing operations. The candidate who is selected for the position as a result of the recruitment, screening, and interviewing process will be hired to assume the duties and responsibilities of the specified position.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for an efficient, consistent, and competitive selection and hiring process that promotes equal employment opportunity. The hiring of qualified candidates for all vacant positions is contingent upon the effectiveness of the recruitment, screening, and interviewing processes. It is the intent of the University to employ persons with the knowledge, skills and abilities to perform the essential functions of the position.

### **APPLICABILITY**

This policy is applicable to human resources professionals and hiring supervisors/managers.

### **PROCEDURES**

It is the responsibility of supervisors to request approval to employ personnel when it becomes necessary as a result of a position vacancy due to resignation, retirement, termination of the last incumbent; or establishment of a new position.

#### **Requesting Approval**

- Supervisors must receive administrative approval from their appropriate Vice President to initiate the recruitment process. Upon approval, supervisors must contact the Office of Human Resources to discuss pertinent information related to the Career Opportunity Announcement.
- The Position Recommendation Form must be completed and approved to certify that there are funds available in the budget to fill the vacant or new position. This form is designed to request approval to initiate the recruitment process.
- The Personnel Recommendation Form must be completed and approved before hiring personnel to fill any vacant or new position.

## **POLICY ON SELECTION AND HIRING**

### **Page 2**

#### **Selection for Employment**

To fill positions that have been vacated or new positions that have been created, the University will utilize the recruitment and hiring process. Upon conclusion of the required steps as outlined in these procedures, candidates will be recommended to the President for employment. The President is responsible for approving all hiring recommendations for the University. Employment will be in accordance with policies, procedures and guidelines developed and distributed by the Office of Human Resources, in conjunction with the President's Office.

#### **Recruitment**

All applications received by the deadline date or interviewing date must be included in the pool of candidates to be given consideration for the specific vacant position. All recruited positions are advertised for a minimum of five working days.

The interviewing date will be utilized for certain recruited positions. The job announcement for positions without a deadline date will state that the position will be "open until filled." The University will continue to accept applications until the candidates who have been selected for interviews by the Office of Human Resources are referred to the supervisor for employment interviews or until the interviewing process has concluded.

If the same or similar position becomes vacant within six months or less of the last recruitment date, the position will not be required to be re-advertised and qualified applicants may be selected from the initial pool of candidates.

#### **Screening of Applications**

All of the applications received by the deadline date or interviewing date must be reviewed and screened. To determine which applicants will be selected for the employment interviews, the Office of Human Resources will utilize the Candidate Screening Form to select the most qualified applicants for staff positions. The Chair or designee of the faculty search committee may utilize the Candidate Screening Form or use an alternate screening method to select the most qualified applicants for faculty positions. The screening criteria will be established based upon the qualifications identified on the Career Opportunity Announcement and will be compared to the applicants' knowledge, skills, and abilities as described on the employment application.

For specialty staff positions, the Office of Human Resources may collaborate with the hiring supervisor or chair of the search committee to provide assistance with the candidate screening process.

#### **Interviewing Process**

Interviews are a required step in the selection process. Applicants are interviewed to determine their qualifications for the recruited position. The supervisor or selection panel will develop a set of interview questions in compliance with EEO standards. Emphasis is placed on the applicants' knowledge, skills, abilities, employment history, educational background, working experience, and training as they related to the particular position recruited to be filled. A selection panel may be used for the interviewing and selection process.

## **POLICY ON SELECTION AND HIRING**

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#### **Background Checks**

- References

The hiring supervisor, human resources professional or designee will check the references of the final candidate considered for the position with his or her current and/or former employer.

- Criminal History

The Office of Human Resources will check Criminal History Convictions on candidates selected for employment in key positions as defined by the appropriate Vice President and approved by the President. Positions identified as **safety-sensitive positions** will require a **fingerprint-based criminal history** check.

- Credit History

The Office of Human Resources will conduct Credit History Checks on designated positions that have been identified as eligible for a credit check by the appropriate Vice President and approved by the President.

- Motor Vehicle Record

The Office of Human Resources will check the driving record of candidates selected for employment for positions that require the employee to drive a University owned vehicle. The information will be ascertained from the Department of Motor Vehicles to ensure that the applicant has a valid and insurable driver's license.

- Domestic Violence Conviction

Pursuant to United States Code, Title 18, section 922(g)(9), anyone who has been convicted of a misdemeanor crime of domestic violence may not possess any firearm or ammunition. The University must ensure that we ascertain information about applicants' convictions for domestic violence before they are employed in positions that require or authorize carrying a firearm.

#### **Other Employment Requirements**

- Application Process

Before an applicant is eligible for employment with the University, several records must be reviewed or verified. This information is considered part of the application process and, as with information contained on the application form, if it is later discovered that an applicant falsified any information related to his or her employment, the employee may be terminated.

- Selective Service System

Pursuant to the Selective Service System federal requirement, with few exceptions, all male U.S. citizens and male immigrant aliens residing in the U.S. and its territories must register with Selective Service if they are 18 through 25 years of age. Men should register within 30 days of their 18<sup>th</sup> birthday. Not registering is a

## **POLICY ON SELECTION AND HIRING**

### **Page 4**

felony. Young men convicted of failure to register may be fined up to \$250,000, imprisoned for up to five years, or both. In addition to being subject to prosecution, failure to register may cause one to permanently forfeit eligibility for certain benefits.

### **Employment Contract or Hourly Letter**

- Individuals are employed according to the provisions of the Staff Guidelines, and the terms and conditions of the applicable University Personnel Policies and Procedures.
- Candidates selected for employment will be provided a contract or hourly letter from the President of the University.
- To expedite the hiring process, upon approval from the President's Office, an initial verbal employment offer may be extended to the candidate selected for the position by the Office of Human Resources.



## **University Policy Number 1000.2: POLICY ON EMPLOYMENT ORIENTATION PROGRAM**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to provide all new employees with specific and general information about their employment benefits. The objective of the University is to provide an opportunity for all new employees to learn of their employment benefits through a very comprehensive and effective Orientation Program. The orientation session is conducted in a setting conducive to learning and interacting. New employees are informed of policies and procedures applicable to their employment, facts about the University, posted regulations, and other general information.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for introducing new employees to Clafin University. The Employment Orientation Program's emphasis is to educate new employees, help them to adjust to the University environment, and assist them in their effort to promote a successful career with the University. It is designed to provide an inclusive outline of all the University benefits available to full-time employees and part-time twelve-month salaried employees. The program familiarizes new employees with federal and state policies and guidelines governing University operations, regulations related to EEO, work place harassment, FMLA, workers' compensation, etc.

### **APPLICABILITY**

This policy is applicable to all new part-time twelve-month and full-time salaried employees.

### **PROCEDURES**

Orientation sessions for full-time and part-time twelve-month salaried employees are conducted twice a month by the Office of Human Resources. Supervisors should remind and encourage new employees to attend the mandatory orientation session.

### **Who Should Attend**

All new employees of the University, including employees who are being rehired, are required to participate in the Orientation Program. Based upon the hiring date, employees are notified by a human resources professional to attend the next scheduled orientation session.

## **POLICY ON EMPLOYMENT ORIENTATION PROGRAM**

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Supervisors are encouraged to further enhance the orientation process by introducing new employees to administrators and co-workers in their division and to other University personnel with whom they may have to readily interact. They should also inform employees of facilities and services that are immediately available to them.

### **Types of Benefits and Mandates**

The following benefits and mandates (not all inclusive) that newly hired employees are eligible to receive are discussed during the orientation:

- Vacation Leave Program
- Sick Leave Program
- Holiday Observances
- Probationary Period
- Family and Medical Leave Act
- Group Insurance (health, dental, vision, group life/accident insurance)
- Social Security
- Retirement Program (TIAA-CREF) 403b and Supplemental Annuity
- Workers' Compensation
- Short Term and Long Term Disability
- Fair Labor Standards Act
- Direct Deposit
- Tax Forms
- University Policies and Procedures Manual and Staff Guidelines

Examples: Policy on EEO – harassment – leave to donate bone marrow or organs – leave to provide community service – policy on hours of work and attendance - etc.

**Special Note:** Part-time twelve-month salaried employees are not eligible for group health insurance or short-term disability.

Other optional benefits include, but may not be limited to:

Tuition Assistance  
Dependent Tuition Assistance  
Educational Leave  
Prepaid Legal Services

During the orientation session, new employees are provided materials to read and forms to complete. Employees are responsible for thoroughly reading the material, keeping it readily accessible for quick reference, and promptly completing and returning the applicable forms to the Office of Human Resources. The forms must be submitted as directed to avoid benefit and/or payroll processing delays.

New employees should immediately direct all questions to the Office of Human Resources to expedite the completion of the orientation process and ensure the effective date and proper coverage of benefits.



## University Policy Number 1000.3: POLICY ON HOURS OF WORK AND ATTENDANCE

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** June 2006

**Revision Date:**

**Authority:** Office of the President

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### POLICY STATEMENT

It is the policy of Claflin University to provide convenient and consistent operating hours for its customers and all other persons desiring to transact business with the University.

### STATEMENT OF PURPOSE

This policy establishes guidelines for governing the hours of work and attendance for full-time employees. It is the responsibility of the University to ensure that normal operating hours are maintained to provide adequate customer service to students, faculty, staff, and the general public. The University may set or adjust the work schedule, when appropriate, to promote efficient operations. As a general condition of employment, employees are required to adhere to the work schedule designated by the University.

### APPLICABILITY

This policy is applicable to all administrators, staff and hourly employees.

### PROCEDURES

#### **Work Schedule-Hours of Work**

- The normal operating hours for the University consists of eight working hours, 8 a.m. - 5 p.m. The standard workweek consists of a five-day, Monday through Friday, 40 hour per week schedule for every seven calendar-day period. (Refer to the policy on Summer Flexible Working Hours for exceptions to the normal working hours).
- The University permits alternate work schedules, flexible work hours, and rotational shifts for law enforcement officers, residential life employees, etc. In most cases, the alternate work schedules and rotational shifts maintain a 40-hour workweek, but do not include the standard workday hours. These schedules are utilized when it is necessary to accommodate and serve beyond the standard operating hours. These schedules are necessary to provide optimal security and coverage for the University. Supervisors have the option to alter work schedules to accommodate departmental needs.
- The University may establish alternate work schedules that may **not** maintain a 40-hour workweek and consist of rotational shifts on a pre-determined cycle. For certain employees, such as law enforcement officers, the Fair Labor Standards Act (FLSA) permits arrangements, which do not require a 40-hour workweek.

## **POLICY ON HOURS OF WORK AND ATTENDANCE**

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#### **Adjustments to Work Schedules**

- In an emergency situation, an employee's work schedule may be adjusted temporarily.
- The work schedule may not be adjusted continuously to meet the employee's personal needs.

#### **Lunch Schedules and Breaks**

- The University strives to schedule lunch and/or breaks as described below, with the least interruption to the daily operations.

#### **Lunch Schedule**

- Employees normally receive one hour of unpaid leave between the hours of 12 noon and 2 p.m. for lunch. The lunch schedule will vary for employees on an alternate work schedule.

#### **Impermissible use of Lunch Schedule**

- The lunch schedule may not be used to compensate for an employee's late arrival or early departure, or to cover time off for other purposes.

#### **Employee Responsibility**

#### **Attendance**

- Employees are required to adhere to their work schedules by reporting to work at the specified starting time, departing at the specified ending time, and taking lunch schedule as authorized.
- Employees are expected to notify their supervisors as soon as possible if they expect to arrive to work late or will be absent due to an unexpected emergency or illness.



