

# TUSKEGEE

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U N I V E R S I T Y



## STAFF HANDBOOK

# TUSKEGEE

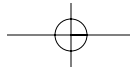
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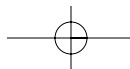
## STAFF HANDBOOK

Effective January 2004



*This Staff Handbook describes only the highlights of Tuskegee University's policy and employee benefits and is not to be interpreted as a legal document or employment contract. The official administrative/policy manual, benefit plan texts, and legal agreements, as appropriate, are the governing documents.*

*Tuskegee University is an equal opportunity employer. No person shall be denied employment on the basis of any legally prohibited discrimination including, but not limited to, such factors as race, color, creed, religion, national or ethnic origin, sex, age, disability, or veteran status.*



# Tuskegee University

Founded by Booker T. Washington



Benjamin F. Payton  
President

October, 2003

TO: MEMBERS OF THE TUSKEGEE UNIVERSITY STAFF

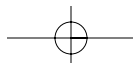
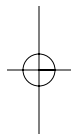
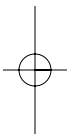
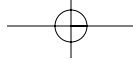
An efficient and dedicated support staff is necessary for the effective operation of a complex institution such as Tuskegee University. The University is fortunate in this regard. All of us recognize the important work done by members of the Tuskegee University staff and are grateful for those splendid services that help advance our educational and related programs. It takes all of us, performing at the highest level, to get the work done required to maintain this center of excellence.

We solicit the loyal support of each member of the staff. To new personnel, we extend a hearty welcome to the Tuskegee University community.

Sincerely,

A handwritten signature in black ink, appearing to read "Benjamin F. Payton", written in a cursive style.

Benjamin F. Payton



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## **1. GENERAL POLICY**

- 1.1** This manual sets forth policies and procedures governing the administration of the staff personnel program and is referred to as the STAFF HANDBOOK. Persons employed on faculty contracts follow the FACULTY HANDBOOK.
- 1.2** Every employee of Tuskegee University has a part in the educational and general efforts of the University which can best be carried out under a program of harmonious employee-employer relationships. The University strives to have happy, industrious employees who will give courteous, effective service to all who have contact with it through them. To this end, the University endeavors within the limits of general requirements and its financial resources to provide working conditions and compensation comparable to those furnished by similar institutions.
- 1.3** The STAFF HANDBOOK is administered by the following individuals and agencies: the President of the University, Unit Heads, a nine member Staff Senate and the Director of Human Resources Management.
  - 1.31** The President of the University, serving as the Chief Executive Officer of Tuskegee University responsible to the University's Board of Trustees, authorizes policy changes and decides on cases of appeal in the staff service.
  - 1.32** The Staff Senate recommends major policy to the President, provides for continual review of the program, and serves as an appeal body in harmonizing Staff-University relationships. An Executive Committee of the Senate provides expeditious attention to these matters in the interim between Senate meetings.
  - 1.33** The Director of Human Resources Management is responsible for the daily administration of the program and for developing program ideas and related services which will advance the STAFF PERSONNEL PROGRAM. The Director of Human Resources Management serves as an ex officio member of the Staff Senate and is charged with overall administration, control, and maintenance of uniform application of policies and regulations of the Staff Personnel Program. In addition to responsibility for proper functioning, the Director of Human Resources Management works cooperatively with various departments of the University in matters of personnel pertaining to the staff, assisting such departments in matters having to do with compliance with policies and regulations required of them and exerting control only where necessary to insure uniform application between departments. By the same token, the Office of Human Resources Management and the Director of Human Resources Management render assistance to staff members, individually and collectively, in

adjusting themselves at the University, in the settlement of grievances, and in programs of education designed to improve workers in the performance of their duties or to qualify them for promotion and advancement.

- 1.4 Staff employees have the right without restraint to discuss with the Director of Human Resources Management the terms of their employment or their working conditions, including their classifications.
- 1.5 These policies and procedures will be reviewed periodically to assure their continuing usefulness in guiding both staff and the University in fruitful service, and to enhance Tuskegee's educational efforts.

## 2. ADMINISTRATION OF THE STAFF PERSONNEL PROGRAM

- 2.1 Nomination Procedure. Nominations for candidates will be solicited from the members of the voting staff of each area to serve on the Staff Senate.
- 2.2 The Staff Senate. Membership on the Staff Senate is composed as follows:
- 2.21 Ex officio members are the President, a person designated by the President, the Vice President for Business and Fiscal Affairs, and the Director of Human Resources Management. Ex officio members do not have voting rights in meetings of the Staff Senate.
- 2.22 Nine members are elected for three-year terms from the following areas by employees within the area:
- 2 from Outreach
  - 1 from Auxiliary Enterprises
  - 2 from Academic Areas
  - 4 from all "Other Areas" not listed above
  - 9
- 2.3 The functions of the Staff Senate are as follows:
- 2.31 To serve as the legislative body to develop and recommend policies for the University staff members. During intervals between meetings of the staff as a whole, the Senate will have jurisdiction over all matters pertaining to staff affairs and policies of the University that fall within the province of the staff. The Senate has a major role in the formulation of legislation that falls within the following areas:



**2.311** Adjudicating staff matters.

**2.312** Developing and recommending policies governing appointments, status and promotion of staff, working conditions, and fringe benefits.

**2.313** Reviewing periodically the effectiveness of the total staff program.

**2.32** To act as an advisory and consultative body, through its corporate whole and any of its constituent parts, to the President or other administrative officers on any matters that may affect the attainment of staff objectives of the University, such as:

**2.321** Policies, regulations, and procedures of direct concern and interest to support staff serving the University.

**2.322** Policies affecting University development and utilization of resources.

**2.323** Matters pertaining to the overall policies, planning, and general welfare of the University.

**2.324** Policies affecting the general welfare of the staff personnel.

**2.4** The standing committees of the Staff Senate are as follows:

**2.41** Executive Committee. The Executive Committee consists of the President, or in his absence, a person named by the President; the officers of the Senate; and the chairpersons of the standing committees of the Senate. The presiding officer is the chairperson of the Senate.

The Executive Committee prepares the agenda for the Senate meetings; assigns or refers the business of the Senate to appropriate committees for consideration and report; recommends abolition, alteration, or creation of Senate committees; and generally expedites all work of the Senate. It prepares an operating budget for the Senate to be forwarded to the administration.

**2.42** Staff Personnel Committee. There are seven members on the Staff Personnel Committee, elected in accordance with stipulations in the Senate governance document. The chairperson is elected from and by the membership of the Senate. Membership includes the Vice President for Business and Fiscal Affairs.

The Staff Personnel Committee concerns itself primarily with policy matters and guidelines for administrative implementation pertaining to appointment, status, and promotion of staff, working conditions, and fringe benefits.

- 2.43** Personnel Development Committee. There are seven members on the Personnel Development Committee, elected in accordance with stipulations in the Senate governance document. The chairperson is elected from and by the membership of the Senate.

The Personnel Development Committee concerns itself primarily with policy matters and guidelines relating to workshops, short courses, institutes, and other activities designated to upgrade the quality of performance of members of the staff.

- 2.5** The Director of Human Resources Management. Appointment of the Director of Human Resources Management is made by the President. This officer should be a qualified, full-time employee trained in human resources management, with the primary function of administering the Staff Personnel Program. The Director of Human Resources Management is responsible administratively to the President for carrying out the duties of the office.

### **3. CLASSIFICATION**

- 3.1** Staff positions are classified on the basis of duties, responsibilities, and job requirements. Similar positions are grouped into the same classification.
- 3.2** Requests for reclassification may be submitted to the Director of Human Resources Management at any time by a supervisor if it is believed that the duties, responsibilities, or job requirements have substantially changed.
- 3.3** Prior to the employment of new personnel, an agreement concerning classification and salary for the position will be reached between the department head and the Director of Human Resources Management. Resolution of any differences of viewpoint will be arranged through administrative review by the appropriate general officer.
- 3.4** All job classifications, salary rates, and other related provisions are subject at all times to the limitations of budget and general University policies approved by the Board of Trustees.

#### 4. APPOINTMENTS

- 4.1 It is the policy of Tuskegee University to seek for its staff positions the most qualified persons, who are judged to be so in a competitive employment search preceding each appointment and promotion.
- 4.11 Persons closely related may be employed in the same unit of an office or department. Also, they may be employed in positions where their normal services require frequent contact with each other or where the accomplishment or verification of a task requires their participation.
- 4.12 No supervisor, department head, or administrative officer will have immediate hiring authority over a close relative such as spouse, children, grandchildren, parents, grandparents, sister, brother, and in-laws, or will vote, make recommendations, or in any other way participate in the decision on any matter which may directly affect the appointment, tenure, promotion, demotion, transfer, salary or any other status or interest of such relative. Each employee will be expected to fulfill the spirit of this policy by voluntarily absenting himself/herself from participation in personnel decisions in which such relative is involved.
- 4.2 University staff employee appointments are in the following classifications: temporary, probationary, or regular. Temporary appointments may be authorized for any period not to exceed SIX MONTHS.
- 4.21 Temporary employees may be terminated at any time.
- 4.22 Temporary employees are not eligible for University benefits or use of the grievance procedure, and may be discharged without being subject to the grievance procedure.
- 4.23 EXCEPTION: Original appointments to positions supported by grants and contracts or projects are made on a special basis not to exceed a grant year, but subject to renewal.
- 4.24 When a temporary employee is transferred to continuous employment, the period of temporary employment may be substituted for the probationary period in attaining regular status, upon recommendation of the department head.
- 4.3 All original appointments are made for a probationary period of SIX MONTHS. (see EXCEPTION in Section 4.4).
- 4.31 Probationary employees may be terminated with 15 calendar days' notice with or without cause.

- 4.32 An employee on probationary status may resign in good standing by submitting a written notice, giving reasons of intentions to the department head and to the Director of Human Resources Management, at least 15 calendar days prior to the effective date of the resignation, excluding accrued vacation leave. This stated 15-day notice may be adjusted by mutual agreement between employee and department head.
- 4.33 Probationary employees will have no recourse to the grievance procedure.
- 4.34 Probationary employees are eligible for University benefits.
- 4.4 If probationary appointments are not terminated during the probationary period (six months) and employees are continued in the positions, they will become regular employees subject to reappointment on an annual basis. EXCEPTION: Original appointments under grants and projects are made on a special basis not to exceed a grant year, but subject to renewal.
- 4.41 Regular employees may be terminated in accordance with DISCIPLINE AND DISCHARGE, Section 18.5.
- 4.42 An employee on regular status may resign in good standing by submitting a written notice, giving reasons of intentions to the department head and to the Director of Human Resources Management at least 15 calendar days prior to the effective date of resignation, excluding accrued vacation time. This stated 15-day notice may be adjusted by mutual agreement between employee and department head.
- 4.43 Regular, fulltime employees are eligible for full University benefits as described in section 20. BENEFITS.
- 4.5 Departmental vacancies are filled as follows:
- 4.51 All staff position vacancies must be advertised.
- 4.52 Deans and chief administrative officers who have or anticipate vacancies in budgeted staff positions should inform the Director of Human Resources Management by submitting a Staff Personnel Requisition Form and a copy of the job description. The approved outline for the job description contains the following: Essential Duties, which must be performed in the job (in detail), Other Responsibilities (non-essential functions), Qualifications (knowledge, abilities and/or skills, training and experience), and Additional

Desirable Qualifications. An updated department organizational chart must be on file or attached to the Staff Personnel Requisition Form.