## **University Policy Number 1000.4: POLICY ON BACKGROUND CHECKS: CRIMINAL CONVICTIONS AND CREDIT CHECKS**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to hire highly qualified professional faculty, administrators, staff, and hourly employees who contribute to the overall success of the strategic goals. This policy allows the University the right to obtain additional information to assist in evaluating the applicant's qualifications and suitability for employment. Background checks (both criminal history and/or credit) are conducted for positions that have been designated and approved by the President.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for conducting background checks. Background checks serve as an important part of the process of weighing applicants' qualifications and determining their suitability for employment prior to the final selection process. The information obtained through this resource will serve as a means of promoting a safe and secure work, living and learning environment for students, faculty and staff members.

### **APPLICABILITY**

This policy is applicable to designated administrators, faculty, staff, hourly, and temporary applicants who have been recommended for hire. Contract services (Sodexo, Kelly, i.e.) may be required to obtain criminal conviction background investigations on potential employees. When required, the appropriate Vice President and the Director of Human Resources will recommend to the President potential employees who will require a credit check in accordance with the guidelines of the Federal Credit Reporting Act (FCRA).

### **PROCEDURES**

The Office of Human Resources is responsible for conducting criminal conviction and/or credit checks on all applicable applicants who have been recommended for hire. Applicants are required to disclose all criminal convictions on the application for employment. Convictions will be reviewed on a case-by-case basis, considering the nature of position, the seriousness, date of the conviction, and the honesty of the applicant in completing the application form.

The applicant will be required to complete a form which authorizes the University to have a criminal conviction check performed. If convictions are found, the job-relatedness of the convictions will be determined by the Director of Human Resources in consultation with the appropriate Vice President (hiring

## **POLICY ON BACKGROUND CHECKS: CRIMINAL CONVICTIONS AND CREDIT CHECKS**

### **Page 2**

supervisor, optional) and President or designee. The decision will be documented in writing. The University's decision will be based on the following factors:

- The nature or gravity of the offense or offenses
- The time that has passed since the conviction and/or completion of the sentence
- The nature of the job sought

### **Credit History Check**

Request for credit checks must be approved prior to the commencement of the recruitment process. If a credit check is approved, the Office of Human Resources has responsibility for the following:

Must certify to the reporting credit bureau that it is in compliance with the Fair Credit Reporting Act (FCRA) and will not misuse the information it receives;

Must disclose to the applicant that it plans to obtain a consumer or investigative consumer report and the information received will be used solely for employment purposes;

Must obtain written authorization from the applicant;

Must inform the individual of his or her right to request additional information on the nature of the report and the means through which such information may be obtained; and

Must provide the individual with a summary of his or her rights under the FCRA.

The Fair Credit Reporting Act imposes specific disclosure requirements on employers that use consumer credit reports to establish an individual's eligibility for employment or evaluate an employee for promotion, reassignment, or retention. These requirements apply to both regular consumer reports and investigative consumer reports.

If the result of the credit check is negative, before taking any adverse action, the University must provide the candidate with a copy of the report and a list of the individual's rights. Applicants shall be granted five days to contest the accuracy of the credit information the University has received.

The acceptance or rejection of the final offer will be determined by the Director of Human Resources in consultation with the appropriate Vice President (hiring supervisor, optional) and President or designee. The decision will be documented in writing and retained in the Office of Human Resources.

### **SPECIAL NOTE**

- The advance notice duties do not apply when an employer requests an investigative consumer report for purposes other than verifying a job candidate's credit history and financial trustworthiness. In particular, FCRA exempts employers from any duty to provide advance notice when a report is

## **POLICY ON BACKGROUND CHECKS: CRIMINAL CONVICTIONS AND CREDIT CHECKS**

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requested to investigate possible employee misconduct, such as workplace thefts, sexual harassment complaints, or violations of employment policies. However, an employer taking adverse action based on the results of an investigative consumer report must provide the employee in question with a summary explaining the nature and substance of information obtained from the investigation.

- The University reserves the right to conduct criminal conviction investigations when a current employee is charged with any crime that reflects on his/her suitability for continued employment.

**POLICY ON BACKGROUND CHECKS: CRIMINAL CONVICTIONS AND CREDIT CHECKS**

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Date

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

Dear \_\_\_\_\_:

As you authorized in your employment application, Claflin University has recently completed a pre-employment background credit check as part of our employee selection process. The purpose of this letter is to inform you that there is information in the report we received which, if accurate, would prevent us from offering you employment at this time. A copy of the report is enclosed.

After reviewing the report, (1) if you believe that information contained in it is inaccurate and/or (2) you want to know what information in the report falls outside of our guidelines, we ask that you contact us directly within five days. Otherwise, we will assume that you no longer wish to pursue employment with us.

This report was furnished to us by \_\_\_\_\_ Please understand that while \_\_\_\_\_ provided the report, they did not make this decision, and they are unable to provide you the specific reasons why Claflin University made this decision.

Enclosed along with the report is a description of your rights under the Federal Fair Credit Reporting Act. Under the law, you have the right to dispute, directly with \_\_\_\_\_ (vendor), any information in this report. They will reinvestigate the disputed information free of charge and either record the current status of the disputed information or delete the item(s) within 30 days of receiving your dispute. If the information is found to be inaccurate or incomplete or cannot be verified, they will promptly delete that item or modify it. They will provide notification of the dispute to any person who provided the information within five business days of receiving your notice of dispute. The enclosed Summary of Rights provides additional information about your rights.

You have the right to obtain an additional free copy of the enclosed report if you request it from \_\_\_\_\_ (vendor) within 60 days of when you receive this notice.

Sincerely,

Shirley A. Biggs  
Director of Human Resources

Enclosures: Credit Report  
Summary of Rights

**CLAFLIN UNIVERSITY**

**DISCLOSURE TO EMPLOYMENT APPLICANT REGARDING**  
**PROCUREMENT OF A CRIMINAL RECORDS CHECK AND/OR CREDIT REPORT AND/OR**  
**EDUCATIONAL ATTAINMENT**

In connection with my application for employment with Claflin University, I hereby authorize Claflin University to obtain:

\_\_\_\_\_ Criminal Records Check

**You will need to complete the Criminal Records Check Address Form Below**

\_\_\_\_\_ Credit Report

**You will receive a summary of the Fair Credit Reporting Act**

\_\_\_\_\_ Report Verifying Educational Attainment (as indicated below)

**You will need to complete the Educational Attainment Form Below**

Signature \_\_\_\_\_ Date \_\_\_\_\_

POSITION APPLYING FOR: \_\_\_\_\_

**IDENTIFICATION INFORMATION**

Name: \_\_\_\_\_

(PLEASE PRINT)

Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Signature: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

\*Date of Birth: \_\_\_\_\_

\*Federal and state law protects you from discrimination in employment on the basis of age, sex, and minority status. This information is not part of your employment application nor will it be used in considering your employment application.

**POLICY ON BACKGROUND CHECKS: CRIMINAL CONVICTIONS AND CREDIT CHECKS**  
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**CRIMINAL RECORDS CHECK ADDRESS FORM**

**List All of the Addresses Where You Have Resided for the Past Seven Years (Please Print):**

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Country if other than United States)/Dates of Residency

\_\_\_\_\_  
Street)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Country if other than United States)/ Dates of Residency

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Country if other than United States)/ Dates of Residency

**EDUCATIONAL ATTAINMENT VERIFICATION FORM**

Name of College or University:\_\_\_\_\_

Address:\_\_\_\_\_

\_\_\_\_\_

Type of Degree Received:\_\_\_\_\_

Year Degree Received:\_\_\_\_\_

**PLEASE USE ADDITIONAL PAGES OF THIS FORM AS NECESSARY**



## **University Policy Number 1000.5: POLICY ON TEMPORARY EMPLOYMENT**

**Responsible Administrator:** Vice President for Fiscal Affairs/Vice President for Academic Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** May 2005

**Revision Date:** August 2006

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to hire qualified applicants for all types of employment. This policy allows the University to employ persons to perform temporary assignments for departments that experience an urgent need. Proper personnel coverage enables the University to maintain an effective and productive workforce that is critical to its mission and ongoing operations. Temporary employment will be utilized for short-term assignments. In some situations, with administrative approval, an extension beyond the initial period of temporary employment may be granted.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for hiring persons to provide immediate assistance on a temporary basis in compliance with equal employment opportunity guidelines. The employment of qualified candidates remains the focus for all levels and types of employment. It is the intent of the University to employ persons with the knowledge, skills and abilities to perform the essential functions and assume the duties and responsibilities of the specified temporary assignment.

### **APPLICABILITY**

This policy is applicable to persons hired for temporary employment.

### **PROCEDURES**

It is the responsibility of supervisors to request temporary assistance when the need arises for immediate support in their areas as a result of special projects, emergencies, peak periods, vacancies, etc.

#### **Requesting Temporary Assistance**

- Supervisors must receive approval from their appropriate Vice President to employ a temporary employee. Upon approval, supervisors must contact the Office of Human Resources to discuss the appropriate rate and title of position.
- The Temporary Employment Agreement Form must be completed to certify that there are funds available to employ a person to fill a temporary position. The Temporary Employment Agreement Form is designed to request approval to hire personnel through the temporary employment process.

## **POLICY ON TEMPORARY EMPLOYMENT**

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#### **Recruitment**

Due to time constraint and the immediate need to secure short-term assistance, the recruitment process may **not** always be utilized for temporary assignments. The Office of Human Resources/Faculty Search Committees may select qualified candidates from applications received for prior recruited positions. Exceptional actions must be approved by the appropriate Vice President in conjunction with the Office of Human Resources. The President of Claflin University has final approval for all hiring decisions.

#### **Screening**

Applications are retrieved from prior recruited position folders for review. The applications selected will be screened to determine which candidates have the knowledge, skills, and abilities to assume the duties and responsibilities of the assignment. Candidates who possess the required qualifications of the temporary assignment will be selected for interviews. Exceptional actions must be approved by the appropriate Vice President in conjunction with the Office of Human Resources

#### **Interviewing**

Interviews are a required step in the selection process and may be conducted by the hiring supervisor/manager or the human resources professional.

#### **Background Checks**

- References

The hiring supervisor, human resources professional, or a designee will check references with the current and/or former employer of the candidate being considered for the temporary assignment.

- Criminal History

As defined by the appropriate Vice President and approved by the President, the Office of Human Resources will check criminal history convictions on candidates selected for employment in key positions. **Safety-sensitive positions** require a **fingerprint-based criminal history** check.

- Credit History

The Office of Human Resources will conduct credit history checks on designated positions that have been identified as eligible for a credit check by the appropriate Vice President and approved by the President.

- Motor Vehicle Record

The Office of Human Resources will check the driving record of candidates selected for employment for positions that require driving a University owned vehicle. The information will be ascertained from the Department of Motor Vehicles to ensure that the applicant has a valid and insurable driver's license.

## **POLICY ON TEMPORARY EMPLOYMENT**

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- Domestic Violence Conviction

Pursuant to United States Code, Title 18, section 922(g)(9), anyone who has been convicted of a misdemeanor crime of domestic violence may not possess any firearm or ammunition. The University must ensure that we ascertain information about applicants' convictions for domestic violence before they are employed in positions that require or authorize carrying a firearm.

### **Selection for Employment**

To fill positions that have been vacated or new positions that have been created, the University will utilize the recruitment and hiring process. Upon conclusion of the required steps as outlined in these procedures, candidates will be recommended to the President for employment. The President is responsible for approving all hiring recommendations for the University. Employment will be in accordance with policies, procedures, and guidelines developed and distributed by the Office of Human Resources, in conjunction with the President's Office.

### **Other Employment Requirements**

#### Application Process

- Before an applicant is eligible for employment with the University, several records must be reviewed or verified. This information is considered part of the application process and, as with information contained on the application form, if it is later discovered that an applicant falsified any information related to his or her employment, the employee may be terminated.

#### Disclosure of Child Support Inquiries

- To conform to the intent of the code of South Carolina, all agencies of South Carolina must ask each new employee to disclose whether he or she has an income withholding order to pay child support. If the employee discloses that he or she owes child support that is required to be withheld, the University shall report to the Department of Social Services and begin withholding according to the terms of such order.