- 4.53** The Office for Budget and Planning verifies the availability of appropriate budget provision.
- 4.54** The Director of Human Resources Management prepares the announcement of the staff vacancy in keeping with the established procedure for the Tuskegee University Affirmative Action Program Advertisement of Position Vacancies and appropriate federal regulations.
- 4.55** Persons interested in applying for advertised staff positions should complete an APPLICATION PACKET, which consists of an application, three letters of reference, and appropriate educational documentation, and submit it to the Office of Human Resources Management. Application packets of candidates that meet the acceptable qualifications will be referred to the appropriate department. The supervisor/department head, dean or both will make a selection from among the qualified applicants. The referral sheet should be completed and returned to the Office of Human Resources Management along with a completed Personnel Action Form bearing the appropriate signatures.
- 4.56** College deans and chief administrative officers are requested to advise all department heads, project directors and principal investigators not to permit any candidate for employment to perform work until the contract for employment has been consummated. The University will be under no obligation to pay a job candidate who reports to work prior to being officially employed by the University.
- 4.57** Employment is consummated only when the President or his designee, the college dean or department head, and the employee have affixed their signatures on the Employment Authorization Form.
- 4.58** After receiving an offer for a subsequent fiscal or academic year, a staff member is expected to sign the Employment Authorization Form within 15 days. If the form is not signed within 30 days of issuance, the University will treat the failure to sign the form as a resignation.
- 4.59** Federal regulations require completion of an Employment Eligibility Verification (Form I-9) within three (3) business days of employment. Originals of documents presented as evidence of identity and employment eligibility must be examined by Human Resources Management.

- 4.6 In certain circumstances, departments may employ temporary personnel under administrative regulations issued by Human Resources Management.
- 4.7 No employee who has been discharged from a staff position may be re-employed unless recommended by the Office of Human Resources Management and approved by the President.
- 4.8 A person who has been discharged from the University loses all accrued benefits and may be re-employed only as a new employee.
- 4.9 Benefits for an employee who voluntarily resigns from the University in good standing and who seeks re-employment in less than one year will be continuous. Benefits for an employee who has voluntarily resigned from the University and who seeks re-employment after more than one year will not be continuous, but will be calculated from the date of rehire.
- 4.10 An employee who fails to perform satisfactorily when promoted or transferred to a new position may be reinstated to the former position, if vacant, or to a similar or lesser position without loss of regular status or benefits. However, if the person is reinstated to the former position, the salary will be adjusted to that of the former position.

## 5. HOURS OF SERVICE

- 5.1 The following general schedule of working hours is normally observed:
- 5.11 The working hours will be 37.5 or 40 hours per week (normally 8:00 a.m. to 12:00 noon; and 1:00 to 4:30 or 5:00 p.m., Monday through Friday).
- 5.12 For all other regular workers, the working hours will be 40 hours per week on a five-day basis.
- 5.2 Where the needs of the department require, alternate schedules may be established, not to exceed 40 hours per week for certain classes of employees, and filed with the Office of Human Resources Management.
- 5.3 In those units of the University where continuous, seven-day service is required, department heads will arrange work schedules to conform to the five-day work week. No employee will be required to work regularly for seven consecutive days.

## **6. OVERTIME**

- 6.1** Overtime work must be approved in advance by the Budget Office and the Office of Human Resources Management. The request to work overtime should be submitted, in writing, by the department head or supervisor to the Budget Office for approval. The Budget Office will forward the request to the Office of Human Resources Management. The request should state what work the employee will be doing and the number of hours the employee will work. The employee should not be allowed to work until approval has been granted from the Office of Human Resources Management.
- 6.2** Overtime compensation is required to be paid to nonexempt employees in accordance with requirements of the Fair Labor Standards Act (FLSA), as amended.
- 6.3** Overtime compensation of time and one-half is paid to nonexempt employees for all time worked in excess of 40 hours during a payable work week. Each week stands alone. Paid sick leave, vacation time, emergency leave and other paid time off will not be considered time worked for the purposes of computing overtime pay.
- 6.4** Overtime is not paid to exempt (management, supervisory, professional, and administrative) employees whose positions meet specific tests established by FLSA. The exemption status is dependent upon job duties, responsibilities, educational requirements, and salary received by the employee. The Office of Human Resources Management will assist in determining the correct status of employees. Exempt employees are paid at a fixed monthly rate for their overall job responsibilities rather than for hours worked. Thus, any time worked in excess of 40 hours per week will not be compensated at overtime pay rates.

## **7. COMPENSATION**

- 7.1** The salary scale and wage rates may be amended from time to time as required by general economic conditions and/or the financial resources of the University.
- 7.2** Tuskegee University reserves the right to modify the employee's salary when financial exigency or other conditions over which the University has no control compels the reduction of salaries. The University shall give 30 calendar days' notice of modification of salary.
- 7.3** New appointees are normally paid the minimum for the class. Appointments above the minimum of the range (not to exceed the median) may be recommended by the department head based on exceptional qualifications and

experience of the appointees. Such a recommendation must be concurred in by the Director of Human Resources Management.

When an employee is promoted to a higher level position, the beginning salary will be one step higher in the new level than the salary presently being earned. If the rate is below the median of the new level, it may be increased (not to exceed the median) upon the recommendation of the department head and concurrence of the Director of Human Resources Management.

- 7.4** Increase in salary within the range of pay for each class of position is based upon the employee's efficiency rating. In order to advance in pay, normally an employee must have completed six months of continuous service and received a rating of "satisfactory" or better for the period. Subsequently, an annual rating of "satisfactory" or better will constitute the basis for increases in pay. The maximum rate of pay for the class of position will be the maximum paid an employee in the position.
- 7.5** Computation of days absent for vacation or for leave without pay will exclude normal days off (Saturdays and Sundays or their equivalent).
- 7.6** Payroll dates for bi-weekly employees will be every other Wednesday. Monthly salaries are paid on the first day of the following month, or the nearest subsequent business day.
- 7.7** Deductions
- 7.71** Deductions from the employee's wage and salary payments are made, as authorized, for rent, Blue Cross-Blue Shield, Metropolitan Life Insurance, Internal Revenue Service, Social Security, Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF), and other such programs as required by law or in which the University participates.
- 7.72** An employee who purchases or acquires materials or services from any University department is expected to pay for these as they are secured. Failure to do so gives automatic authorization to the University to deduct from the employee's check the cost of such materials or services.
- 7.73** All payroll deductions are made by the Business Office in accordance with information furnished by the employee. Each employee is urged to keep the Human Resources Management Office and the Business Office advised as to changes in tax exemption status, address, name, etc.
- 7.8** If a mistake is made in the amount of an employee's paycheck, the employee



is liable to the University for any excess that is unintentionally paid and the University is liable to the employee for any shortage that is unintentionally not paid.

- 7.9** Paychecks may be deposited directly into an employee's checking or savings account. For participation in this benefit, please obtain a Direct Deposit Form from Payroll or the Office of Human Resources Management.

## **8. RATINGS AND PERSONNEL REPORTS**

- 8.1** Rating of an employee to measure performance in the position is scheduled as follows:
- 8.11** During the probationary period, the supervisor prepares and reviews with the employee a progress report of job performance after the close of the third and sixth months, a copy of which is filed with the Human Resources Management Office.
  - 8.12** Regular employees are rated annually.
  - 8.13** Special ratings may be requested by the Office of Human Resources Management at any time.
- 8.2** Employees must be informed by the department head as to their annual efficiency rating and they have the right to record a documented dissent at the Human Resources Management Office within 15 calendar days after receipt of such information, if they disagree with the rating given. Copies of the annual rating will be furnished to the employee upon request to the Director of Human Resources Management.
- 8.3** Measured performance of an employee will be indicated on the current Employee Appraisal Form.
- 8.4** Ratings and the results thereof have the following bearing upon employment:
- 8.41** During the probationary period, efficiency ratings with the equivalent of "satisfactory" or better are the basis for advancement of the employee to a regular status; if a rating with the equivalent of "fair" is given, the employee will be given 30 calendar days' notice of continued conditional employment and/or 30 days' notice of termination. If the rating is the equivalent of "unsatisfactory," the employee will be given 15 days' notice of termination.
  - 8.42** In case of promotion, a rating with the equivalent of "satisfactory" or better is required to continue the appointee in the position to which

promoted; otherwise, the employee will be treated as required under Section 8.41.

- 8.43** A rating which is the equivalent of “fair” at any time, if concurred in by the Director of Human Resources Management, renders the employee subject to a one-year continued conditional status, during which time the employee will be treated as under Section 8.41. A rating which is the equivalent of “fair” at the end of the conditional period will be cause for demotion as follows:

Assignment to a lower-level position  
or  
Reduction in pay

- 8.44** A rating with the equivalent of “unsatisfactory” at any time is the basis for 15 calendar days’ notice of termination.

## **9. TRAINING AND EDUCATIONAL ASSISTANCE**

### **9.1 Training**

- 9.11** Employee training and development programs are conducted periodically in an effort to improve the quality of service of employees and to prepare them for possible advancement in their jobs. Department heads are urged to consider filling vacancies by promoting qualified persons holding positions at lower levels.

- 9.12** Time off for staff in-service training and development courses will be granted by supervisors without any requirement for make-up time. These courses are offered under the Personnel Development Committee of the Staff Senate and the Office of Human Resources Management.

### **9.2 Educational Assistance**

- 9.21** With the approval of the immediate supervisor and/or department head, employees may enroll in regular University courses (1) either outside, or (2) within the regular working hours schedule with an adjusted work schedule of equivalent hours, or at reduced pay with the approval of the department head and the Director of Human Resources Management.

- 9.22** Persons employed full-time by Tuskegee University may not register

for undergraduate courses in excess of six semester hours or graduate courses in excess of four semester hours per term for the regular academic year. Full-time employees may not register for more than three semester hours during the summer session (graduate or undergraduate). It does not matter whether at Tuskegee or another institution. (See also BENEFITS, Section 20.14).

- 9.23** Any employee pursuing more than six hours of undergraduate work or four hours of graduate work either at Tuskegee or elsewhere requires special permission from the supervisor and the appropriate general officer and may be required to have his work status reduced to less than full time. Final decisions on whether a staff person's workload shall be reduced are made by the supervisor, general officer, Director of Human Resources Management and the President.
- 9.24** A department head, with the concurrence of the Director of Human Resources Management, may allow a full-time employee time off with pay to attend the University's classes during the regular working day provided the courses are part of a training program approved by the department to improve the employee's performance in the position.