#### Selective Service

- Pursuant to the Selective Service System federal requirement, with few exceptions, all male U.S. citizens and male immigrant aliens residing in the U.S. and its territories must register with Selective Service if they are 18 through 25 years of age. Men should register within 30 days of their 18<sup>th</sup> birthday. Not registering is a felony. Young men convicted of failure to register may be fined up to \$250,000, imprisoned for up to five years, or both. In addition to being subject to prosecution, failure to register may cause them to permanently forfeit eligibility for certain benefits.

### **Employment Contract or Hourly Letter**

- Individuals are employed according to the provisions of the Claflin University Staff Guidelines and

## **POLICY ON TEMPORARY EMPLOYMENT**

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the terms and conditions of the applicable University Policies and Procedures.

- To expedite the hiring process for temporary assignment, the Office of Human Resources may extend a verbal employment offer to the candidate selected for the assignment. The candidate selected for hire will be provided a temporary hourly letter from the President. It is not an employment contract and the dates of the temporary assignment may be subject to change based upon the continued need for services and availability of funds to support the assignment. The supervisor will inform the employee if the assignment will end before the date specified on the form and will notify the Office of Human Resources of any status changes.

### **Reporting to Work**

The new temporary employee will report to the hiring supervisor on the date and at the time specified by the verbal or written offer. The employee will complete and present to the Office of Human Resources the tax forms, direct deposit form (optional), personnel data sheet, and 1-9 form for verification. The Office of Human Resources will complete the necessary personnel transactions and provide the documents to the Payroll Office for timely processing of the employee's first payroll check.

### **Compensation**

- Non-teaching employees hired temporarily are paid **only** for hours actually worked. There is no compensation when employees do not report to work or for any time missed. Teaching faculty employed temporarily are paid for the contract period. If the temporary contract period is not completed, the hiring supervisor will complete a corrected Temporary Employment Agreement Form to reflect the actual time worked and the appropriate amount of compensation.
- Pay dates are the 3<sup>rd</sup> and 18<sup>th</sup> of the month.
- Time sheets for non-teaching employees must be completed by the supervisor and submitted to the Payroll Office to generate the paychecks. To ensure timely processing and payment, the supervisor must adhere to the semi-monthly pay schedule that outlines the dates for payment and submission of payment forms. Teaching faculty are not required to submit time sheets, they will be compensated based upon the contract period.
- Faculty and staff employees are not allowed to be compensated more than 25% of the base salary.

### **Benefits**

Temporary employees are hired under the temporary employment status. Employees are not eligible to receive benefits and are not paid for any time missed from the University, including holidays or other types of official closings.

## **POLICY ON TEMPORARY EMPLOYMENT**

### **Page 5**

#### **Separation**

- Employees will be terminated at the end of the approved assignment period unless authorization is approved for an extended period.
  
- Employees may be terminated before the completion of the assignment period for the following reasons:
  - employee is found incapable of being able to perform the duties of the temporary assignment,
  - supervisor no longer has a need for the temporary assignment,
  - funding is no longer available to support the assignment, or
  - employee has displayed unacceptable standards of conduct.



## **University Policy Number 1000.6: POLICY ON SALARY REQUIREMENTS FOR EXEMPT EMPLOYEES (SALARIED BASIS)**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** June 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide compensation to exempt employees on a salary basis. In accordance with the Fair Labor Standards Act (541.602), exempt employees will receive a "predetermined amount" of compensation that cannot be reduced due to partial-day absences. Exempt employees who exhaust their sick and vacation leave accruals must continue to receive their full pay for any partial day worked. To be eligible to receive full pay for the absent period, the employee must work a portion of the day. When an employee is absent for a full day and does not have sick or vacation leave, the University will make the proper payroll deduction (dock).

### **STATEMENT OF PURPOSE**

This policy establishes guidelines to protect the rights of exempt employees and Claflin University's exempt status in accordance with the Fair Labor Standards Act (541.603).

### **APPLICABILITY**

This policy applies to all exempt employees of the University.

### **PROCEDURES**

The University will provide full compensation based upon a predetermined amount for exempt employees who do not have sick or vacation leave when they work a partial day. Employees will continue to receive their full salary on a regular basis. Under the salary basis rule, employees **are not** eligible for this benefit due to the following reasons:

- The employee is absent for one or more full days for personal reasons, disciplinary suspensions, etc.
- The absences occurred in the initial or terminal week of employment.
- The employee is on unpaid leave under the Family and Medical Leave Act.

Employees who misrepresent or abuse this policy will be subject to disciplinary action under the Staff Guidelines and Policy on Termination, which include verbal and written warnings, suspension, and dismissal. Employees are responsible for notifying their supervisors immediately when they need to request time off from work for pre-planned and scheduled appointments and personal leave



## **University Policy Number 1000.7: POLICY ON SUMMER FLEXIBLE WORKING HOURS**

**Responsible Administrator:** President

**Responsible Office:** Office of Human Resources

**Originally Issued:** June 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to provide a flexible work schedule during the summer period. The summer working hours will be in compliance with section 785 of the Fair Labor Standards Act and the hours of work established by Clafin University.

### **STATEMENT OF PURPOSE**

This policy establishes uniform guidelines to ensure that applicable employees will have the opportunity, if desired, to participate in a flexible work schedule during the summer period. This policy will provide a quality of life benefit that will serve to enhance job satisfaction; help employees to balance the demand of the workplace with personal and family needs; and incorporate Clafin's commitment to valuing people.

### **APPLICABILITY**

This policy is applicable to all administrators, staff, and hourly employees.

### **PROCEDURES**

Flexible work schedules/time must be conducive to the demands of the department and approved by the immediate supervisor and appropriate Vice President. The hours worked must be reported on the Recordkeeping Document Form for non-exempt employees. The Summer Flex Schedule will begin on the first full-week of June and end on the last full-week of July.

The following guidelines must be adhered to:

- Employees must work 40 hours (or use leave) every week.
- Employees must work a minimum of eight out of every ten-work days.
- Employees' work hours should normally be scheduled between 7:00 a.m. and 7:00 p.m. on weekdays.
- Office coverage must be provided during the normal working hours of 8:00 a.m. to 5:00 p.m.
- Employees may take a 30-minute lunch instead of the standard one-hour lunch.
- Employees are allowed two 15 minute breaks each day, but breaks may not be used at the start or finish of the workday
- Public Safety Officers must maintain a summer flex schedule that will provide coverage 24 hours/7 days a week.

**POLICY ON SUMMER FLEXIBLE WORKING HOURS**

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Examples of possible flexible work schedules:

**Summer Flex Schedule**

<b>Work Days</b>	<b>*Work Hours</b>	<b>Lunch</b>
<b>Monday thru Thursday</b>	<b>7:30 a.m. until 6:30 p.m.</b>	<b>1 hour</b>
<b>Or</b>	<b>7:30 a.m. until 6:00 p.m.</b>	<b>½ hour</b>
<b>Tuesday thru Friday</b>	<b>8:00 a.m. until 7:00 p.m.</b>	<b>1 hour</b>
	<b>8:00 a.m. until 6:30 p.m.</b>	<b>½ hour</b>

**\*Optional work hours may be used to develop a 4 day work week/10 hours per day.**



## **University Policy Number 1000.8: POLICY ON HOLIDAY OBSERVANCES**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to provide holiday leave to all eligible employees. This benefit provides employees with paid time off from work to observe University designated holidays. The University participates in the observance of national and legal holidays and others as recognized and deemed appropriate by the Board of Trustees. The University reserves the right to modify the holiday schedule and will notify all employees of any changes.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of the Holiday Leave Program. It is the responsibility of the University to determine which days will be recognized as official holidays and the number of days to be included in the holiday period. It is the objective of the University to close offices and facilities without disrupting its academic program.

### **APPLICABILITY**

This policy is applicable to all full-time, 9-10-11 month employees, and part-time twelve-month salaried employees.

### **PROCEDURES**

The University will observe the following holidays:

- New Year's Day (January 1)
- Dr. Martin Luther King's Day (Third Monday in January)
- Good Friday (Friday before Easter Sunday)
- Easter Monday (Monday after Easter Sunday)
- Memorial Day (Last Monday in May)
- Fourth of July (July 4)
- Labor Day (First Monday in September)
- Wednesday before Thanksgiving Day
- Thanksgiving Day (Fourth Thursday in November)
- Friday after Thanksgiving Day
- Christmas Eve (December 24)
- Christmas Day (December 25)

## **POLICY ON HOLIDAY OBSERVANCES**

### **Page 2**

When an authorized holiday falls on a Saturday, it will be observed the Friday before the holiday. When the holiday falls on a Sunday, it will be observed the Monday after the holiday. Employees who are required to work on a holiday will be allowed to take an alternate day off from work with pay. The alternate day off should be mutually agreeable to the employee and the supervisor.

When an employee is on approved vacation or sick leave during a period that includes a paid holiday, the employee will not be charged vacation or sick leave for the holiday or holiday period. Employees who are on leave without pay during a period that includes a holiday will not be paid for the holiday or the holiday period. When a holiday falls on an employee's scheduled day off the employee will be granted an alternate day off from work with pay.

If an employee's effective employment date falls on a holiday, the employee is eligible for the paid holiday if he or she reports to work the next workday following the holiday. If an employee is retiring or separating from the University and the last day of work falls on a holiday, the employee will be paid for the holiday.

**EXCEPTION:** If administrative approval is granted for holiday work, non-exempt employees may be paid in lieu of receiving an alternate day off.



## **University Policy Number 1000.9: POLICY ON SICK LEAVE**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** June 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide sick leave to eligible full-time and part-time twelve-month salaried employees (minimum of 20 hours per week and not more than 35 hours per week). This policy permits an employee to be on paid leave from work for reasons related to personal illnesses or injuries and family related health conditions. Sick leave is a benefit that helps to protect the income of employees when they must be absent from work due to medical reasons. Upon employment, all applicable employees, including those who are serving a probationary period, are eligible for sick leave accruals beginning with the first semi-monthly pay period.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of the Sick Leave Program. It allows employees to use their earned sick leave hours to take paid time off from work due to personal or family illnesses. Employees may also use accumulated sick leave hours for their own personal illnesses, injuries and medical conditions covered under the Family and Medical Leave Act. Employees must request family and medical leave to cover absences for family health conditions that qualify under the Act.

### **APPLICABILITY**

This policy is applicable to full-time hourly employees, twelve-month contract employees, faculty members on contract, and part-time twelve-month salaried employees. Probationary employees are eligible to earn sick leave hours.

### **PROCEDURES**

#### **Determining the Accrual Rate**

The rate at which an employee earns sick leave is based upon a uniform policy. All full-time employees earn four hours of sick leave each semi-monthly pay period. Part-time employees earn two hours of sick leave each semi-monthly pay period.

#### **Accrual of Sick Leave**

Sick leave accrues at the end of the day of each completed semi-monthly pay period, 1<sup>st</sup> through the 15<sup>th</sup> and the 16<sup>th</sup> through the last working day of the month. It is credited to the employee and available to be used on

## **POLICY ON SICK LEAVE**

### **Page 2**

the first day of the next pay period, the 1st and the 16<sup>th</sup> of the month. An employee must have worked or have been on paid leave for the entire semi-monthly pay period in order to earn sick leave.

- Employees on paid sick leave continue to earn sick leave.
- Sick leave does not accrue in the following situations:
  - during any semi-monthly pay period when the employee is on leave without pay for the entire pay period;
  - during any semi-monthly pay period when no work is performed by a full-time employee who works less than 12 months; or
  - when an employee is suspended without pay pending the results of an official investigation or court action or during any pay period when an employee is on disciplinary suspension.

### **Use of Sick Leave**

Employees applying for sick leave shall submit a Request for Leave Application to the immediate supervisor for approval. The President must also approve a request for sick leave in excess of ten (10) days.

Accrued sick leave hours may be used for three major purposes as defined below:

#### **Personal**

Employees shall be allowed to use their accrued sick leave to take paid time off from work for the following reasons:

- medical necessity during the employee's temporary incapacity due to illness or injury, including incapacity related to pregnancy or childbirth;
- infection with or exposure to a contagious disease such that his or her presence on the job might jeopardize or endanger the health of others when certified by a licensed physician;
- when the employee is incapable of performing normal duties or that continuing to perform normal duties would be hazardous to the health of the employee; and
- for the employee's medical appointments that cannot be scheduled during non-work hours.

#### **Family**

Employees shall be allowed to use their accrued sick leave to take time off from work for medical appointments that cannot reasonably be scheduled during non-work hours and for **short-term** illnesses or injuries of an immediate family member. Immediate family members shall include the following:

- parents, including step-parents or persons who stood in place of the parent and performed parental duties and responsibilities;
- spouse as defined by laws of South Carolina; and
- children, including stepchildren, foster children, and legal wards.

## **POLICY ON SICK LEAVE**

### **Page 3**

#### **Family and Medical Leave Act (FMLA)**

The University reserves the right to place employees on Family and Medical Leave status without a FMLA application of request.

Eligible employees who are unable to perform the essential functions of their positions because of a serious health condition or disability shall be granted Family and Medical Leave. Employees may use accumulated sick and vacation leave for FMLA personal sick leave of absence.

Eligible employees shall be granted Family and Medical Leave to care for a family member with a serious health condition that qualifies under the Family and Medical Leave Act. To be compensated for family sick under FMLA, employees are required to use any vacation leave first and then any available sick leave.

#### **Medical Disability**

There are options available to the University if an employee becomes mentally or physically incapable of performing his or her job and has been determined to be permanently disabled by the treating physician. The University should determine if there is any reasonable accommodation, including transfer or demotion to another position, that will enable the employee to perform the job. If not, the University may recommend that the employee apply for disability or early retirement. If an employee declines disability or early retirement, the University may apply the Policy on Termination to address unsatisfactory performance.

#### **Verification of Employee's Need for Sick Leave**

Employees who wish to use sick leave must make their request as far in advance as possible and complete the Request for Leave Application. Employees who anticipate being disabled from work due to a medical condition, including, but not limited to such things as elective surgery, pregnancy, and childbirth, should submit a physician's certification of disability as far in advance as possible to assist management in planning for the employee's absence. For leave under the Family and Medical Leave Act (FMLA), 30 days notice is required for events that are foreseeable, such as birth, adoption, or planned medical treatment.

The use of sick leave shall be subject to verification. The University may, before approving the use of sick leave, require the certification of a physician or other acceptable documentation describing the nature of illness and giving inclusive dates.

An employee's use of paid sick leave may be denied if the employee fails to comply with the University's request for verification of the need for sick leave or if the verification provided is inadequate or incomplete, and failure to adhere to other requirements under the Family and Medical Leave Act.

#### **Duration of Leave**

- **Carryover**  
Sick leave accruals may be carried over from one fiscal year to the next.
- **No Pay Out**  
Employees will **not** be paid for unused sick leave upon separation from the University.

## **POLICY ON SICK LEAVE**

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#### **Treatment of Sick Leave Upon Transfer**

- Employees are not paid for their sick leave balance when they transfer from one position to another within the University.

#### **Abuse of Sick Leave**

- Sick leave should not be abused. Employees who misrepresent the need to use sick leave are subject to disciplinary action.

#### **Workers' Compensation**

The University provides Workers' Compensation Insurance for all employees. All work related injuries must be reported immediately to the supervisor, regardless of how minor the injury may initially appear to be. Supervisors are responsible for notifying the Office of Human Resources. The Accident Reporting Form must be completed and submitted by the supervisor within 48 hours of the accident. The Office of Human Resources is responsible for investigating the accident and reporting it to the workers' compensation insurance carrier.

An employee who is disabled because of the injury for a period of more than seven days will receive compensation. In accordance with the provisions of the Workers' Compensation Act, the insurance company will be responsible for paying the hospital charges and other medical expenses.

Employees with approved Workers' Compensation claims will receive the Workers' Compensation benefit (two-thirds of the employee's weekly wage). Employees may use their accrued sick leave or vacation leave to supplement the Workers' Compensation benefit to receive 100% pay.

#### **Military Leave**

- Employees may retain their sick leave balance and have it reactivated upon their return to the University from military leave. Employees on military leave without pay will not accrue sick leave.

#### **COMPLIANCE WITH POLICY**

This policy shall be governed in accordance with the Policy on Family and Medical Leave and the section on Leave Without Pay for Disability in the Staff Guidelines.



## **University Policy Number 1000.10: POLICY ON VACATION LEAVE**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** June 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide Vacation Leave to full-time employees and part-time twelve-month salaried employees (minimum of 20 hours per week and not more than 35 hours per week). This benefit provides opportunities for employees to use earned vacation leave to take time off from work without loss of compensation or benefits. It is afforded to all full-time employees and part-time twelve-month salaried employees. New full-time employees are credited with forty (40) hours of vacation leave and part-time twelve-month salaried employees are credited with 20 hours of vacation leave upon successfully completing the six-month probationary period. Vacation leave is accrued at the completion of each semi-monthly pay period, 15th and the last working day of the month.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of the Vacation Leave Program. Vacation leave provides paid leave to employees for vacations or other personal purposes. It allows employees to take paid time off from work by using their accrued vacation leave hours for the absent period. The rate at which an employee earns vacation leave hours is based on the number of years of salaried service credited to the employee. Employees who separate from the University or experience certain other status changes may receive payment for unused vacation leave up to established pay-out limits.

### **APPLICABILITY**

This policy is applicable to all full-time hourly employees, twelve-month contract employees, and part-time twelve-month salaried employees. Probationary employees are not eligible to earn vacation leave hours.

### **PROCEDURES**

#### **Determining the Accrual Rate**

- The rate at which an employee earns vacation leave is based upon the years of salaried service or full-time employment with the University.

#### **Accrual of Vacation Leave**

- Vacation leave accrues at the end of the day of each completed semi-monthly pay period. 1<sup>st</sup> through the 15<sup>th</sup> and the 16<sup>th</sup> through the last working day of the month. It is credited to the employee and available for use on the first day of the next pay period, 1<sup>st</sup> and 16<sup>th</sup> of the month. An employee must have worked or have been on paid leave for the entire pay period in order to accrue the vacation leave hours.

## **POLICY ON VACATION LEAVE**

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#### **Vacation Leave Hours Accrual Rate (Full-Time Hourly and Twelve-Month Contract Employees)**

Employees will be credited with 40 vacation leave hours (5 days) upon completion of the six-month probationary period. Vacation leave hours will accrue according to the following schedule:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Annual Vacation Earnings</u>		
	<u>Per Pay Period</u>	<u>Hours - Days - Weeks</u>		
6 months (credited)	0	40	5	1
7 months - 12 months	3.34 hours	40	5	1
1 - 14 years	3.34 hours	80	10	2
15 - 19 years	5.00 hours	120	15	3
20 years or more	6.68 hours	160	20	4

#### **Maximum Vacation Accumulations (Full-Time Hourly and Twelve-Month Contract Employees)**

<u>Years of Service</u>	<u>Maximum Vacation Accumulations</u>	
7 months - 14 years	160 hours	20 days
15 - 19 years	240 hours	30 days
20 years or more	320 hours	40 days

#### **Carryover and Payment Limits**

- Vacation leave accumulations beyond the maximum hours that may be allowed to carry over from one fiscal year to the next will be subtracted on July 1 of each year. Employees may be paid the applicable maximum accumulation upon separation from the University.
- Employees under sponsored programs positions will not be paid for vacation leave upon separation and their vacation leave will not carry over from one grant year to the next.

#### **Vacation Leave Accruals (Part-Time Twelve-Month Salaried Employees)**

Vacation leave hours will accrue according to the following schedule:

<u>Years of Service</u>	<u>Semi-Monthly Accrual Rate</u>	<u>Annual Vacation Hours</u>
6 months (credited)	0	20 hours
7 - 12 months	1.67 hours	20 hours
1 - 14 years	1.67 hours	40 hours
15 - 19 years	2.50 hours	60 hours
20 years or more	3.34 hours	80 hours

## **POLICY ON VACATION LEAVE**

### **Page 3**

#### **The maximum accumulations for vacation leave hours for part-time employees are as follows:**

<u>Years of Service</u>	<u>Maximum Vacation Accumulations</u>
7 - 12 months	40 hours
1 - 14 years	80 hours
15 - 19 years	120 hours
20 years or more	160 hours

#### **Requesting and Using Vacation Leave**

- Employees cannot use vacation leave until it is accrued. Hours accrued in one pay period will be available to be used the following pay period.
- All requests to use vacation leave must be approved by the supervisor or the leave will be considered unauthorized and the employee's paycheck may be docked.
- Employees must request and receive approval from their supervisors to take vacation leave time. Employees should make their requests for leave as far in advance as possible. The supervisor should attempt to approve an employee's request for vacation leave, provided the University's operations are not adversely affected by the leave.
- When an official holiday falls within the employee's approved vacation time, the leave time will not be deducted for the holiday. The employee may request to take a vacation day at a future date.
- When an employee takes leave time that was requested but not approved, the employee will be subject to the following actions:
  - the absence will be designated as unauthorized;
  - the employee will not be paid for the time missed;
  - the employee will not accrue vacation or sick leave for the pay period(s) that the absence occurred because the leave would be considered leave without pay; and
  - the University may also take disciplinary action.

Vacation leave will automatically be used when an employee on sick leave exhausts his/her accrued sick leave. The Employee has the right to request leave without pay to retain his/her vacation leave. However, if the request is not submitted and approved in a timely manner, the vacation leave will be used. An employee may use vacation leave to continue receiving pay while on Leave Without Pay status during suspension pending the investigation or outcome of court proceedings. Employees who are absent due to a work related illness or injury may use their vacation leave to receive payment for the first five workdays of Workers' Compensation after they have exhausted their sick leave.

#### **Vacation leave does not accrue in the following situations:**

- any semi-monthly pay period when the employee is on leave without pay (LWOP) for the entire pay period; and

## **POLICY ON VACATION LEAVE**

### **Page 4**

- when an employee is suspended (LWOP) pending the results of an official investigation or court action, or placed on disciplinary suspension; however, if the suspension partially extends into another semi-monthly pay period, the employee accrues leave for that pay period.

### **Military Leave**

Employees may retain their vacation leave balance and have it reactivated upon their return to the University from military leave. Employees on military leave without pay will not accrue vacation leave.



## **University Policy Number 1000.11: POLICY ON USE OF VACATION LEAVE AND SICK LEAVE FOR EMPLOYEES UNDER SPONSORED PROGRAMS (GRANT FUNDED) POSITIONS**

**Responsible Administrator:** Vice President for Academic Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** July 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide Vacation Leave and Sick Leave to full-time employees and part-time twelve-month salaried employees. These benefits allow employees who are employed in positions under Sponsored Programs to **earn** and **use** vacation and sick leave as described in the "Policy on Vacation Leave" and the "Policy on Sick Leave." However, certain restrictions will apply with leave carryover and payment. Employees who are employed in positions under sponsored programs **will not be paid** for their vacation leave balance when they separate from the University. Employees must use their accumulated vacation leave annually and such leave will not carry over from one grant year to the next.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of its Sponsored Programs in compliance with applicable federal and state laws, guidelines and regulations. All positions that are created and funded with monies that are generated by funding agencies must be initiated through and approved by the Sponsored Programs Office. It is the responsibility of the University to ensure that the funds for these positions are restricted to the appropriate funding agency and will not impact the general operating budget of the University.

### **APPLICABILITY**

This policy is applicable to all full-time employees, twelve-month contract employees, and part-time twelve-month employees who are hired under a grant funded position. Probationary employees are not eligible to earn vacation leave hours.