## **10. PROMOTIONS**

- 10.1** Promotions within departments are recommended by the department head and concurred in by the Director of Human Resources Management.
- To become eligible for promotion, an applicant may engage in academic study, work-study, or "on-the-job training".
- 10.2** Vacancies are filled as far as practicable by promotion of persons holding positions at lower levels. Such promotions are based upon the minimum acceptable qualifications for the position, including tests (as validated and applicable), ability to carry out the duties, education, and previous experience.
- 10.3** When a position is filled by promotion of a person holding a lower level position, the new salary may be adjusted as provided in COMPENSATION, Section 7.3 paragraph 2.
- 10.4** Staff position vacancies are announced in keeping with the established procedure for the Tuskegee University Affirmative Action Program Advertisement of Position Vacancies. (See also APPOINTMENTS, Section 4.5).
- 10.5** A promotion may be initiated by the University as a part of seeking the best possible qualified person for efficient utilization of its staff.

## **11. TRANSFERS**

- 11.1** Transfers between departments are made with agreement of department heads concerned, the employee, and the Director of Human Resources Management. The welfare and qualifications of the employee involved, combined with the best interests of the University, are governing factors. A transfer may be initiated by the University in keeping with these governing factors.
- 11.2** Transfers are effected as follows:
- 11.21** The employee informs the present supervisor and the Director of Human Resources Management in writing of his/her interest in transferring.
- 11.22** The employee should give the supervisor at least 15 calendar days' notice of the intention to accept a transfer.
- 11.23** The two departments submit Personnel Action Forms, one terminating the employee and the other hiring the employee. The Director of Human Resources Management works out a mutually acceptable date for the transfer between the department heads and the employee. The change in status becomes effective after all appropriate persons, including the President and the employee, have signed the Employment Authorization Form. The employee will remain with the present department until the effective date of the transfer.
- 11.24** The Director of Human Resources Management ensures that the employee's present supervisor has been notified of the transfer of the employee, and assures that each area initiates appropriate Personnel Action Forms.
- 11.3** Lateral transfers (transfers with the same grade level and without a promotion) with an accompanying increase in salary will not be approved.
- 11.4** An employee may elect to transfer to a vacant position in a classification in a lower pay range. The employee will be entitled only to the pay prescribed for the new position.

## 12. RESIGNATIONS


- 12.1 An employee may resign in good standing by submitting a written notice of this intention to the department head and the Director of Human Resources Management at least 15 calendar days prior to the effective date of the resignation, excluding accrued vacation leave. This stated 15-day notice may be adjusted by mutual agreement between employee and department head.
- 12.2 Failure to give required notice subjects the employee to loss of accrued vacation time. This breach of employment protocol is noted in the employee's file in the Office of Human Resources Management.
- 12.3 In the absence of disciplinary action, any employee who is absent for three consecutive days without a specific grant of leave will be considered as having resigned, but such absence may be covered by a subsequent grant of leave if conditions warrant.

Policy Number 13 (13.1-13.3)

Responsible Administrator: Senior Leader of Human Resources

Originally Issued: January 2004

Last Revised: July 22, 2020

Authorized Signature: 

## 13. REDUCTION IN FORCE

- 13.1 If because of workforce strategy and planning and program readjustments to right size the institution, economic conditions, insufficient funds, or other circumstances, the University effects a general reduction in force, or reduction of force in any area, recommendations will be made by Cabinet Members to the senior leader of human resources.
- 13.2 The final determination is made by the Cabinet, subject to a special review by the President. Specific criteria for selecting positions and functions to be affected will be specified and approved by the President.
- 13.3 An employee whose services are terminated because of reduction in force will be given (a) 15-day calendar notice prior to release, and (b) payment for accrued vacation time. The University may or may not require the employee to work during the notification period.

## 14. VACATION

- 14.1 Vacation leaves are granted to salaried employees as follows:
  - 14.11 Employees with less than three years of continuing service earn credit at the rate of 6.25/6.67 working hours per month. This is equivalent to ten working days a year – or two weeks.

**14.12** Employees who have completed three through ten years of continuing service earn vacation credit at the rate of 9.375/10.00 working hours per month. This is equivalent to fifteen working days a year—or three weeks.

**14.13** Employees who have completed ten years of continuing service earn 12.5/13.33 working hours per month. This is equivalent to twenty working days a year—or four weeks.

#### Vacation Accrual Schedule

Yrs. of Service	Working Days Per Month	Hrs. Per Work Day	Monthly Accrual	Hrs. Per Year	Total
0-3	0.83	7.5	6.25 hrs.	75	10 days
0-3	0.83	8.0	6.67 hrs.	80	10 days
4-10	1.25	7.5	9.375 hrs.	112.5	15 days
4-10	1.25	8.0	10.0 hrs.	120.0	15 days
11 yrs.+	1.67	7.5	12.5 hrs.	150.0	20 days
11 yrs.+	1.67	8.0	13.33 hrs.	160.0	20 days

**14.2** Vacation leaves are granted at a time convenient to the department concerned. Within a department, seniority shall be the primary consideration on choice of available vacation time. Vacation leave may not be granted to new employees until the completion of six months of employment.

**14.3** For the purpose of determining vacation leave, appointments beginning prior to the sixteenth of the month will be considered as of the first of that month. Appointments beginning with the sixteenth of the month will be considered as of the first day of the following month.

**14.4** Vacation leave with pay, accrued in any fiscal year, must be taken before the end of the following fiscal year.

**14.5** All authorized leaves of absence are counted as part of the period of service. However, during this time, no leave will accrue.

**14.6** Staff personnel are not entitled to additional vacation leave at the time of student recesses and vacation except as granted by administrative directives.

**14.7** University holidays listed in HOLIDAYS AND HOLIDAY PAY, Section 15.1 are not counted as part of annual vacation.

- 14.8** A staff employee, with the exception of temporary workers, who leaves the University after six months of employment is entitled to compensation for accumulated vacation leave.
- 14.9** When an employee transfers from one department to another, any unused vacation leave is chargeable against the department in which the leave was accumulated, or may be transferred to the new department by mutual agreement of department heads.
- 14.10** A part-time employee's annual vacation is prorated in accordance with the contracted number of hours per week and under conditions set forth in VACATION, Section 14.1.
- 14.11** If an employee is employed for a period of less than 12 months, vacation must be taken within the period of employment or may be carried over into the next fiscal year consistent with Section 14.4.

## **15. HOLIDAYS AND HOLIDAY PAY**

- 15.1** The following holidays are recognized by the University for regular, full-time staff personnel. Other time taken by the employee must be with the approval of the department head concerned and will be deducted from accrued vacation leave or be considered as leave of absence without pay.

Fourth of July	July 4
Labor Day	First Monday in September
Thanksgiving	November – two days
Christmas Eve	December 24
Christmas Day	December 25
New Year's Day	January 1
Martin Luther King Observance	January-one day
Easter Recess	March or April – two days
Memorial Day	Last Monday in May

- 15.2** In the event services are required on the above holidays, the employee will be paid at the rate of double time for hours worked only.
- 15.3** When a holiday occurs within an employee's vacation period, the employee is entitled to an additional day off, which is to be taken immediately prior to or following the vacation leave.
- 15.4** Employees entitled to receive holiday pay must have worked both the full scheduled workday before and the next full scheduled workday after the holiday unless excused by the supervisor. Employees who are absent due to

death or illness in the immediate family, jury duty, or illness confirmed in writing by a doctor's statement, will be entitled to holiday pay provided the employee has worked some time in the week in which the holiday occurs.

- 15.5** At the discretion of the President and when official announcement has been made under the President's signature, unit heads may excuse employees without reduction in pay.

## **16. SICK LEAVE**

- 16.1** Sick leave is earned at the rate of one working day per month (*7.5 or 8 hours*), or 12 working days per fiscal year (*90 or 96 hours*). Sick leave accumulates up to a total of 75 working days (*562.50 or 600 hours*). Sick leave cannot be taken until after completion of the six-month probationary period. An employee may be required to furnish satisfactory proof of sickness or injury.

- 16.2** Sick leave is granted when an employee is unable to render service because of sickness or injury. Sick is defined to mean the absence of an employee from work for one of the following reasons:

- a.* because of an illness or injury which has incapacitated the employee from performing duties,
- b.* because of an illness or injury of a spouse, child, or parent,
- c.* because of an appointment with a physician, dentist, hospital, or optometrist for the employee, child, spouse, or parent

Two days of sick leave can be converted to personal leave and used within the fiscal year.

- 16.3** For the purpose of determining accrued sick leave, appointment prior to the sixteenth of the month is considered as the first of that month. Appointment beginning after the sixteenth of the month is considered as of the first day of the following month.
- 16.4** Credit for sick leave accumulates during an employee's leave of absence with pay.
- 16.5** Employees who transfer from one department to another take with them the balance of unused sick leave.
- 16.6** A part-time employee accumulates sick leave on a prorated schedule in accordance with the contracted number of hours per week under the conditions set forth in Section 16.1.
- 16.7** Pregnancy and childbirth will fall under the Family Medical Leave Act



(FMLA). The length of leave granted will be based on individual medical need. Following completion of pregnancy-related leave, an employee will be offered reinstatement to the original position or one of like status and pay. The conditions related to pregnancy leave; i.e., salary, accrual of seniority and other benefits, reinstatement rights, etc., will be in accordance with the Family and Medical Leave Act. FMLA leave is taken without any pay beyond accumulated sick leave and vacation time accrued by the employee.

- 16.8** In case of serious and prolonged illness of a staff member beyond the sick leave to which an employee is entitled, a recommendation may be made by the dean/unit head to the President for consideration.
- 16.9** Employees are not paid for unused sick leave.

## **17. OTHER LEAVES**

- 17.1** Necessary time off is allowed by department heads and administrative officers for voter registration, voting, and jury service without loss of pay to the employee. Time off for court appearances on the University's behalf will be paid. Time off for personal court appearances will not be paid.
- 17.2** Leave without pay will be granted an employee who is ordered to extended military duty. An employee granted military leave must apply for re-employment at the University not later than 90 days after release from military duty and/or in accordance with existing Re-employment Rights Section of The Universal Military Training and Service Act. In this case, tenure for all benefits accrues during the period of absence.

Temporary military leave of absence will be granted to employees of the University for regular training courses or annual training with the Military Reserve components or National Guard. To meet their annual training duty obligation, employees may elect to be carried in a leave without pay status or may choose to use accumulated annual vacation leave. All requests for such military leave must be in writing with a copy of the official military orders to active duty attached to the request. Absences for military leave are to be indicated on the individual's time sheet and consolidated personnel record.

- 17.3** Leave of absence without pay may be granted to employees for a period of not more than 12 months upon the recommendation of the department head through regular administrative channels and with approval of the President. The request for the leave of absence must be in writing and submitted to the supervisor/department head at least two weeks prior to the proposed absence or as far in advance as possible. The request for leave must indicate the reason(s) for the absence and the inclusive dates for which approval of the leave is desired.

If the leave is approved, the employee should make any necessary arrangements for continuation of benefits through Human Resources Management. During the leave of absence without pay, the employee will be responsible for maintaining employment-related insurance benefits such as group life or health insurance. Premiums should be remitted to the Bursar's Office (cashier). During this time, no leave will accrue.

An employee granted such leave is reinstated to the same or a similar position at the expiration of the leave provided that he or she is in satisfactory condition, physically and mentally, to resume duties.