### **PROCEDURES**

Employees who are hired under sponsored programs are employed in positions that **are not** funded by the University. Funds to support these positions are received from outside agencies. Administrators and managers, in collaboration with the Sponsored Programs Office, may research avenues to supply the monies or necessities to implement new initiatives, programs, projects, and activities. It is the responsibility of the Sponsored Programs Office to administer and monitor the grants. Supervisors are responsible for encouraging their employees to use their vacation leave each year.

## **POLICY ON USE OF VACATION LEAVE AND SICK LEAVE FOR EMPLOYEES UNDER SPONSORED PROGRAMS (GRANT FUNDED) POSITIONS**

**Page 2**

### **Vacation Leave and Sick Leave Accrual Rate**

- All full-time employees earn eight hours (one day) of sick leave per month.
- The rate at which all full-time employees earn vacation leave is contingent upon the years of full-time or salaried service with the University. The vacation leave accrual rate is based on a uniform policy and will be governed in accordance with the "Policy on Vacation Leave."

### **Using Vacation Leave and Sick Leave**

- Employees may use their vacation leave and sick leave as described in the policies on Vacation Leave and Sick Leave.

### **Carryover of Vacation Leave and Sick Leave**

- Sick leave may accumulate from one grant year to the next.
- Vacation leave accumulations must be used annually and will not carry over from one grant year to the next.
- Employees must use all vacation leave prior to the end of the grant or contract and before separating from the University.

### **No Payment for Vacation Leave or Sick Leave**

- Employees will **not** be paid for their unused sick leave when they separate from the University due to the expiration of the grant or for personal reasons. Sick leave may only be used for personal illness or for the illness of an immediate family member.
- Employees will **not** be paid for their unused vacation leave when they separate from the University due to the expiration of the grant or for personal reasons. (**Exception:** Project Directors must request permission from the Director of Sponsored Programs to use funds or obtain funds to compensate an employee for his or her vacation leave if the employee was not permitted to take the vacation leave prior to the expiration of the grant).



## **University Policy Number 1000.12: POLICY ON FAMILY AND MEDICAL LEAVE ACT**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to provide Family and Medical Leave to eligible employees. In accordance with the Family and Medical Leave Act (1993), eligible employees must be granted unpaid leave for a serious personal health condition, for the birth of a child, for the placement of a child for adoption or foster care, or to care for a spouse, child or parent. Employees may use their accumulated sick and vacation leave for personal medical reasons and accumulated vacation leave and sick leave for family related medical reasons.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of the Family and Medical Leave Act in compliance with applicable federal laws and regulations issued by the U. S. Department of Labor and state laws. It is the responsibility of the University to protect the rights and privileges of its employees by providing up to 12 weeks of **paid** and/or **unpaid** leave during any 12 consecutive months for certain family and medical reasons. The employee shall be offered the benefit of paid leave by using applicable accrued sick and/or vacation leave to cover the absent period.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff, and hourly employees with 12 months of service or 1,250 hours in the preceding twelve months.

### **PROCEDURES**

#### **General**

Employees who meet the length of service and hours worked requirements have rights under the Family and Medical Leave Act. As a general rule, employees must request leave of absence under this law and policy through the "Request for Leave Application" process, but in appropriate situations, the University reserves the right to place employees on Family and Medical Leave status without the leave application.

## **POLICY ON FAMILY AND MEDICAL LEAVE ACT**

### **Page 2**

#### **Eligibility**

Employees must meet the following requirements to be eligible for the leave benefits provided under this Act:

- Must have worked for the University for at least 12 months
- Must have worked at least 1,250 hours during the year preceding the start of the leave

#### **Purpose of the Leave**

The University shall grant up to 12 weeks of leave for any of the following reasons:

- A serious health condition that renders the employee unable to perform the functions of the job
- For birth and care of a newborn child within 12 months of the birth
- For placement of a child with the employee for adoption or foster care, and to care for the newly placed child within 12 months of the placement
- To care for a child under 18 years of age, or a dependent son or daughter over 18 years of age who is incapable of self-care because of mental or physical disability
- To care for the employee's spouse or parent with a serious health condition

Circumstances may require an expectant mother to take family and medical leave before the birth of the child for prenatal care, or if her condition makes her unable to work. The period for taking leave based on birth, adoption, or foster care expires one year after the child is born or placed.

#### **Definitions**

- **Parent**

Biological parent or a person who took the place of a parent when the employee was a child.

- **Spouse**

Husband or wife as recognized under South Carolina law. Because South Carolina recognizes common-law marriage, common-law spouses are covered.

- **Child**

Son or daughter means a biological, adopted, stepchild, or foster child who is under the age of 18 or, age 18 or older and "incapable of self-care because of a mental or physical disability."

#### **Serious Health Condition**

Refers to any illness, injury, impairment, or mental or physical condition that involves any of the following:

- In-patient care in a hospital, hospice or residential medical care facility
- More than three calendar days of incapacity that involves continuing treatment by a health-care provider
- Incapacity because of pregnancy or prenatal care
- Chronic health condition (i.e. asthma, diabetes)
- Long-term or permanent health condition

## **POLICY ON FAMILY AND MEDICAL LEAVE ACT**

### **Page 3**

#### **Verification of Employee's Need for Family and Medical Leave**

Sick leave that is designated as family and medical leave under the Family and Medical Leave Act, must include documentation from the treating physician of the employee or family member, as appropriate. Employees must provide the University with the "Certification of Health Care Provider Form" from the United States Department of Labor. The type of verification an employee may provide include:

- Certification from the treating physician that the employee is temporarily disabled from work. This should indicate the extent of the employee's disability and the anticipated duration of the disability. The University may send a copy of the Employee's Position Description for the physician to use in determining which duties the employee is able to perform.
- Certification from the employee's physician that the employee currently has or has been exposed to a contagious disease such that his or her presence on the job might endanger the health of others.
- Evidence that the employee has a medical appointment that could not have reasonably been scheduled during the employee's non-work hours.
- Certification or verification of incapacity for family members of FMLA qualifying conditions must meet the requirements for family sick leave or FMLA, as applicable.

#### **Medical Certification**

The certification should include the following additional information for personal and family related medical leave of absence:

- The date when the serious health condition began
- The probable duration of the condition
- The medical facts regarding the condition
- The reason why the employee is required to care for the family member, what care the employee will provide, and how long the care is likely to be required

The University reserves the right to require that additional information or clarification be included on the certificate depending on the reason for the Family and Medical Leave. (i.e. If an employee applies for leave under the FMLA because of personal serious health conditions, the University may require that the certificate state whether or not the employee can perform the essential functions of the job). The University may require the employee to get an opinion from a second doctor at the University's expense.

The University may ask the employee to provide a recertification of a medical condition to support the Family and Medical Leave request. A recertification may be requested at reasonable intervals (generally not more often than every 30 days).

While on Family and Medical Leave, the employee is expected to contact his or her supervisor on a regular basis.

## **POLICY ON FAMILY AND MEDICAL LEAVE ACT**

### **Page 4**

#### **Length of the Leave**

An eligible employee is entitled to up to 12 weeks of unpaid leave during a 12-month period. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.

When both spouses are employed by Claflin University, they are each entitled to separate leave for serious (personal) health conditions for themselves, each other, their children, or their parents. However, they are jointly entitled to a **combined** total of 12 work weeks of family leave for the birth and care of the newborn child, and for placement of a child for adoption or foster care.

#### **Family and Medical Leave With Pay**

Employees who must be absent due to their **own** serious health condition will be paid for time lost from work by first using their accrued sick leave and then vacation leave, if the condition persists. Employees who must be absent due to **family** related medical reasons will be paid for time lost from work by using their accrued vacation leave first. Employees who exhaust their sick and/or vacation leave while on Family and Medical Leave will automatically be placed on leave without pay.

#### **Employee Responsibility**

Employees must submit their request for family and medical leave by completing the FMLA application at least 30 days before the family and medical leave is to begin. When a 30-day advance notice is not possible, the employee should provide as much notice as practical. Employees should notify the University within one or two working days of learning of the unexpected need for family and medical leave. When there is a medical emergency involving the employee or a member of the employee's family, or when the need for FMLA leave is not foreseeable, advance notice is not practical. In these instances, the employee or a family member should notify the Office of Human Resources in person, by telephone, fax, or email of the circumstances requiring the leave. The FMLA Leave Form may be acquired from the Office of Human Resources.

#### **Returning To Work**

The Family and Medical Leave Act normally gives an employee the right to return to his/her job when the family and medical leave has been completed. At the conclusion of the leave of absence under the FMLA, the employee is entitled to reinstatement to his/her former position or to a position equivalent to the former position. An employee who has taken leave due to the employee's serious health condition must obtain medical certification that he/she is able to resume work and must give reasonable notice of intent to return to work. An employee may **not** return to work until such certification is provided to the Office of Human Resources.

Key Employees (salaried employees in highest paid 10% of all employees). Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations

**Termination of Reinstatement Rights and Employment**

An employee's right to reinstatement as set forth above will automatically terminate if the employee does not return to work in full active employment status to the position of reinstatement within or on the working day following the expiration of the leave of absence under the Family and Medical Leave Act.

Employment will automatically terminate if the employee does not return to active employment status with the University at the conclusion of the family and medical leave of absence (12 weeks of entitlement). A further leave of absence may be granted under the section on Leave Without Pay for Disability in the Staff Guidelines.

**Effect of Leave on Health Insurance Benefits**

- Health Insurance Premium

Employees taking leave under this policy must continue to pay their portion of the health benefit plan premiums on or before the same date that such portion of premium would be deducted from the employee's wages. An employee's failure to pay his or her portion of the health benefit plan premium may result in a loss of health insurance coverage.

- Reimbursement of Premium to the University

Employees who do not return to work after the expiration of leave under this law and policy will be required to reimburse the University for the portion of the health insurance paid by the University to continue coverage during the leave period. However, an employee who does not return to work because of the presence of a serious health condition which prevents the employee from performing his/her duties or circumstances beyond the employee's control will not be required to reimburse the University.



## **University Policy Number 1000.13: POLICY ON LEAVE TO PROVIDE COMMUNITY SERVICE**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide Community Service Leave to full-time and part-time twelve-month salaried employees. This type of leave is not accrued or credited, it is a benefit to support employees in their participation in school-related matters, youth activities, and community involvement. It is the University's objective to provide employees with **paid** leave from work to participate in community activities in order to promote employees' involvement in the education of youth, assistance to schools, community service, and general participation through volunteerism.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of the community service program. Leave to provide community service allows full-time employees to take time off from work with pay for services within their schools and communities. A maximum of 8 hours of paid leave (4 hours for part-time twelve-month employees) per fiscal year will be made available to current employees on July 1 of each year. This leave may be used only for providing community service as outlined in this policy.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff and hourly employees. Probationary employees are not eligible for this benefit.

### **PROCEDURES**

#### **Amount/Availability of Leave**

The rate at which an employee is provided leave to perform community service is based upon a uniform policy. A maximum of 8 hours (4 hours for part-time twelve-month salaried employees) of paid leave per calendar year will be made available to current full-time employees on July 1 of each year. The number of leave hours granted to provide community service is the same for all full-time employees.

#### **Use of Leave**

Leave under this policy may be used **only** for providing community service as outlined below:

## **POLICY ON LEAVE TO PROVIDE COMMUNITY SERVICE**

### **Page 2**

#### **Community Service Activities**

Employees who are members of volunteer fire departments and rescue squads, or auxiliary units thereof, may be granted paid leave under this policy to:

- respond to emergency situations during their working hours at the University; or
- arrive after the normal beginning of their work shift if an emergency situation to which they responded outside their normal work hours continues beyond the normal beginning of their work shift at the University.

#### **Other Community Service Assistance**

Employees may be granted paid leave under this policy to provide "hands-on" voluntary services to their communities as part of an organized community service project sponsored by a community service organization. For example, an employee could be granted community service leave to deliver meals to the elderly or to needy community citizens; however, community service leave would not be appropriate to attend a planning meeting or social event for the organization providing these services.

#### **School Assistance**

Employees with children may be granted paid leave under this policy to:

- meet with a teacher or administrator of a public or **private** preschool, elementary school, middle school, or high school concerning their children, step-children, or children for whom the employee has legal custody; or
- attend a school function in which such children are participating.

Any employee may be granted paid leave under this policy to perform volunteer work approved by any teacher or school administrator to assist a public preschool, elementary school, middle school, or high school.

#### **Home School**

Employees may be granted paid leave under this policy to assist in the education of their child (stepchild or child for whom the employee has legal custody) in state-approved home education curricula, including, meetings with local school board officials and required field trips.

#### **Duration of Leave**

##### **No Carryover**

- Community service leave that is not used in a fiscal year will not be carried forward to the next fiscal year.

##### **No Payout**

- Employees will not receive payment for unused community service leave upon separation from the University.

## **POLICY ON LEAVE TO PROVIDE COMMUNITY SERVICE**

### **Page 3**

#### **Approval of Leave**

Employees must receive approval from their supervisors prior to using community service leave. Additionally, if response to emergency situations as a member of a volunteer fire department or rescue squad will result in tardiness to work, employees must notify their supervisors as promptly as possible.

Supervisors may require written verification from an official of the community service organization for use of community service leave. If the leave is used for school assistance, written verification should be from a school administrator or teacher.

#### **Scheduling of Leave**

Supervisors should attempt to approve leave at the time requested by the employees, but have the discretion to disapprove the leave if it will significantly impact the University operations.

The University may determine that it is not possible to release certain employees under this policy who are in direct care or public safety positions, such as Law Enforcement personnel, due to staffing requirements. When adequate and capable back-up staff is readily available or scheduling adjustments are feasible, an employee's request should be granted. If supervisors are unable to grant community service leave requests, the employees should be informed as soon as possible after the decision is made.



## **University Policy Number 1000.14: POLICY ON LEAVE TO DONATE BONE MARROW OR ORGANS**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide full-time non-probationary employees with Leave to Donate Bone Marrow or Organs. It is the University's objective to grant employees leave with pay or without pay from work to participate in the bone marrow and organ donation program. Forty hours (40 hours) of this leave is not accrued or credited; it is a benefit that is provided to support the employee for the specific purpose of bone marrow or organ donation. The University recognizes the significant medical benefit for the employee and donor recipient. Employees may use their accumulated sick and vacation leave for personal medical reasons.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of the Leave to Donate Bone Marrow or Organs Program. Leave under this policy provides eligible employees with up to 240 hours (6 weeks) of **paid or unpaid** leave for the period that is medically necessary for donation of bone marrow or an organ during any 12 consecutive months. Employees will automatically be compensated for 40 hours (1 week). The additional 200 hours (5 weeks) may be paid or unpaid. The employee shall be offered the benefit of paid leave by using applicable accrued sick and/or vacation leave to cover the period of absence. This leave may be used only for donating bone marrow or organs as outlined in this policy.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff, part-time twelve-month salaried, and hourly employees who have met the requirement eligibility.

### **PROCEDURES**

This policy provides sick leave benefits to employees who meet the following requirements:

- Must have worked for the University for at least 12 months
- Must have worked at least 1,250 hours during the year preceding the start of the leave

### **Amount/Availability of Leave**

The rate at which an employee is provided leave to donate bone marrow or organs is based upon a uniform policy. Full-time non-probationary employees will automatically be compensated for 5 workdays

## **POLICY ON LEAVE TO DONATE BONE MARROW OR ORGANS**

### **Page 2**

(40 hrs/1 week) of paid leave and 25 workdays (5 weeks) of unpaid/paid leave during any 12 consecutive months. The employee shall be offered the benefit of paid leave by using applicable accrued sick and/or vacation leave to cover the period of absence. The number of workdays granted is the same for all eligible employees. Probationary employees are not eligible to participate in this program until they have completed their probationary period.

### **Use of Leave**

- Leave under this policy may be used only for donating bone marrow or organs.

### **Requesting Leave**

- Eligible employees must request leave to donate bone marrow or organ. The request should be made as far in advance as possible to assist supervisors in planning for the employee's absence. Employees must submit a medical certification to support the leave and the expected duration of the leave. The University should inform the employee as soon as possible after the decision is made.
- If employees are receiving Workers' Compensation (WC) benefits when they decide to donate bone marrow or an organ, the Workers' Compensation benefits will be suspended for any period when the employee receives paid leave or uses sick or vacation leave. However, when the bone marrow or donor period ends, the Workers' Compensation benefits will continue, as appropriate.

### **COMPLIANCE WITH POLICY**

This policy shall be governed in accordance with the Policy on Family and Medical Leave and the section on Leave Without Pay for Disability in the Staff Guidelines.



## **University Policy Number 1000.15: POLICY ON NEPOTISM**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** June 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to maintain a work environment that provides for the fair, just, and equitable treatment of all employees. The University does not permit the supervision of an employee by a member of his or her immediate family.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines to ensure equal employment opportunity while maintaining high standards of ethics, integrity and professionalism in its employment and promotional processes. The University prohibits the supervision of an employee by an immediate family member. It is also the policy of the University to maintain an effective and productive workforce by not discriminating against hiring qualified, competent, and suitable family members of current employees.

The term “family member” is defined in these guidelines by the following relationships through blood or marriage:

- spouse, parent, child, grandparent, grandchild, brother, sister, half-brother, half-sister, uncle, aunt, nephew, niece, step-parent, step-child, brother-in-law, sister-in-law, mother-in-law, son-in-law, daughter-in-law; or
- any person who resides in the same household as the employee who is a dependent of the employee or of whom the employee is a dependent.

### **APPLICABILITY**

This policy is applicable to all administrative, faculty, staff, and hourly positions.

### **PROCEDURES**

The University prohibits the supervision of an employee by a “family member” as described in the above definition. To minimize the risk for a potential conflict of interest situation as it relates to favoritism and partiality, the University shall adhere to the following restrictions:

## **POLICY ON NEPOTISM**

### **Page 2**

- A family member will not be employed to work in an area where the newly hired employee will be responsible for the direct supervision of another family member.
- A family member will not be employed to work in an area where the newly hired employee will be under the direct supervision of a family member.
- Should the marital status change or a situation is created after employment which causes one family member to supervise another family member, one of the employees affected will be required to transfer to a different department, separate from the University, or be reassigned to another supervisor. The transfers should be to comparable positions, when possible, and with minimum interruptions for the employee.
- Family members should not have decision-making responsibilities pertaining to the salary, position, promotion, disciplinary action, performance evaluation, benefits, appointments, tenure, or other actions of a family member.
- All exceptions will be reviewed and evaluated on an individual basis and must be justifiably documented. Recommendations for exceptions must be presented to the President by the appropriate Vice President.



## **University Policy Number 1000.16: POLICY ON DEBT COLLECTION AND RECOVERY**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide a method for the recovery of all debts owed to the University by its employees. The University is committed to fulfilling its Vision "by being faithful stewards of the resources and assets entrusted to our care" and its Guiding Principles as they relate to the University's "Commitment of Financial Responsibility." The University strives to manage its fiscal affairs to ensure that operating practices are financially sound and secure at all levels.

### **STATEMENT OF PURPOSE**

This policy establishes uniform guidelines for the administration of the Debt Collection and Recovery Program for Claflin University. It is the responsibility of the University to ensure that all employees satisfy their financial obligations to the University. Any debt owed to the University will be deducted from the affected employee's wages through payroll deduction or a personal agreement. Upon employment, employees will complete and sign a Debt Collection and Recovery Authorization Form. Should it become necessary to impose the collection and/or recovery process, the form grants the University permission to make the appropriate payroll deduction. This form will be retained in the employee's personnel file.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff, hourly, and temporary employees.

### **PROCEDURES**

Employees who owe money to the University for travel advances, payment of disapproved leave, overpayment of wages, payment of health insurance premium while on leave, University property that was lost or not returned, or any form of indebtedness will have the outstanding obligation deducted from their paycheck. If the employee does not have a Debt Collection and Recovery Authorization Form on file, the University will take the following measures:

- The Office of Human Resources will inform the employee through written notification.
- The University will allow the employee an opportunity to discuss the matter and respond to the written notification within five workdays.

## **POLICY ON DEBT COLLECTION AND RECOVERY**

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- The employee will be requested to sign a Debt Collection and Recovery Authorization Form. Employees may fulfill their financial responsibility by making the appropriate payment or by making arrangements to settle the delinquent account.
- The Office of Human Resources will initiate the payroll deduction process with the Payroll Office if the employee does not respond to the Office of Human Resources within five workdays.
- Employees separating from the University or who have separated will have money deducted to resolve any type of debt or outstanding obligation, including property and equipment, from their final paycheck, leave check, or any other sources of funds received from Claflin University.
- Employees who have separated from the University and are no longer receiving funds to satisfy their outstanding financial debt or obligation through the payroll deduction process, will be notified in writing and requested to resolve their indebtedness, inclusive of money and property.

**Claflin University reserves the right to deduct money of current or separated employees with or without a Debt Collection and Recovery Authorization Form.**



## **University Policy Number 1000.17: POLICY ON EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to provide equal opportunity in its employment, admissions, and educational activities to all persons regardless of race, color, religion, sex, age, national origin, disability, veteran status, or other legally protected status. The University is committed to providing equal employment opportunity in the administration of all personnel actions and operating procedures. This policy is applicable to all employees and applicants and relates to all aspects of recruitment, selection, hiring, promotion, compensation, benefits, terms and conditions of employment, and other personnel actions.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for the administration of its equal employment opportunity policy in compliance with applicable federal (Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act) and state laws and regulations (South Carolina Human Affairs Act). It is the responsibility of the University to protect the rights and privileges of all employees and applicants. The University prohibits discrimination against any employee or applicant based upon race, color, religion, sex, age, national origin, disability, veteran status, or other legally protected status.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff, hourly and temporary employees, customers, and persons who conduct business with the University but are not employees.

### **PROCEDURES**

The University is committed to maintaining a work environment that is free from discrimination and one in which all employees are able to devote their full attention and best efforts. This policy prohibits all forms of discrimination, workplace harassment, sexual harassment, and retaliation.

To promote an equal employment opportunity program that does not discriminate against a person because of race, color, religion, sex, age, national origin, disability, or veteran status, the University shall:

- Establish an efficient, consistent, and competitive employment process that ensures the selection and hiring of persons with the required job related qualifications without regard to any of the legally protected classes.
- Institute uniform screening criteria and elements that help to identify applicants who possess the

## **POLICY ON EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

### **Page 2**

knowledge, skills and abilities to perform the essential job duties and responsibilities of the position without regard to any of the legally protected classes.

- Utilize a structured interview process that ensures fair and equal treatment by allowing each applicant to be evaluated in accordance with the same general criteria without regard to any of the legally protected classes.
- Develop guidelines to ensure that all personnel actions, decisions, and employment practices including, but not limited to, employment, compensation, promotions, transfers, tuition assistance, training, terminations, and disciplinary actions, are administered without regard to any of the legally protected classes.

Types of harassment include the following:

- Workplace harassment
- Sexual harassment
- Retaliation

Examples of the types of behavior that are considered harassment and discriminatory in violation of this policy include:

- Discrimination in the administering of personnel actions
- Job announcements that specify sex or age group
- Physical assaults or other touching that is sexual in nature
- Promising favorable treatment or threatening unfavorable treatment based on the employee's response to sexual demands
- Punishing an employee for complaining of discrimination

### **Reporting Discrimination**

It is the duty of each employee to immediately report incidents of discrimination. The employee should report any discrimination when:

- One believes that he/she has been discriminated against
- He/she has witnessed someone else being discriminated against

### **Discrimination Reporting Procedure**

The University has instituted procedures for the proper handling and treatment of discrimination allegations. Employees who believe that they have been discriminated against or harassed should immediately:

- Report the incident to the immediate supervisor; and
- File the complaint with the Office of Human Resources

Employees may report their complaints directly to the Office of Human Resources if they prefer not to discuss the discrimination with their immediate supervisor.