An employee who fails to report promptly for work at the expiration of a leave of absence, or who applies for and receives unemployment insurance while on leave, will be considered to have voluntarily resigned.

- 17.4** Any absence of an employee from duty that is not authorized by specific grant of leave of absence, or taken as sick leave, will be considered as absence without leave. Any such absence will be without pay and may be considered as grounds for disciplinary action. In the absence of disciplinary action, any employee who is absent for three consecutive days without a specific grant of leave will be considered as having resigned, but such absences may be covered by a subsequent grant of leave, if conditions warrant. (See also RESIGNATIONS, Section 12.3.)
- 17.5** In case of death in the immediate family or serious health condition as defined in the FMLA (see Appendix A), an employee may be granted an emergency leave of absence not to exceed a total of five working days (37.5 or 40 hours) in one fiscal year. The immediate family will be limited to the following: husband, wife, children, parents, sister, brother, grandparents, grandchildren, and parent-in-law. The immediate supervisor will require the employee to furnish a doctor's certificate when such leave is granted for illness. This leave must be recommended by the department head and/or dean and concurred in by the Director of Human Resources Management. Emergency leave is not chargeable to accrued sick or annual vacation leave. The six-month probationary period must be completed prior to taking emergency leave.
- 17.6** Eligible employees may be granted up to 12 weeks of family and medical leave per year, in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of both, depending on the circumstances of the leave and as specified in the Family and Medical Leave Policy.

In order to qualify for family and medical leave an employee must have worked for the University for 12 months or 52 weeks; in addition, an employee must have worked at least 1250 hours during the twelve-month

period immediately preceding the leave request. Time spent on paid or unpaid leave will not count toward fulfillment of these hours.

Leave may be taken for the following reasons:

- The birth of a child and in order to care for that child;
- The placement of a child for adoption or foster care, and to care for the newly placed child;
- To care for a spouse, child, or parent with a serious health condition;
- Because of an employee's own serious health condition that makes the employee unable to perform the essential functions of the job.

(See the Family and Medical Leave Policy in the appendix for additional information).

## **18. DISCIPLINE AND DISCHARGE**

- 18.1** Department heads and supervisors are responsible for informing their employees of Tuskegee University's personnel policies, expected work standards, and conduct codes. When possible, employees should be counseled concerning potential problems before they reach a magnitude that might require disciplinary action.
- 18.2** Disciplinary action may be taken by the department head because of an employee's inattention to duty, inefficiency, insubordination, absence without leave, violation of University regulations, disloyalty, intoxication, lack of integrity, or other conduct not expected of an employee of Tuskegee University.

The disciplinary steps which may be taken are as follows:

- (a) First written warning and discussion
  - (b) Warning in writing and disciplinary suspension
  - (c) Discharge or termination of services
- 18.3** Depending upon the nature and severity of the offense, disciplinary action may take the following forms: oral warning (or reprimand), written warning, withholding salary increases, suspension, demotion or termination of services. (See Guidelines for Disciplinary Action in the appendix).
- 18.4** Disciplinary action involving withholding of salary increases, suspension, demotion or termination of services is accomplished, upon the

Policy Number 18 (18.41-18.5)

Responsible Administrator: Senior Leader of Human Resources

Originally Issued: January 2004

Last Revised: July 29, 2020

Authorized Signature: *Step D. Muni*

recommendation of the department head and with the approval of the senior leader of Human Resources, as follows:

18.41 The department head furnishes the employee and the senior leader of Human Resources Management a statement in writing, setting forth (a) reason(s) for the action taken; (b) corrective action needed by the employee; (c) inclusive dates of action, and for cases other than termination, (d) that more severe discipline may result in case of reoccurrence.

18.42 The employee has the right to answer such charges within seven working days.

18.43 The senior leader of Human Resources Management considers any replies and makes such investigations as are deemed necessary.

If appeal is desired by either party this will be done in accordance with Section 19, GRIEVANCES.

18.5 Fifteen calendar days' notice of discharge/termination of services is normally given but this period may be reduced or waived in extreme cases with the concurrence of the senior leader of Human Resources. The notice period may be paid in full with attendance at work not required.

Policy Number 19 (19.1-19.34)

Responsible Administrator: Senior Leader of Human Resources

Originally Issued: January 2004

Last Revised: July 29, 2020

Authorized Signature: *Step D. Muni*

## 19. GRIEVANCES

19.1 A regular staff employee having a grievance concerning any condition of employment other than conditions related to reductions in force (rates of pay, classification of position, hours of work, disciplinary action, etc.) may within five working days of the time he or she knew or should have known of the facts causing the grievance present an appeal in the following manner:

19.2 First Level:

19.21 The employee discusses the matter with the immediate supervisor.

19.22 If the matter is not satisfactorily settled, further discussion is with the department head within five working days. If the matter is not satisfactorily resolved with the department head, the employee may proceed to the second level.

19.3 Second Level:

19.31 The employee presents the grievance in writing to the senior leader of Human Resources Management within five working days from receipt of the decision in the First Level. The employee should provide the following:

- (1) A statement of the grievance and the facts upon which it is based.
  - (2) A summary of attempts to solve the grievance.
  - (3) The remedy or corrective action sought.
- 19.32 The senior leader of Human Resources Management reviews existing policies concerning the matter in question and seeks information from all sources related to it including a written statement from the department head.
- 19.33 The senior leader of Human Resources Management investigates the grievance and renders a decision within a reasonable period of time. Every effort will be made to resolve the matter between the department head and the employee, taking special care to assure that the employee has been treated fairly.
- 19.34 The senior leader of Human Resources Management shall be the final authority in resolving all matters, except those involving suspension of 30 days or more, termination, and complaints of violations of civil rights, in which case the President shall have the final authority.

## 20. BENEFITS

- 20.1** Retirement Plan. The University has a retirement plan with TIAA-CREF. This plan, as established by the Tuskegee University Board of Trustees, covers all full-time salaried members of the faculty and staff other than those categories of employees excluded from participation in the plan. Participation in TIAA-CREF is voluntary upon completion of one year of service. Participation at a minimum of 5% of gross salary is required and is a condition of employment for all eligible full-time salaried employees upon the completion of three years of service. The appropriate enrollment forms must be completed and submitted to the Office of Human Resources Management.
- 20.2** University Retirement. Normal retirement age is defined as the last day of the fiscal year in which age 65 is attained. There is no mandatory retirement age for staff employees. Staff members may retire at normal retirement age or earlier or they may continue to work beyond normal retirement age under the same conditions as all other staff employees.
- 20.3** Social Security. Most employees are covered under Social Security (FICA) and Medicare. The University is required to match employee's contributions, which are shown separately on payroll check stubs. The tax rates are established by federal law and Social Security coverage is compulsory unless exempt by federal law.
- Visa Status: An employee's visa status affects employment eligibility as well as tax liability and departmental FICA requirements. Any changes in visa status should be reported to the Office of Human Resources Management to avoid retroactive personal tax liability.
- 20.4** Life Insurance. The University has a program with the Metropolitan Life Insurance Company to provide group life insurance, which offers basic term life insurance with accidental death and dismemberment (AD&D). Participation in this program is a condition of employment for all regular employees. The amount of coverage is governed by the employee's rate of pay. This insurance ceases upon employment termination, but it may be converted to whole life insurance without medical examination, by applying to the Metropolitan Life Insurance Company within 30 days after employment termination. Additional information is available in the Office of Human Resources Management.
- 20.5** Long-term Disability (LTD) Insurance. All active, regular full-time employees with one year of service are eligible for coverage under The Standard Insurance Company. Total disability is defined as "being unable due to sickness, to perform any occupation for which you are reasonably qualified by education, training or experience." The University pays the entire cost of premiums for this coverage. For additional information, refer to the

Certificate of Insurance available from the Office of Human Resources Management.

- 20.6** Group Health Insurance. The University has arranged with Blue Cross/Blue Shield of Alabama for any regular full-time employee to enroll in hospital, medical, surgical, major medical, and dental insurance. The University contributes to the cost of this coverage. The employee benefits from the lower rates given group subscribers, and all employees are encouraged to participate in this coverage.

Continuation of coverage as provided by the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) will be available for employees and spouses/dependents after certain “qualifying events” occur; e.g., termination of the employee’s employment, employee’s eligibility for Medicare, death of the employee, divorce, or when a child no longer qualifies as a dependent of the plan.

- 20.7** Vision Insurance is available on a voluntary basis for eligible employees and their dependents. The University does not contribute to the cost of this coverage.

Coverage booklets for health and vision insurance and additional information are available in the Office of Human Resources Management.

- 20.8** Unemployment Compensation. The University participates in the Unemployment Compensation Plan in accordance with laws of the State of Alabama. Employees should be aware that voluntary termination or discharge for cause is not normally covered immediately upon separation by unemployment compensation. Specific qualifications and eligibility requirements for benefits may be obtained from the nearest State Unemployment Compensation Office.

- 20.9** Workers’ Compensation (On-the-Job Accidents)

**20.91** Tuskegee University carries Workers’ Compensation Insurance, which is maintained in accordance with the laws of the State of Alabama. This coverage is provided without cost to all employees.

Workers’ Compensation provides for the payment of

- (1) cost of medical treatment for injuries arising out of and in the course of employment, and
- (2) a percentage of lost wages.

**20.92** If an employee experiences a job-related injury, the following procedures should be followed:

- 20.921** Report the accident immediately to his/her supervisor and the Office of Human Resources Management.
- 20.922** The supervisor will provide the employee with a letter indicating that the injury is job-related.
- 20.923** The letter should accompany the injured employee to the nearest medical facility or doctor for treatment and it should be presented to the attending physician.
- 20.924** After treatment for the injury, the "Employer's First Report of Injury" form should be completed, signed by both the immediate supervisor and the employee, and submitted to the Office of Human Resources Management, Room 101 Kresge Center. This should be done within 24 hours after the accident occurs. All other forms should be completed by the attending physician or an appropriate person at the medical facility and transmitted directly to the Office of Human Resources Management.

The employee must take a drug test to show that he or she was drug-free at the time of the accident.

- 20.93** If the employee is removed from the payroll because of inability to work, the insurance company compensates the employee, in part, for salary or wages not paid by the University. It is a practice of the insurance carrier to send this compensation directly to the employee. Therefore, Departments should acknowledge workers' compensation leave on employees' payroll time sheet to ensure that both the University and the insurance carrier do not pay employees.
- 20.94** Safety is a primary concern of the University. If a job injury occurs, medical treatment should be sought immediately.
- 20.10** Business Travel Accident Insurance. All regular employees are covered by travel accident insurance, without charge, while traveling on authorized business of the University. Benefits are payable on all travel accidents incurred while on official business outside the city or regular employment or residence.
- 20.11** Housing. The University endeavors to assist all of its employees in securing suitable living quarters. The Director of Auxiliary Services administers the assignment of available housing. The scale of rental charges is set so that it will not exceed prices for comparable quarters in the community. Information related to housing may be secured from the Director of Auxiliary Services.