## **POLICY ON EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

**Page 3**

### **University Responsibility**

All discrimination complaints shall receive immediate attention and will be coordinated by the Office of Human Resources. It is the responsibility of the University to respond appropriately by taking the following measures:

- Conduct a prompt and thorough investigation in a discreet manner
- Interview the complainant, accuser, and witnesses
- Keep the investigation and results confidential
- Take immediate and appropriate corrective action against an employee who has been found guilty of discrimination
- Implement immediate action to stop, eliminate, and prevent all discriminatory behavior
- Prohibit any form of retaliation or harassment against an employee for filing a complaint, serving as a witness, cooperating in an investigation, or reporting incidents of discriminatory behavior
- Take immediate and appropriate corrective action against an employee who files a false discriminatory complaint and/or provide invalid information.

### **Disciplinary Action**

Disciplinary decisions shall be in adherence to University policy. The corrective action recommended will depend on the severity of the offense and may include any of the following:

- Verbal or written warning
- Suspension
- Demotion
- Dismissal



## **University Policy Number 1000.18: POLICY ON HARASSMENT**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Claflin University to provide a workplace environment that prohibits all forms of harassment. The University has a "no-harassment" policy and does not authorize and will not tolerate any form of harassment. One of the University's Guiding Principles is its "Commitment to Valuing People." Therefore, the University strictly forbids all forms of harassment based on the following factors: race, color, sex, national origin, age, disability, religion, or any other characteristic that is protected by law.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines for providing employees with a workplace that is free from all forms of unlawful harassment. The purpose of the harassment guidelines is to educate all employees on the different types of behavior that can be considered harassment; define a hostile, intimidating and offensive work environment; explain procedures for reporting incidents of workplace harassment; outline the investigation process; identify the types of disciplinary action that will be imposed upon persons who engage in unlawful conduct; and serve as an instrument to prevent harassment by communicating that it is an illegal and very serious offense.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff, hourly, or temporary employees, and customers or persons who conduct business with the University, but are not employees.

### **PROCEDURES**

Claflin University is committed to maintaining a work environment that is free from all forms of harassment. Examples of "harassment" that are covered by this policy include, but are not limited to, offensive language, jokes, physical, verbal, written, or pictorial conduct relating to the employee's sex, race, religion, national origin, age, disability, or other factors protected by law that would make a person experiencing such behavior feel uncomfortable or would interfere with the person's work performance.

## **POLICY ON HARASSMENT**

### **Page 2**

Types of workplace harassment include the following:

#### **Sexual Harassment**

Sexual harassment (opposite-sex or same-sex) is strictly prohibited. Examples of the types of behavior that are considered sexual harassment in violation of this policy include:

- Sexually offensive jokes or comments
- Physical assaults or other touching that is sexual in nature
- Promising favorable treatment or threatening unfavorable treatment based on the employee's response to sexual demands
- Displays of sexually oriented reading materials or pictures, including electronic materials
- Punishing an employee for complaining of sexual harassment

#### **Harassment Based on Race, Color, National Origin, Age, Disability or Religion**

Harassment based on these traits is strictly prohibited. Examples of the types of behavior that will be considered harassment based on these characteristics include:

- Jokes or negative comments
- Displays of reading materials or pictures containing negative material (including electronic material)
- Vandalism or "pranks" based on these characteristics
- Name-calling
- Punishing an employee for complaining of these types of harassment

#### **Reporting Harassment**

It is the duty of each employee to immediately report incidents of harassment. The employee should report harassment when:

- One believes that he/she has been harassed
- He/she has witnessed someone else being harassed

#### **Harassment Reporting Procedure**

The University has instituted procedures for the proper handling and treatment of harassment allegations. Employees who believe that they have been harassed should immediately:

- Report the incident to the immediate supervisor; and
- File the complaint with the Office of Human Resources

Employees may report their complaints directly to the Office of Human Resources if they prefer not to discuss the harassment with their immediate supervisor.

## **POLICY ON HARASSMENT**

### **Page 3**

#### **University Responsibility**

All harassment complaints shall receive immediate attention and will be coordinated by the Office of Human Resources in conjunction with the Vice President for Student Development and Services. It is the responsibility of the University to respond appropriately by taking the following measures:

- Conduct a prompt and thorough investigation in a discreet manner
- Interview the complainant, accused harasser, and witnesses
- Keep the investigation and results confidential
- Take immediate and appropriate corrective action against an employee who has been found guilty of harassment
- Implement immediate action to stop, eliminate, and prevent all workplace harassment
- Prohibit any form of retaliation or discrimination against an employee for filing a complaint, serving as a witness or cooperating in an investigation, or reporting incidents of workplace harassment
- Take immediate and appropriate corrective action against an employee who files a false harassment complaint and/or provide invalid information

#### **Disciplinary Action**

Disciplinary decisions shall be in adherence to University policy. The corrective action recommended will depend on the severity of the offense and may include any of the following:

- Verbal or written warning
- Suspension
- Demotion
- Dismissal

#### **Definitions**

- **Workplace Harassment**  
Any unwelcome verbal, written or physical conduct that is directed towards a person on the basis of race, color, age, sex, religion, disability, marital status, or pregnancy, and creates an intimidating, hostile or offensive work environment, interferes with an employee's work performance, and/or affects an employee's employment opportunities or compensation.
- **Sexual Harassment**  
Any unwelcome sexual advances or demands for sexual favors in return for job benefits, promotions, or continued employment; any verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-worker, or non employee; or any hostile or offensive behavior in the workplace that has a sexual component.
- **Retaliation**  
Acts of intimidation, reprisal, interference, penalty, discrimination, or harassment against employees who have exercised their rights under this policy.



## **University Policy Number 1000.19: POLICY ON TERMINATION**

**Responsible Administrator:** President  
**Responsible Office:** Office of Human Resources  
**Originally Issued:** August 2006  
**Revision Date:**  
**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to implement disciplinary action for violation of University policies and guidelines. All employees are expected to conduct themselves in accordance with applicable laws, regulations, and policies, and to perform their job duties and responsibilities in an efficient and effective manner. Employees who fail to comply may be immediately dismissed for cause from the University.

### **STATEMENT OF PURPOSE**

This policy establishes uniform guidelines to ensure that disciplinary actions are administered in a consistent, fair and equitable manner. All disciplinary decisions shall be based solely upon the nature of the violation, severity of the offense, previous infractions, mitigating circumstances, and other applicable factors. Supervisors are required to make administrative judgements strictly on facts and circumstances and in a manner that excludes discrimination, prejudice, and favoritism.

### **APPLICABILITY**

This policy is applicable to all administrators, staff, and hourly employees.

### **PROCEDURES**

Clafin University is committed to maintaining a productive workforce that promotes high standards of work performance and the highest degree of professional conduct. Accordingly, the University may terminate an employee without warning, who is found to be in violation of a serious offense, unsatisfactory job performance, unacceptable conduct, prohibited behaviors, failure to comply with workplace laws and regulations, and other actions not desirable of an employee of the University. These are examples only and do not include all of the different types of infractions.

### **Grounds of Termination**

The University may terminate the services of employees for just and sufficient cause as defined in the following ways:

- Gross misconduct
- Unacceptable behavior
- Unsatisfactory job performance
- Failure to complete the probationary period

## **POLICY ON TERMINATION**

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#### **Termination and Notification Process**

The University has instituted the following steps for terminating employees:

- Supervisors are responsible for notifying their appropriate Vice President, in writing, of personnel problems related to unsatisfactory work performance and/or unacceptable behavior of employees under their supervision.
- The appropriate Vice President is responsible for recommending termination of employment to the Office of Human Resources and the President.
- Recommendations are considered for appropriateness of action. All information and supporting documents relative to the action are reviewed and discussed with the President.
- A meeting is scheduled with the employee to discuss the issue with the Office of Human Resources.
- In collaboration with the Office of Human Resources, the President's Office will make the final disciplinary decision.
- Employees may be terminated immediately without advance warning or notification.
- The employee is notified in writing of the University's decision to terminate his/her employment. A certified letter is sent to the employee's residence if he/she is away from the campus. The letter is given to the employee by the Human Resource Director or designee if the person is on the campus.
- The dismissal letter must state the following:
  - Reason for the termination
  - Description of the nature of the incident
  - Date of the incident
  - Dates and reasons for prior disciplinary action, if applicable
  - Last workday and/or effective date of the official termination from the University
  - Notice of "rights to appeal" the termination
- All approved leave will be deducted and vacation leave will be used for all unauthorized absences. Leave without pay will apply if the employee does not have vacation leave and the employee's paycheck will be appropriately docked.
- The exit interview/clearance certificate will be provided to the employee.
- Employees who are eligible for retirement may elect to retire from the University. Eligible Employees may retire with full benefits at the age of sixty-five (65).

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#### **Final Pay Check**

Employees will receive the final paycheck on the next appropriate pay date or within 30 days of separation. All leave used will be deducted before the final pay check is generated for the terminated employee. The pay date will be contingent upon the time period between the effective date of termination and the next pay date. The Payroll Office must be provided with sufficient time to process any leave time used and the vacation leave balance. All money owed to the University for unauthorized leave, excessive leave, or other debts will be deducted from the final paycheck in accordance with the Policy on Debt Collection and Recovery.

#### **Exit Interview**

All employees who separate from Claflin University must:

- Attend an exit interview meeting with the Director of Human Resources or designee.  
(terminated employees may be given the option of a personal exit interview, telephone interview, or completing the exit interview form and returning to the Office of Human Resources)
- Complete the exit interview process.
- Return all University property, including but not limited to, office/building keys, cellular telephones, identification cards, computer equipment, credit cards, uniforms, special equipment, etc.

#### **University Responsibility**

All separating employees must be informed of their rights and eligibility. It is the responsibility of the University to discuss and provide employees with the following benefits, payroll and personnel information:

- Appeals Process  
Employees must be notified of their rights to grieve the termination decision  
Probationary employees shall not have the right to appeal the termination  
Questions regarding this process may be directed to the Office of Human Resources
- Leave Payment  
Submission of all outstanding leave forms to the Office of Human Resources by the supervisor  
All unauthorized absences will be charged to vacation leave or leave without pay  
Leave without pay will apply if the employee has exhausted his/her vacation leave  
Payment of vacation leave balance (not to exceed the maximum hours approved)  
Payment of applicable overtime
- Final Pay Check  
Expected due date
- Retirement Plan  
Teachers Insurance and Annuity Association College Retirement Equities Fund (TIAA/CREF)  
403b and Supplemental Annuity
- Other Retiree Benefits (if applicable)

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- Group Insurance  
Health, dental, vision, group life/accident insurance, etc..
- Miscellaneous Payroll Deductions
- Information Systems Access  
Delete access from Jenzabar  
Coordinate employee access termination with Information Technology

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The offenses set forth below are not all-inclusive and are intended to serve only as a guide by outlining examples of unacceptable job performance, gross misconduct, and inappropriate employee behavior for which disciplinary action may be warranted. Other offenses which may occur and are considered unacceptable will be treated in a manner consistent with the provisions of these actions. The appropriate discipline shall be determined based upon a thorough review and evaluation of the facts and particular circumstances of the offense. The nature and/or severity of the offense will be the determining factor in the disciplinary action decision.