## **20.12 Other Privileges.**

**20.121 Cultural and Entertainment.** All employees and spouses are invited to attend all programs sponsored by the Lyceum Series and are admitted free upon presentation of identification cards.

**20.122 Athletics.** Employees may attend most events without charge and in conformance with existing regulations, upon presentation of identification cards. Children and spouses are not eligible for this benefit.

**20.13 Library.** The facilities of the Ford Motor Company Library/Learning Resource Center (Hollis Burke Frissell Building) are available to all employees and their immediate families.

**20.14 Educational Assistance.** Up to one-half tuition scholarships are available to all eligible employees/dependents for enrollment in courses at Tuskegee University. Application for the scholarship should be made prior to registration, at a date to be determined by the Financial Aid Office or this assistance will be forfeited for the academic period under consideration. The aid is available to University personnel for class loads not to exceed six semester hours of undergraduate work or four semester hours of graduate work in the regular academic year. The maximum class load in the summer session is three semester hours for undergraduate and graduate classification.

**20.141** Eligible dependents may receive the tuition scholarship for either full or part-time study for academic credit.

**20.142** Sons, daughters, and spouses of full-time personnel of Tuskegee University are eligible for scholarship aid up to one-half of their tuition costs when they enroll at the University, provided the following conditions are met:

- (a) Each must enroll on the undergraduate or graduate level for either full-or-part-time study for academic credit.
- (b) Each must reside in the parents' or spouse's household or in the University dormitories.
- (c) She/he must not have established a separate household by marriage.
- (d) The son or daughter must be legally adopted or the child of full-time personnel of Tuskegee University.

- (e) The applicant must have been listed on qualifying employee's Federal Income Tax Declaration for the previous year and will be listed as a dependent for the current reporting period.

- 20.143** Tuskegee University will not grant both other institutional awards and one-half tuition scholarships to employees/dependents attending the University. These persons will be eligible for only one type of University award or scholarship. In the event the tuition scholarship has been issued and subsequently another institutional award is given, with adequate funds for tuition, the total amount of the scholarship must be refunded to the University immediately.
- 20.144** These educational benefits apply to qualified persons who are employed at the beginning of the semester. The benefit is available only during the employment period of qualifying personnel and when the services of qualifying personnel are contracted for at least a period of one academic or fiscal year. Persons employed after the semester begins do not become eligible until the succeeding semester.
- 20.145** If the employee resigns within the study period, the employee and/or dependent forfeits this benefit and may have the last amount of such assistance deducted from the final paycheck, or otherwise be obliged to repay the University the amount of the aid granted.
- 20.146** Applications for these grants should be made to the Director of Financial Aid.
- 20.147** In special circumstances, the University and the Office of Human Resources Management may pay tuition for an employee to attend classes (not pursuing a degree) at another institution. The basic requirement is that such training is not available at Tuskegee, is clearly related to institutional needs, that funds are available, and the training is for professional development to enhance the employee's job performance. Such arrangements must be approved in advance through the appropriate general officer.

**20.15** Vehicle Registration/Operation/Parking Facilities. Traffic and parking regulations are issued through the Department of Public Safety and Security.

**20.151** Any motorized vehicle operated on campus must be registered with Public Safety and Security and must bear a decal. There is a modest registration fee (which can be payroll deducted) and vehicles must be registered annually during the official registration period at the beginning of the school year. In order to obtain a decal, please furnish proof of auto insurance, a valid driver's license, and vehicle registration information.

**20.152** Parking space in designated areas is available for a modest fee to staff members. Citations may be issued for infractions of traffic regulations and penalties/fines may be imposed. Excessive infractions during a school year will result in a vehicle being "trespassed" from campus. Copies of campus traffic and parking regulations are available at the Office of the Director of Public Safety and Security.

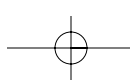
**20.16** Termination of Service. Prior to termination, the Office of Human Resources Management should be contacted for a determination of disposition of benefits and completion of an exit interview document. The separating employee must turn in uniforms (if applicable), keys, I.D. cards, and other University property to the immediate supervisor. The Exit Clearance Form should be submitted to the Office of Human Resources Management.

**20.17** Inclement Weather. When the President of the University or a designated representative closes the University due to inclement weather, employees will be excused from their work with pay.

## **21. MISCELLANEOUS**

**21.1** Medical Examination. A medical examination may be required for any position at the time of appointment, or any time during the period of service. This will be at the expense of the University.

**21.2** Payment at Death. If any employee dies while actively employed by the University, salary plus accrued vacation time is paid through the month in which death occurs.



- 21.3 Outside Employment.** Personnel wishing to engage in outside employment for compensation should declare their intention through regular channels before the work is begun, if circumstances permit, or at the earliest possible time thereafter, and secure agreement with the department head. Outside work may not be done during the time a person is expected to be on duty.
- 21.4 Computation of Salaries.** The following formulas are used for computing salaries:

$$\begin{array}{lcl} \text{Annual Rate} & = & \text{Contracted Rate} \\ \\ \text{Monthly Rate} & = & \frac{\text{Annual Rate}}{12} \\ \\ \text{Daily Rate} & = & \frac{\text{Annual Rate}}{260} \\ \\ \text{Hourly Rate} & = & \frac{\text{Annual Rate}}{\text{Contracted Hours}} \\ & & (1950 \text{ or } 2080) \end{array}$$

- 21.5 Identification Cards:** All employees are required to wear an identification card at all times while on campus.
- 21.6 Employee Recognition:** Tuskegee University has several programs that recognize contributions of staff:

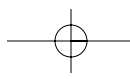
**Outstanding Staff Member Award:** This award is given once per year to employees from each of the following groups:

- Service
- Secretarial/Clerical
- Technical/Paraprofessional
- Professional Non-faculty

An employee has to be nominated for this award; selection is made by the Awards Committee based on established criteria. Winners in each category receive a cash award and an engraved plaque.

**Twenty-Five Year Service Award:** This award is given to each staff member who has rendered twenty-five years of service to the University.

**Retirement Award:** Employees retiring from service with Tuskegee University are eligible for this award.



## 22. EMPLOYMENT POLICIES

**22.1** Equal Employment Policy: It is the University's policy to employ, retain, promote, terminate, and otherwise treat any and all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any legally prohibited discrimination including but not limited to such factors as sex, race, national origin, pregnancy, age, marital status, veteran status or disability.

**22.2** Anti-Harassment Policy Summary: It is the policy of Tuskegee University that all employees, students, contractors, and visitors to the University enjoy a positive, respectful and productive work and learning environment that is free from behavior, actions, or language constituting harassment, including sexual harassment.

The University will not tolerate harassment among its faculty, staff, or students or by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

Any employee found to have engaged in harassment will be subject to disciplinary action up to and including dismissal.

The University strongly discourages sexual relationships between individuals where there is an imbalance of power between the two individuals and where one of the individuals is in a position to make decisions, which may affect the career or academic experience of another.

Individuals who believe they have been subjected to harassment should make it clear to the offender that such behavior is offensive to them and unwelcome. If an employee is subject to harassment or witnesses harassment, he or she should report it immediately to the Vice President/Director of Human Resources Management or to the Provost.

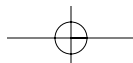
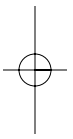
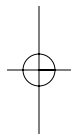
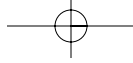
Tuskegee University is committed to handling complaints swiftly, fairly, and with sensitivity. (See the Appendix for the complete Tuskegee University Anti-Harassment Policy).

**22.3** Drug Free Workplace Policy: Tuskegee University prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in any place where work supported by this University takes place.

**22.4** NO-SMOKING Policy: Smoking is prohibited in all buildings, residence halls, classrooms, dining halls, gymnasiums, restrooms, etc. Designated smoking areas are outside.

## **APPENDIX**

- Family and Medical Leave Policy Section A
- Tuskegee University Anti-Harassment Policy Section B
- Drug-Free Workplace Policy Section C
- No-Smoking Policy Section D
- Guidelines for Disciplinary Action Section E
- Internal and External Electronic Communication Policy Section F
- Tuskegee University Reasonable Accommodations Policy Section G



## FAMILY AND MEDICAL LEAVE POLICY

It is the policy of Tuskegee University to grant up to 12 weeks of family and medical leave per year to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of both, depending on the circumstances of the leave and as specified in this policy.

### ELIGIBILITY

In order to qualify for family or medical leave, the following criteria must be met:

1. You must have worked for Tuskegee University for 12 months or 52 weeks.
2. You must have worked at least 1250 hours during the twelve-month period immediately preceding the leave request. Time spent on paid or unpaid leave will not count toward fulfillment of these hours.

Leave under the terms of this policy may be taken for the following reasons:

- The birth of a child and in order to care for that child;
- The placement of a child for adoption or foster care, and to care for the newly placed child;
- To care for a spouse, child, or parent with a serious health condition;
- Because of an employee's own serious health condition that makes the employee unable to perform the essential functions of the job.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition which requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition which, if left untreated, would result in a period of incapacity of more than three days, would be considered a serious health condition. Tuskegee University requires employees to provide doctor's certification of a serious health condition under the terms of this policy.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the University may designate all or some portion of the related subsequent leave taken as FMLA leave under this policy, to the extent that the earlier leave meets the necessary qualifications. In such cases, employees will be notified.

If an employee has accrued paid leave the employee must use paid leave first and take the remainder of the twelve weeks as unpaid leave. An employee who is taking leave



because of his or her own serious health condition or the health condition of a family member must use all paid vacation and/or sick leave prior to being eligible for unpaid leave.

An eligible employee may take up to 12 weeks of leave per year (year starts at the time leave starts) under the terms of this policy. However, if a husband and wife both work for Tuskegee University, and each wish to take leave for the birth of a child, adoption, or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. Leave requested because of an employee's own ill health is not subject to this limitation, nor is leave to care for the employee's sick spouse or child.

### **GIVING NOTICE AND PROCEDURES FOR REQUESTING LEAVE**

When possible, employees are required to give their immediate supervisors 30 days notice prior to taking leave. If such notice is impossible, then as much notice as is practicable is required. If an employee fails to provide 30 days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date Tuskegee University receives the notice.

Every employee requesting leave will complete a Family and Medical Leave Request Form. If leave is needed because of the employee's or a family member's serious health condition, the form must be accompanied by a doctor's certification of the serious health condition. Failure to provide certification may result in denial of family and medical leave. The University may ask for a second opinion if deemed necessary.

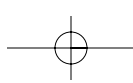
The Family and Medical Leave Request Form must indicate the reason(s) for requesting leave and give the expected dates of absence. The request form must be given to the supervisor for his or her approval.

While on leave, employees are requested to report periodically to the University regarding the status of the medical condition, and their intent to return to work.

### **EMPLOYEE STATUS AND BENEFITS DURING LEAVE**

While an employee is on leave, Tuskegee University will continue the employee's health and life insurance benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

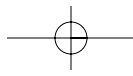
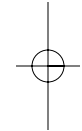
While on paid leave, Tuskegee University will continue to make payroll deductions to collect the employee's portion of premiums due. However, those on unpaid leave or those transitioning from paid leave to unpaid leave must make arrangements with the Office of Human Resources Management for payment of premiums. Payments must be made to the Business Office by the 1<sup>st</sup> day of each month. If payment is more than 30 days late, benefits may be dropped for the duration of the leave. Tuskegee University will notify the employee of such loss of coverage.



## **EMPLOYEE STATUS AFTER LEAVE**

An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits, and working conditions.

Under limited circumstances where restoration to employment will cause “substantial and grievous economic injury to Tuskegee University, the University may refuse to reinstate certain highly-paid, salaried “key” employees. These key employees are those whose earnings place them in the top 10% of all employees at the university.



# **TUSKEGEE UNIVERSITY ANTI-HARASSMENT POLICY**

## **PREAMBLE**

Tuskegee University reaffirms the principle that its students, faculty, and staff have a right to be free from discrimination on the basis of certain enumerated protected categories or traits.

These categories or traits are race, religion, color, national origin, ancestry, age, sex, disability, and marital, or veteran status. Harassment is a form of discrimination and therefore, harassment directed toward an individual or group, or experienced by an individual or group, based on membership in a protected category also violates University policy.

Tuskegee University recognizes the human dignity of each member of the Tuskegee University community and believes that each member has a responsibility to promote respect and dignity for others so that all employees and students are free to pursue their goals in an open environment, able to participate in the free exchange of ideas, and able to share equally in the benefits of the University's employment and educational opportunities. To achieve this end, the University believes it should foster an academic, work, and living environment that is free from harassment on the basis of the above protected categories or traits.

## **POLICY**

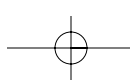
It is the policy of Tuskegee University that all employees, students, contractors, and visitors to the University enjoy a positive, respectful and productive work and learning environment that is free from behavior, actions, or language constituting harassment.

The University will not tolerate harassment among its faculty, staff, or students or by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

Any employee found to have engaged in harassment will be subject to disciplinary action up to and including dismissal.

Managers and supervisors who know or should have known of harassment and fail to report such behavior, or fail to take immediate, appropriate, corrective action, will be subject to disciplinary action up to and including dismissal.

The University strongly discourages sexual relationships between individuals where there is an imbalance of power between the two individuals and where one of the individuals is in a position to make decisions, which may affect the career or academic experience of another.



## SCOPE

This policy applies to all areas of University operations and programs. It applies to the conduct of all University employees, including student-employees with respect to conduct that arises out of their employment status, as well as to the conduct of all vendors, contractors, subcontractors and others who do business with the University. Complaints of harassment against students arising out of their conduct as students are addressed by other University policies addressing student conduct.

## GUIDELINES

Harassment is a form of offensive treatment or behavior, which to a reasonable person creates an intimidating, hostile or abusive work environment. It may be sexual, racial, based on national origin, age, disability, or religion.

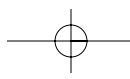
- It is misconduct for an employee to direct the subject behavior at another employee of whatever stature, or to customers, or visitors to the campus.
- It is misconduct for managers or supervisors who know or should have known of workplace harassment to fail to report such behavior, or to fail to take immediate, appropriate, corrective action.

Because sexual harassment has been more thoroughly defined in the law than harassment based upon other protected categories, the following definition of sexual harassment is included in this policy.

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favors, and other sexually oriented conduct which is offensive or objectionable to the recipient, including, but not limited to, epithets, derogatory or suggestive comments, slurs or gestures and offensive posters, cartoons, pictures, or drawings.

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other unwelcome written, verbal or physical conduct of a sexual nature when:

- a) submission to such conduct is made, explicitly or implicitly, a term or condition of an individual's education, employment, or participation in a University activity;
- b) submission to, or rejection of, such conduct by an individual is used as the basis for decisions affecting that individual's academic standing, employment status or participation in a University activity; or
- c) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile,



or offensive environment for that individual's employment, education, or participation in a University activity.

Sexual harassment may occur between members of the same or opposite sex. Further, harassment based on a person's sex is not limited to instances involving sexual behavior. That is, harassment on the basis of sex may occur without sexual advances or sexual overtones when conduct is directed at individuals or groups because of their sex. This is often referred to as sex or gender harassment and violates this policy.

A person does not have to be the direct and immediate target of sexual harassment to complain about it. Harassing behavior toward others may be so offensive, demeaning or disruptive as to constitute a hostile work or academic environment, though not specifically directed at the observer or individual lodging the complaint. Conduct alleged to constitute harassment would be evaluated according to the objective standard of a reasonable person of the same sex as the victim.

Illegal harassment is defined as any conduct directed toward an individual or group based on race, religion, color, national origin, ancestry, age, sex, disability, and marital status or veteran status, that is sufficiently severe or pervasive to alter an individual's employment conditions, educational environment, living conditions, or participation in a University activity, and that creates an intimidating, offensive or hostile environment for employment, education, or participation in a University activity.

Examples of conduct that may constitute or support a finding of harassment in violation of this policy include, but are not limited to, the following types of behavior:

#### PHYSICAL CONDUCT

- Unnecessary or unwanted physical contact.
- Blocking someone's path or impeding movement.
- Physical interference with work.
- Stalking, physical assault, or coerced or forced sexual activity.
- Deliberate destruction of property.

#### NON-VERBAL CONDUCT

- Display of explicit or offensive material or objects such as calendars, posters, pictures, drawings, or cartoons, which reflect disparagingly upon a class of persons or a particular person.
- Derogatory remarks about a person's national origin, race, language or accent.
- Suggestive or insulting gestures, sounds, or whistles.

#### VERBAL CONDUCT

- In some instances, innuendo or other suggestive, offensive or derogatory comments, or jokes about a class of persons, such as persons who are disabled or of a particular religion or sex.
- Extortion, overt threats, or intimidation.

- Obscene or harassing messages sent via computer or left on an answering machine or voice mail.

## **RETALIATION**

Retaliatory conduct against any individual who has filed a complaint of harassment, who has reported witnessing harassment, who has participated in the harassment complaint process, or who has been the subject of an investigation or the subject of a complaint of harassment and found not to have engaged in harassment is also a violation of this policy and is grounds for discipline and/or remedial action.

Retaliation for reporting harassment is against University policy regardless of the outcome of an investigation. All persons involved in the process will be protected from retaliatory actions. Any retaliatory conduct experienced or observed should be reported to your immediate supervisor, to the Vice President/Director of Human Resources Management, or to the Provost. Violators will be disciplined.

## **RESPONSIBLE INSTITUTIONAL OFFICERS**

The Vice President/Director of Human Resources Management, in consultation with University officers, shall have overall responsibility for oversight and coordination of enforcement of policies and procedures dealing with harassment.

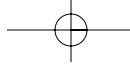
Vice Presidents, Deans, and Heads of administrative units are responsible for maintaining an educational and employment environment free of harassment.

Administrators or supervisors who have knowledge of conduct involving harassment or who receive a complaint of harassment that involves University faculty, staff, or undergraduate or graduate students under their administrative jurisdiction, shall take immediate steps to deal with the matter according to University policy and procedures.

Persons who believe they have experienced or witnessed harassment are encouraged to report it through established procedures. Heads of administrative units shall make known to all of their members those individuals and offices designated as resources for people seeking assistance with harassment.

## **COMPLAINT PROCEDURES**

Individuals who believe they have been subjected to harassment should make it clear to the offender that such behavior is offensive to them and unwelcome. Any member of the University community who has been subjected to harassment or who has witnessed harassment is encouraged to report it immediately to the Vice President/Director of

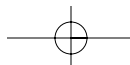


Human Resources Management or to the Provost. The University is committed to handling complaints and reports of harassment swiftly, fairly, and with sensitivity.

After a harassment complaint is received, it will be promptly investigated. The highest possible level of confidentiality will be maintained within the parameters of formal investigation procedures. The person reporting the harassment and the alleged harasser will both be interviewed, as well as other individuals who may have witnessed the behavior or can provide information relevant to the case.

To determine whether a particular act or course of conduct constitutes harassment under this policy, the alleged behavior will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior.

Tuskegee University reserves the right to investigate circumstances that may involve harassment in situations where no complaint has been filed. In appropriate circumstances, sanctions in accordance with this policy will be implemented.



## DRUG-FREE WORKPLACE POLICY

Tuskegee University prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in any place where work supported by this University takes place. This drug-free workplace policy builds on a policy, which the University originally adopted in 1973. The current policy is intended to expand and adapt the 1973 policy to meet all of the requirements of the Federal Drug-Free Workplace Act of 1988. The current policy succeeds and replaces all prior policy statements.

The University defines “workplace” to include any place where work supported by or affiliated with this University takes place. Such places include the entire campus, off-campus sites owned or controlled by the University, and any other workplace where University-sponsored work occurs, whether or not owned or controlled by Tuskegee University. For example, Tuskegee employees who travel on University business are fully covered by this policy.

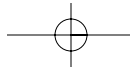
The University acknowledges a particular responsibility for counseling and protecting members of the campus community against drug abuse whenever possible. The University’s overall objective is to prevent and reduce drug abuse through a program of education and counseling, combined with strong and proper enforcement measures.

Violations of the drug-free policy will result in appropriate personnel action against an employee up to and including termination. Such action may also require an employee to participate in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state, or local health, law enforcement, or other appropriate agency.

The University will continue and expand its ongoing drug-free awareness program to inform employees about the following:

1. Dangers of drug abuse in the workplace;
2. University’s policy of maintaining a drug-free workplace;
3. Availability of drug counseling, rehabilitation, and employee assistance programs;
4. Penalties which the University may impose for drug abuse violations.



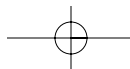


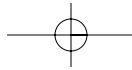
The University provides a copy of this policy to each employee. Employees are hereby notified of the following conditions of employment at the University and/or participation in any federal grant or contract in excess of \$25,000:

1. Employees must abide by the terms of this policy.
2. Employees must notify the University of any criminal drug statue conviction for a violation occurring in the workplace no later than five days after such a conviction.

After the University is officially notified that an employee working on any federal grant or on a contract in excess of \$25,000 has been convicted under a criminal drug statue for a violation occurring in the workplace, the University will impose an appropriate sanction or require the satisfactory participation in a drug abuse assistance or rehabilitation program.

The University will make a good faith effort to maintain a drug-free workplace through the implementation of the policies described above.

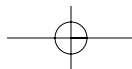
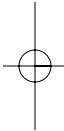
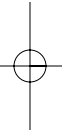




## **NO-SMOKING POLICY**

Smoking has been designated a national health and safety hazard. University buildings are not equipped to remove smoke-contaminated air. Therefore, a no-smoking policy has been implemented in all campus facilities except for specifically designated areas or outdoors.

Smoking is banned from residence halls, classrooms, offices, dining halls, gymnasiums, restrooms, laboratories, and other activity facilities.



## GUIDELINES FOR DISCIPLINARY ACTION

Any employee whose conduct, actions or performance violates or conflicts with Tuskegee University's policies may be terminated immediately and without warning.