OFFENSE	DISCIPLINARY ACTION
Failure to report to work for three days or more without notifying supervisor (considered abandonment of position)	Termination
Operation of a University vehicle or equipment without required valid driver's license	Termination
Possession or use of alcoholic beverages or illegal drugs on the job or at a University-sponsored activity, or intent to distribute illegal drugs on or off the job	Termination
Theft, falsifying any records, or unauthorized removal of University records or property, or the property of other persons	Termination
Unauthorized possession or use of firearms, dangerous weapons or explosives on the job	Termination
Conduct such that the employee's presence on the job could or would threaten the safety or health of the employee or others or such that the employee's fitness to perform assigned duties is affected	Suspension to Termination

## **POLICY ON TERMINATION**

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Reporting to work under the influence of alcohol or illegal drugs	Suspension to Termination
*Arrested or indicted for alleged violation of Federal or State criminal laws	Suspension to Termination
*Conviction of Federal or State criminal laws other than minor traffic offenses	Suspension to Termination
Inadequate or unsatisfactory work performance	Written Reprimand to Termination
Insubordination or refusal to accept an assignment or follow instructions from an authorized supervisor	Written Reprimand to Termination
Willful violation of written rules, regulations or policies	Written Reprimand to Termination
Sexual Harassment	Written Reprimand to Termination
Sleeping while on duty	Written Reprimand to Termination
Failure to report to work without notifying supervisor for up to two days	Written Reprimand to Suspension
Unauthorized leave (leave requested but denied)	Written Reprimand to Suspension

\*Arrests and convictions will be handled on an individual basis by the appropriate Vice President, President, and the Office of Human Resources. When an employee is arrested for any offense other than a minor traffic violation, an investigation should immediately be conducted to determine if the offense is included in these guidelines and if the University should take any disciplinary action. The investigative findings may result in a suspension to termination action.

### **Suspension Pending Investigation**

When there is reason to believe that an employee may be guilty of an act of a severe nature, and it is determined that it would be in the best interest of all concerned to remove the employee from the premises, the employee may be suspended immediately pending the outcome of an internal investigation.

### **Termination Due to Circumstances Which Prevent Employees From Performing Their Job**

Employees are expected to abide by all policies promulgated by the University. It is the responsibility of employees to notify their supervisors of any conditions or circumstances that may prevent them from satisfactorily performing their duties and assuming full accountability for their positions. Employees who are unable to meet the working conditions of their employment due to circumstances such as those listed

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below may be removed under these provisions. Reasons include:

- Loss of driver's license that is a requirement for the position
- Loss of license or certification required for the position
- Incarceration for an extended period
- Conviction of a misdemeanor crime of domestic violence for employees whose jobs require: (a) carrying
- a firearm or (b) authorization to carry a firearm

\*A misdemeanor crime of domestic violence” means an offense that: (1) is a misdemeanor under federal or state law; and (2) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.



## **University Policy Number 1000.20: POLICY ON SEPARATION OF EMPLOYMENT**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to maintain a workforce of highly qualified, competent, and dedicated workers. The University recognizes that employees may terminate their employment through retirement and resignation. When employees reach eligibility they may elect to retire from the University. Employees may resign their positions for career progression, home and family responsibility, relocation, and for other personal reasons. Should the University experience the need to reduce its operating budget or restructure its workforce, it may be required to eliminate positions and implement a layoff.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines to ensure that Clafin University administers separations due to **retirement, resignation** and **layoff** in a consistent, fair, and uniform manner.

### **APPLICABILITY**

This policy is applicable to all administrators, faculty, staff, and hourly employees.

### **PROCEDURE**

Employees may separate from the University due to the following reasons:

- Retirement
- Resignation
- Reduction in Workforce

#### **Retirement**

Retirement guidelines are based upon the rules and regulations governing the retirement plan. An employee who wishes to retire from the University must contact the Office of Human Resources to meet with a representative to discuss the retirement process. The University should be given a ninety-day (90) notification.

#### **Resignation**

An employee who wishes to terminate his or her employment by resigning from the University is expected to submit a written notice to the immediate supervisor at least two weeks in advance of the separation date. Employees in certain key administrative positions should attempt to provide at least four weeks of notification. The supervisor is responsible for immediately forwarding the original letter of resignation to the

## **POLICY ON SEPARATION OF EMPLOYMENT**

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Office of Human Resources for further action. Resignation letters are reviewed and acknowledged by the University President.

The President assumes responsibility for officially accepting resignations on behalf of Claflin University. A written acceptance letter is sent to the employee with the exit interview/clearance information.

Contract workers are expected to honor the duration of their contract.

### **Reduction in Work Force**

Should it become necessary to reduce the work force because of lack of work or lack of funds, the University will institute a workforce layoff. Employees will be laid off with due consideration for merit and length of service. The University will notify the affected employees as soon as the decision is made to implement a layoff. Employees will be given an advance notice of not less than ten (10) days and preferably as much as thirty (30) days.

The University may provide the following assistance to layoff employees:

- Help with finding another job at the University or with another agency
- Offer to give a reference to prospective employers with written consent
- Recommend that employees verify, in accordance with South Carolina law, their eligibility for unemployment benefits with the Unemployment Compensation Division of the South Carolina Employment Security Commission.

The reduction in work force does not apply to grant funded positions that are funded for a specified time period and are terminated due to the expiration of the grant.

### **Exit Interview Process**

All employees who separate from the University are required to participate in the Exit Interview Process. It is designed to assist employees with their transition from the University and to ascertain data, suggestions, and recommendations to help the University improve the workplace environment. The exit interview is conducted by the Office of Human Resources and provides separating employees with a review of their benefits, other relevant information, and answers any questions that the employee may have. It also offers employees an opportunity to ask questions related to benefits and other issues. The Office of Human Resources will provide the exit interview and clearance certificate to the employee.

### **Employee Responsibility**

All employees who separate from Claflin University must complete the exit interview process by:

- Attending an exit interview meeting with the Office of Human Resources designee (separating employees who are not able to attend a personal exit interview, due to medical or other personal reasons, may have the option of a telephone exit interview, or completing the exit interview form and returning or mailing it to the Office of Human Resources)

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- Providing a Clearance Certificate signed by the designated offices to the Office of Human Resources
- Returning all University property, including but not limited to, office/building keys, cellular telephones, identification cards, computer equipment, credit cards, uniforms, special equipment, etc.

### **University Responsibility**

All separating employees must be informed of their rights and eligibility. It is the responsibility of the University to discuss and provide employees with the following benefits, payroll, and personnel information:

### **Vacation Leave Payment**

- Submission of all outstanding leave forms to the Office of Human Resources by the supervisor
- All unauthorized absences will be charged to vacation leave or leave without pay
- Leave without pay will apply if the employee has exhausted all of his/her vacation leave
- Payment of the accrued vacation leave balance (not to exceed the maximum hours approved)
- Payment of overtime (if applicable)

### **Retirement Program**

- Teachers Insurance and Annuity Association College Retirement Equities Fund (TIAA/CREF)
- 403b and Supplemental Annuity
- Other Retiree Benefits (if applicable)

### **Group Insurance**

- Health, disability, vision and dental group/accident insurance

### **Information Systems Access**

- Delete and/or terminate access capability from Jenzabar
- Coordinate the termination of **all** access and user accounts with the Information Technology Department
- Supervisor should retrieve telephone password/code and terminate voice mail box

### **Final Pay Check**

Employees will receive their final paycheck on the next appropriate pay date or within 30 days of separation. All leave used will be deducted before the final paycheck is generated for the separated employee. Approved sick and/or vacation leave will be deducted and vacation leave will be used for all unauthorized absences. Leave without pay will apply if the employee does not have vacation time and his/her paycheck will be docked.

The pay date will be contingent upon the time period between the effective date of separation and the next pay date. The Payroll Office must be allowed sufficient time to process any leave time used and/or the vacation leave balance. All money owed to the University for unauthorized leave, excessive leave, or other debts, including property, will be deducted from the final paycheck in compliance with the Policy on Debt Collection and Recovery.



## **University Policy Number 1000.21: POLICY ON CONFLICT OF INTEREST**

**Responsible Administrator:** Vice President for Fiscal Affairs

**Responsible Office:** Office of Human Resources

**Originally Issued:** August 2006

**Revision Date:**

**Authority:** Office of the President

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### **POLICY STATEMENT**

It is the policy of Clafin University to promote a work environment of honesty, loyalty, high moral standards, and exemplary work ethics. The University's objective is to foster a professional work and learning environment by educating employees concerning Conflict of Interest and how it affects employment, community relations, and the reputation of the University. This policy will set the guidelines for the recognition and prevention of a conflict of interest.

### **STATEMENT OF PURPOSE**

This policy establishes guidelines to protect the integrity and rights of the University. It recognizes the significance of interactions and supports and encourages employee's participation in research, publications, external organizations, community activities, collaboration with other institutions, and professional and personal endeavors. Employees are expected to perform their duties and conduct business in an appropriate manner, with academic integrity, and in the best interest of the University by demonstrating at all times their commitment to the highest intellectual and ethical standards.

### **APPLICABILITY**

This policy is applicable to designated administrators, faculty, staff, and hourly employees.

### **PROCEDURES**

The University prohibits employees from engaging in any conduct that constitutes a conflict of interest. The following actions are considered a conflict of interest and are prohibited:

- Acceptance of gifts, monetary or non-monetary, favors, gratuities, or rewards for services an employee performs in connection with University employment
- Offer or acceptance of any money or valuables in exchange for employment selection, promotion, or special privilege or benefit
- Campaigning during working hours for self or someone else
- Soliciting an employee to contribute to political purposes
- Accepting any work or compensation that could be reasonably construed as a conflict of interest without proper prior approval

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- Engaging in any practice that is a conflict of interest
- Participation in professional activities that constitutes a conflict of interest
- Exercising inappropriate administrative authority to influence subordinates or others in such a way that it may adversely affect the University's interest

### **DISCLOSURE**

Designated employees will be required to complete a Disclosure Form. The information on the form will ascertain if a conflict of interest exist based upon the employees' activities. Disclosure will not prevent the employee from maintaining the disclosed circumstance if it does not create a conflict of interest. The following information must be disclosed:

- Any relationship that an employee has with a third party who does business with the University in which the employee receives a remuneration
- A direct business relationship between the employee and the University
- Textbooks or other course materials that the employee has authored or co-authored and students are required to use them for classes being taught by the employee
- Any intellectual property (patents, trademarks, licensing agreements, etc.) contractually obligated to the employee or the university in which the employee is the author or owner

### **APPROVAL PROCESS**

Prior to pursuing or engaging in a financial or business relationship or activity, it is the responsibility of the employee to discuss the circumstance with the supervisor to prevent avoidable conflicts from developing. Supervisors must evaluate the proposed activity and its relationship to the employee's job duties and responsibilities, policies and guidelines, and to University commitments and operations.

Acceptance without prior approval of work assignment or compensation that is found to be a conflict of interest may be grounds for disciplinary action.

### **DISCLOSURE FORM**

Employees are responsible for disclosing their participation in activities, circumstances, and business or financial relationships. Because of the necessity to avoid conflicts of interest and the appearance thereof, this policy requires identified employees to annually disclose certain financial data and other requested information. The appropriate personnel will review the Disclosure Form and make recommendations to the President. Items of concern will be evaluated to determine if they presently constitute a conflict of interest or could potentially create a conflict of interest.

The information included on the form must be accurate. Refusal to complete the disclosure form or providing

## **POLICY ON CONFLICT OF INTEREST**

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false, misleading, incorrect, or incomplete information is a violation of this policy and employees will be disciplined in accordance with applicable University policies.

Employees without any economic interests to disclose shall file a statement of inactivity to that effect by making the proper certification on the Disclosure Form. All forms will be placed on file in the President's Office.

### **EMPLOYEE RESPONSIBILITY**

All employees are expected to commit to the highest standards of professionalism. Employees uncertain about any work, committee or organizational assignment, compensation, or other circumstance that could be real or perceived conflicts of interest should refer their questions to the appropriate Vice President or contact the Office of Human Resources for directions.

### **UNIVERSITY RESPONSIBILITY**

The University reserves the right to apply disciplinary action, including termination, for violation of this policy.