The following are examples of grounds for immediate dismissal of an employee:

- Breach of trust or dishonesty
- Conviction of a felony
- Willful violation of an established policy or rule
- Falsification of University records
- Gross negligence
- Insubordination
- Violation of the Anti-Harassment and/or Equal Employment Opportunity Policies
- Time card or sign-in book violations
- Undue and unauthorized absence from duty during regularly scheduled work hours
- Deliberate non-performance of work
- Larceny or unauthorized possession of, or the use of, property belonging to any co-worker, visitor, or customer of Tuskegee University
- Possession of dangerous weapons on the premises
- Unauthorized possession, use, or copying of any records that are the property of Tuskegee University
- Unauthorized posting or removal of notices from bulletin boards
- Excessive absenteeism or lateness
- Marring, defacing, or other willful destruction of any supplies, equipment, or property of Tuskegee University
- Failure to call or directly contact your supervisor when you will be late or absent from work
- Fighting or serious breach of acceptable behavior
- Violation of the Drug policy or unlawful possession of alcohol
- Theft
- Violation of the University Conflict of Interest/Outside Employment Policy and/or Confidentiality Policy
- Gambling, conducting games of chance or possession of such devices on the premises or during work hours
- Leaving the work premises without authorization during work hours
- Sleeping while on duty

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and Tuskegee University.

## **INTERNAL AND EXTERNAL ELECTRONIC COMMUNICATION POLICY**

Tuskegee University provides and maintains the following forms of electronic communication, messaging agents and electronic facilities: Internal and external electronic mail (e-mail), telephone voice mail, Internet access, and computer hardware and software. As a condition of providing the previously identified communications access to its employees, Tuskegee University places certain restrictions on workplace use of the same.

### **1. USE OF ELECTRONIC MAIL (E-MAIL)**

Tuskegee University provides its employees and certain vendors (employee-users) with electronic mail communications. The primary purpose of the electronic mail system is to expedite necessary business communications between two or more individuals. As such, the use of electronic mail is for the University's business purposes. Use of e-mail is a privilege and may be revoked at any time. Use of e-mail constitutes acceptance of this policy.

Employee-users are expected to be knowledgeable of these and all policies of Tuskegee University. Any questions should be directed to the Chief Information Officer. Violations of this or any other policy subjects the employee-user to immediate revocation of system privileges and may result in disciplinary action, up to and including termination. Any information included in e-mail communications becomes the property of Tuskegee University and is subject to monitoring for compliance with all Tuskegee University policies by the Chief Information Officer and the Internal Auditor.

All electronic communications and stored information transmitted, received, or archived in the University's information system are the property of the University. The University reserves the right to access and disclose all messages sent by e-mail.

### **2. E-MAIL ACCOUNTS**

The employee-user must first be authenticated through a Tuskegee University-assigned network username and password. The username and password is the responsibility of the individual to whom it is assigned. Any authorized use of the username and password by other individuals (i.e., family members) to gain access to the University network and Internet makes that user responsible for any and all actions of the individuals.

An electronic mail "account" is assigned to each employee-user. Any communication sent from that account is the responsibility of the employee-user assigned to the account. Employee-users are prohibited from allowing other individuals to send electronic mail

from their account and may not use another account to send e-mail communications for their own purposes. Employees should not expect that electronic mail communications made through the University's system are confidential. Although an employee will be given a username and password, this does not insulate transmission from employer review.

### **3. PERSONAL USE**

As stated previously, the use of electronic mail through the University's network is primarily for business purposes. Incidental personal use of the electronic mail system is permitted. However, the personal use of e-mail should not interfere with Tuskegee University's operations, nor should it cause any harm or embarrassment to Tuskegee University or its member-owners. Any personal use of e-mail is expected to be on the employee-user's own time and is not to interfere with the person's job responsibilities.

### **4. PROPER AND ETHICAL USE OF ELECTRONIC MAIL**

At any time and without prior notice, Tuskegee University management reserves the right to examine e-mail, personal file directories, and other information stored on Tuskegee University's computers. This examination helps to ensure compliance with internal policies, supports the performance of internal investigations, and assists with the management of Tuskegee University information systems. As such, the Chief Information Officer or any of his/her representatives may monitor the content of electronic mail. Use of the Electronic Mail system constitutes acceptance of such monitoring.

The University reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose. The contents of electronic mail properly obtained for legitimate business purposes, may be disclosed within the company without the permission of the employee.

Notwithstanding the company's right to retrieve and read electronic mail messages, other employees and accesses only by the intended recipient should treat such message as confidential. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval by the employer.

This policy should be read and interpreted in conjunction with all other Tuskegee University policies including but not limited to policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. Employee-users are prohibited from using electronic mail for any unethical purposes, including but not limited to pornography, violence, gambling, racism, harassment, or any illegal activity. Employee-users are forbidden from using profanity or vulgarity when posting electronic mail.

Employee-users are also prohibited from using electronic mail through Tuskegee University systems for any other business or profit-making activities. Disclosure of any confidential information through electronic mail to any party not entitled to that information is prohibited.

Employee-users are prohibited from entering into any contracts or agreements on behalf of Tuskegee University through electronic mail. Any such contracts or agreements must be executed through normal channels and must be expressly authorized by management.

In general, employee-users should exercise the same restraint and caution in drafting and transmitting messages over the electronic mail as they would when writing a memorandum and should assume that their message will be saved and reviewed by someone other than the intended recipients.

#### **5. TRANSMITTING E-MAIL TO "EVERYONE" GROUP, DISTRIBUTION LISTS AND LISTSERV**

Employee-users are prohibited from sending electronic mail to all other employee-users through the use of the "Everyone" address group unless expressly authorized by management to do so. Excessive use of this address group strains the network.

Employee-users are responsible for the content transmitted by the LISTSERV and Distribution Lists that they subscribe to. The content must conform to University proper and ethical use.

#### **6. ELECTRONIC MAIL THROUGH THE INTERNET**

Employee-users may be authorized to transmit or receive electronic mail to and from individuals through the Internet (outside of Tuskegee University's network). The electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

Employee-users should take extreme caution when using the e-mail in this manner. All files or software should be passed through virus protection programs prior to use. Failure to detect viruses could result in corruption or damage to files and/or unauthorized entry into Tuskegee University's network. It is mandatory that you comply with copyright and trademark laws when downloading materials from the Internet. To obtain detailed information regarding the obligations and responsibilities of employee-users while communicating through the Internet please refer to Tuskegee University's Internet Use Policy.

If the employee-user finds that any damage occurred as a result of downloading software or files, the incident should be reported immediately to the Technical Services Help Desk or the Chief Information Officer.

## 7. VOICE MAIL POLICY

Every Tuskegee employee is responsible for using the Voice Mail system properly and in accordance with this policy.

The Voice Mail system is the property of Tuskegee University. It has been provided by Tuskegee University for use in conducting company business. All communications and information transmitted by, received from, or stored in this system are company records and property of Tuskegee University. The Voice Mail system is to be used for company purposes only. Use of the Voice Mail system for personal purposes is prohibited.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Tuskegee University Voice Mail system.

Tuskegee University, in its discretion as owner of the Voice Mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the Voice Mail system, for any reason without the permission of any employee and without notice.

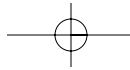
Even if employees use a password to access the Voice Mail system, the confidentiality of any message stored in, created, received, or sent from the Tuskegee University Voice Mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish the University's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to Tuskegee University as Voice Mail messages may need to be accessed by the University in an employee's absence.

Even though Tuskegee University reserve's the right to retrieve and read any Voice Mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or listen to any Voice Mail messages that are not sent to them. Any exception to this policy must receive the prior approval of Tuskegee University management.

Tuskegee University's policies against sexual or other harassment apply fully to the Voice Mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law.

The Voice Mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

Users should routinely delete outdated or otherwise unnecessary Voice Mails. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.



Because of the storage space required for Voice Mail messages, employees should not send a Voice Mail message to a large number of recipients without prior approval from their supervisor and Campus Technology Technical Services/Telecommunications.

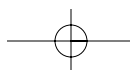
Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Voice Mails are sometimes misdirected or forwarded and may be heard by persons other than the intended recipient. Users should create Voice Mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on Tuskegee University letterhead.

Employees should also use professional and courteous greetings on their Voice Mail boxes so as to properly represent Tuskegee University to outside callers.

Any employee who discovers misuse of the Voice Mail system should immediately contact Campus Technical Services/Telecommunications.

Violations of Tuskegee University's Voice Mail policy may result in disciplinary action up to and including discharge.

Tuskegee University reserves the right to modify this policy at any time, with or without notice.





# **Tuskegee University Reasonable Accommodation Policy**

## **Statement of Nondiscrimination**

Tuskegee University (“Tuskegee”) is committed to providing equal access to individuals with disabilities, including physical access to programs and reasonable accommodations for otherwise qualified members of the university community. Tuskegee does not discriminate on the basis of race, color, national origin, ethnic origin, sex, sexual orientation, age, disability or status as a protected veteran in employment or the rights, privileges, programs, and activities generally accorded or made available to students at the school, administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. This statement of non-discrimination applies to employment, educational programs, educational policies, admissions policies, educational activities, access and admission, scholarship and loan programs, and athletic and other school-administered programs. Tuskegee is committed to creating an accessible and inclusive campus experience for all members of the campus community.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA), as amended, provide that no qualified individual with a disability may be denied access to or participation in services, programs, and activities. This applies to employees and students. Employees and applicants with a disability may be eligible for reasonable accommodations that will allow them to perform the essential functions of their position or participate in the hiring process for an open position. A reasonable accommodation is a modification or adjustment to a job, employment practice or the work environment. Accommodation requests and inquiries regarding compliance with Section 504 or the ADA, including requests for reasonable accommodation, should be directed to one of the designated individuals listed below as soon as the otherwise-qualified employee becomes aware of the need for a reasonable accommodation. In no event should the employee wait more than thirty days to request an accommodation. In addition, for questions order complaints related to disability, access, removal of barriers, or reasonable accommodation for otherwise-qualified individuals under the ADA or section 504, contact:

### **Director, ADA Compliance**

Steven B. McCrary  
Tompkins Hall, Room 301  
Ball Room Level  
Office: 334-727-8186  
Mobile: 615-604-1225  
[smccary@tuskegee.edu](mailto:smccary@tuskegee.edu)

### **Human Resources**

Donna Lucas, Consultant  
101 Kresge Center  
Office: 334-727-8510  
[dlucas@tuskegee.edu](mailto:dlucas@tuskegee.edu)

Tuskegee will not:

- Treat any employee, student, or applicant adversely due to a disability, record of a disability, perceived disability, or because of a relationship with an individual who has a disability;
- Inquire if an applicant for employment or educational program has a disability except as required by federal laws and regulations; however, in the application process, the university may invite applicants who require accommodations to disclose the need for such accommodations on a confidential basis;
- Use any qualification standards or selection criteria that would have the effect of screening out individuals with disabilities, unless the standards or criteria are directly related to and necessary for the job or academic program; or
- Release information regarding disability-related requests except as necessary to process the request; medical information will be collected and maintained in accordance with a reasonable accommodation process.

### **Applicability**

This policy applies to all employment and educational practices and actions, as well as student classroom accommodations, student access, and academic adjustments by faculty members. It includes, but is not limited to, recruitment, application, examination and testing, hiring, training, teaching, grading, disciplinary actions, rates of pay or other compensation, advancement, classification, transfer and reassignment, discharge, and all other terms and conditions of employment and educational status. It also includes access to programs, services, housing, and activities which may occur outside the classroom or office environment but which are an integral part of the university experience. This policy also applies to public access to university programs, services, and other offerings to the extent that such are made available by Tuskegee to the general public.

To be protected under the ADA, an individual must be disabled, have a record of a disability, or be regarded as being disabled, as opposed to having a minor or temporary impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, and performing manual tasks, walking, caring for oneself, learning or working. The obligation to provide a reasonable accommodation applies only to known physical or mental limitations.

An individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation, in order to be protected by the ADA. This means that the applicant or employee must:

- Satisfy all job requirements related to educational background, employment experience, skills, licenses, and any other qualification standards that are job related; and
- Be able to perform those tasks that are essential to the job, with or without reasonable accommodation.

## Definitions

### A. Academic Adjustments

Modifications to academic requirements made to ensure that requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified applicant or student with a disability. Academic requirements that are essential to the instruction being pursued by the student or to any directly related licensing requirement will not be subject to modification. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

### B. Accommodation documentation

Documentation that outlines the accommodations, academic adjustments, and/or auxiliary aids recommended to enable an employee or student to work or complete an academic program.

### C. Auxiliary Aids

Actions taken or materials provided to ensure that qualified students with disabilities can receive the benefits of the educational program, regardless of impaired sensory, manual, or speaking skills. Auxiliary aids may include audio or described taped texts, sign or oral interpreters, captioning or other effective methods of making orally delivered materials available to students with hearing impairments, readers for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. Auxiliary aids do not include personal services or equipment, such as attendants, readers for personal use, or individually prescribed devices unrelated to the course of study.

### D. “Disability” defined

A disability is defined as

- A physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions which prevent the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or
- Having a record of such an impairment, or
- Being regarded by others as such an impairment.

### E. Essential Function

Essential functions are the basic job duties that an employee must be able to perform, with or without reasonable accommodation. A duty may be considered an essential function if:

- The position exists to perform that function,
- There are a limited number of employees available who could fulfill that function, and/or

- The function is highly specialized.

Other indicators of essential functions include:

- The university's judgment as to which functions are essential,
- A written job description prepared before advertising or interviewing for a job,
- The actual work experience of present or past employees in the job
- The time spent performing a function, and/or
- The consequences of not requiring that an employee perform a function.

The above is not an exhaustive definition of essential function. In determining whether a duty is essential, it is also relevant to consider the amount of time spent performing the function, consequences of not allowing someone to perform the function, written job description, work experience of people who are performing the job or who have performed the job in the past, and terms of any applicable collective bargaining agreements.

#### F. Interactive Process

The method by which an employee and employer explore whether reasonable accommodations can enable the employee to perform the essential functions of a position. The interactive process should involve open dialogue that allows for full participation by both employer and employee. In the academic context, the interactive process can also be an appropriate avenue for students and instructors to reach agreement concerning academic adjustments and/or auxiliary aids necessary to allow the student to complete academic requirements.

#### G. Qualified Employee with a Disability

An individual with a disability who can perform the essential functions of the position, with or without reasonable accommodation.

#### H. Qualified Student with a Disability

A student with a disability who meets the academic and technical standards requisite to admission or participation in the education program or activity, with or without the provision of academic adjustments and/or auxiliary aids.

#### I. Reasonable Accommodations

Actions taken which permit an employee or applicant with a disability to perform the activities involved in the position held or sought in a reasonable manner provided that such actions do not impose an undue hardship or eliminate essential functions of the job. These include, but are not limited to, provision of an accessible worksite, acquisition or modification of equipment, support services for persons with impaired hearing or vision, job restructuring, and modified work schedules.

## J Undue Hardship

It is not necessary to provide a reasonable accommodation if doing so would cause an undue hardship. Undue hardship means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation. Whether a requested accommodation poses an undue hardship must be based upon an individualized assessment of current circumstances regarding the position and accommodation. When a department is concerned that a requested accommodation will pose an undue hardship, it must proceed according to the procedures in this policy.

## K. Direct threat

The ADA permits an employer to require that an individual not pose a direct threat to the health and safety of the individual or others in the workplace. A direct threat means a significant risk of substantial harm. The determination that an individual poses a direct threat must be based on objective, factual evidence regarding the individual's present ability to perform essential job functions. If an applicant or employee with a disability poses a direct threat to the health or safety of himself or others, Tuskegee will consider whether the risk can be eliminated or reduced to an acceptable level with a reasonable accommodation.

## L. Reporting requirement

Any employee who requires a reasonable accommodation to perform the essential functions of his or her job is responsible for contacting Human Resources, the Director for ADA Compliance or the Section 504 coordinator using the contact information listed above as soon as the employee becomes aware of the need for the accommodation. Tuskegee will not be responsible for failing to provide an accommodation if none is requested. Tuskegee will reasonably accommodate otherwise qualified employees with disabilities who are able to perform the essential functions of their job with or without a reasonable accommodation as defined by law except where such accommodation presents an undue hardship.

## **Procedures**

### **Application for Employment Process**

- Applicants who require reasonable accommodations with respect to applying, interviewing, or any other aspect of the hiring process should contact Tuskegee's Office of Human Resources or the Director of ADA Compliance to make appropriate arrangements. Human Resources will not disclose confidential information regarding the applicant's disability, and will only share information as necessary to implement the request.
- Interviews, testing, and/or any other steps in the application process that require an applicant's presence on campus should be held in locations that are accessible to individuals with mobility impairments. If interviews are scheduled in a location that is not accessible

to an applicant with a disability, the search committee will relocate the interview to a location that can be accessed by the applicant.

- If the applicant has not given timely notice of the need for an accommodation for an interview, the search committee will reschedule the interview if this does not create an undue hardship with respect to the search process.
- Interviewers may not ask questions or make comments related to an applicant's disability. Interviewers may ask if or how applicants can perform the essential functions of a position, with or without reasonable accommodations. If the applicant mentions during the interview that he or she has a disability that requires accommodation, the interviewer should state that the university provides reasonable accommodations, but should not inquire further as to the applicant's disability.
- After a job offer is made to the applicant, the applicant may be required to submit to a medical examination or answer job-related health questions if examinations or questions are required for all individuals performing the same job. If the results reveal that the applicant is unable to perform the essential functions of the position with or without reasonable accommodations, the offer may be rescinded only after consultation with the office of General Counsel and the ADA Compliance Director.

### **Process for employee accommodation**

Employees with disabilities who do not require reasonable accommodations are entitled to privacy with respect to their disabilities. If a supervisor or manager suspects that an employee's disability might be the cause of work-related or behavioral issues, the employee should not be questioned with respect to a disability or possible disability. To request a reasonable accommodation, an employee or applicant should proceed as follows:

#### 1. Accommodation request

An employee who needs a reasonable accommodation should submit a request in writing to Human Resources or the Director of ADA Compliance. No special form is required. Human Resources and the Director of ADA Compliance will consult with the employee's department and may work with other University departments and personnel to ensure that an employee with a disability can perform or continue to perform (if the disability occurs after employment) his or her job responsibilities, a reasonable accommodation requires a current statement of need from a treatment provider.

#### 2. Documentation

Tuskegee will not provide an accommodation without verification of the disability by a professional medical or mental health provider and medical documentation. Medical information is treated as confidential and will be shared with University administrators only on a need to know basis. If the medical documentation provided is insufficient, the employee will be notified by email so he or she can submit or otherwise provide additional documentation.

The individual may suggest a reasonable accommodation based upon her own life or work experience. In addition, the employee and/or the employee's current treatment provider should

recommend any reasonable accommodation the employee wants the University to consider. The University may request that the employee sign a release allowing the University to directly communicate with the employee's treatment provider for clarification or other assistance with respect to the requested accommodation. The employee is not required to sign the release, but doing so will assist the University with identifying and implementing a reasonable accommodation.

### 3. Interactive process

Accommodation decisions must be made on a case-by-case basis, in consultation with the employee's department, because the nature and extent of a disabling condition and the requirements of the job will vary. The principal test in selecting a particular accommodation is that of effectiveness, i.e., whether the accommodation will enable the person with a disability to perform the essential functions of the job. It need not be the best accommodation or the accommodation the individual with a disability would prefer, although consideration should be given to the preference of the individual involved. However, as the employer, the University has the final discretion to choose between effective accommodations, and may select one that is least expensive or easier to provide.

The employee requesting a reasonable accommodation is responsible for participating in the interactive process, which includes providing any input the employee wishes the University to consider when making a determination concerning a reasonable accommodation. An employee who fails to disclose a disability, provide input concerning reasonable accommodation, or to request a specific accommodation cannot fault the University if an accommodation is not provided.

Even though the employee is responsible for providing input concerning the accommodation and engaging in an interactive process, Tuskegee will determine what constitutes a reasonable accommodation. Tuskegee also reserves the right to request additional independent medical examinations, evaluations and other appropriate information at the University's expense.

### 4. Types of reasonable accommodation available to otherwise-qualified employees

A reasonable accommodation is a modification or adjustment to a job, employment practice or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity. Reasonable accommodations are only available to otherwise-qualified employees who are able to perform the essential functions of their job with or without reasonable accommodation. Reasonable accommodations may include, but are not limited to, changing the physical location of an employee's job, e.g., from an upstairs classroom requiring the use of stairs, to a ground floor classroom that does not, restructuring non-essential job responsibilities and duties, and modifying the employee's work schedule.

### 5. Undue hardship

As noted above, in some instances, a requested accommodation may pose an undue hardship on the University which prevents the accommodation from being offered. The determination of whether an accommodation creates an "undue hardship" is contingent upon a number of variables.

Supervisors must contact Human Resources or the ADA Coordinator before disciplining, transferring, terminating or relieving an employee of job responsibilities due to disability or pregnancy.

### **Illegal Use of Drugs**

Individuals who currently use drugs illegally are specifically excluded from the ADA's protections. Any employee, student, or volunteer who is currently using drugs illegally is not protected by the ADA and may be denied employment or fired on the basis of such use. The ADA does not prevent employers from testing applicants or employees for current illegal drug use, or from making employment decisions based on verifiable results. A test for the illegal use of drugs is not considered a medical examination under the ADA; therefore, it is not a prohibited pre-employment medical examination and the University will not have to show that the administration of the test is job related and consistent with business necessity. Illegal use of drugs will result in disciplinary action up to and including suspension or expulsion for students and termination for employees.

### **Disability grievance**

Any staff member who believes he or she has been subjected to unlawful harassment or discrimination on the basis of disability may file a grievance with the Director of ADA Compliance. The Office of Human Resources shall make the initial decision on any request for accommodations, and such initial decision shall take effect immediately, provided that any staff member who believes that he or she has been denied access to accommodations required by law as the result of a recommendation by Human Resources, may request review of that decision by the Office of General Counsel. After such review, the President's Cabinet may modify that decision where the Cabinet determines that the recommendation by the Office of Human Resources resulted from a manifestly erroneous application of the ADA and Section 504.



