

Chapman University

Staff and Administrative

Handbook

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2.0 Administrative And Staff Employment Policies And Procedures

2.1 Employee Classifications

2.1.1 General

The purpose of this section is to define clearly all current employee classifications.

Employees' eligibility for benefits is determined by classification.

2.1.2 Terms

The following classifications are recognized by the University to identify employees:

Full-Time Staff: A non-exempt employee who is regularly scheduled to work for forty (40) hours per week.

Three-Quarter Time Staff: A non-exempt employee who is regularly scheduled to work less than forty (40), but no less than thirty (30) hours per week.

Half-Time Staff: A non-exempt employee who is regularly scheduled to work less than thirty (30), but not less than twenty (20) hours per week.

Part-Time Staff: A non-exempt employee who is regularly scheduled to work less than twenty (20) hours per week.

Temporary Staff: A non-exempt employee hired directly by the University for a period of less than six months. Human Resources must approve retention of any temporary employee beyond six months. Temporary employees may advance to regular status if such a change is approved through regular hiring channels. Temporary employees are not eligible for benefits. The hire date for a temporary employee, who is reclassified as a regular employee, is the date temporary employment commenced.

Full-Time Administrator: Exempt employee who is regularly scheduled to work forty (40) hours per week.

Three-Quarter Time Administrator: Exempt employee who is regularly scheduled to work less than forty (40), but no less than thirty (30) hours her week.

Half-Time Administrator: Exempt employee who is regularly scheduled to work less than thirty (30), but no less than twenty (20) hours per week.

Part-Time Administrator: Exempt employee who is regularly scheduled to work less than twenty (20) hours per week. Such employee may be hired to work on a seasonal/occasional basis.

Part-Time Coach: Exempt employee who is regularly scheduled to work less than twenty (20) hours per week. Such employee may be hired to work on a seasonal/occasional basis.

2.1.3 Exempt and Non-exempt Classifications

2.1.3.1 Purpose

The purpose of this section is to define the terms Exempt and Non-exempt as they apply to employee classifications used at Chapman University.

2.1.3.2 Terms

The terms "exempt" and "non-exempt" are classifications derived from the duties performed by an employee, not from the title assigned to a position. Exempt employees, by the nature of their responsibilities are exempt from overtime compensation, under both state and federal law. (See section 2.12.4)

2.1.3.3 Policy

Employees of Chapman University are classified by the Federal Government and the State of California as either "exempt" or "non-exempt." Those employees in the exempt category, by nature of their duties, include faculty and administrators. Staff employees by nature of their assigned duties, are non-exempt. Non-exempt employees are entitled to payment of overtime wages in accordance with applicable requirements. Exempt employees do not receive overtime compensation.

Administrative Definition: The primary function of the Administrative employee is to exercise independent judgment in evaluating and deciding on possible courses of business or operational action and policy. Administrators must demonstrably spend less than half of their time performing duties that are normally assigned to non-exempt personnel.

Staff Definition: The primary function of the Staff employee may include clerical, secretarial, custodial, maintenance, technical, or security duties.

Employees may not be designated as Administrative in order to avoid payment of overtime wages if the work performed is primarily non-exempt in nature.

All determinations as to exempt status of a Staff employee shall be made based upon applicable laws as interpreted by the Vice President of Human Resources and any appeal on such matters by a supervisory administrator must be made to the Executive Vice President/Chief Operating Officer who within the law shall have the final approval.

2.2 (Section not in use)

2.3 Recruitment, Hiring, Orientation

2.3.1 Recruitment and Hiring Procedures for Regular Staff and Administrators

2.3.1.1 Purpose and Definitions

This section outlines procedures, responsibilities and practices for the recruitment and employment of staff and administrative employees at Chapman University. The goal is to provide an objective, open process whereby members of the campus community and the community at large can compete openly and fairly for available positions.

These procedures apply to the filling of regular positions which are newly established or have become vacant due to the termination or transfer of an employee. These procedures do not apply when the responsibilities of a position have been changed due to departmental restructuring, when new duties are assigned to a current employee or when a position is transferred from one campus location to another (as long as a position vacancy is not created by these actions).

2.3.1.2 Authority and Responsibilities

The Human Resources Department :

- a. approves the title, level and pay of new and replacement positions;
- b. posts vacancies and approves job advertisements;
- c. approves selection criteria (e.g., interview and pre-

employment reference questions) in consultation with department heads;

- d. acts as the exclusive official recipient of employment inquiries such as resumes, employment applications and letters;
- e. determines starting salaries and dates for new employees in consultation with department heads and within the limits specified on the Personnel Request form;
- f. monitors the recruitment and employment process to insure that University policies and procedures, and state and federal laws are followed;
- g. conducts periodic training programs for employees and hiring officials on proper employment procedures and techniques;
- h. provides information and counsel to University employees who apply for jobs.

Department Heads and Hiring Officials who initiate hiring procedures:

- a. prepare required forms, secure necessary approvals and forward forms through appropriate channels as specified in these procedures;
- b. prepare accurate job descriptions which describe fully and accurately the duties, responsibilities and requirements of the job for which recruitment is to take place;
- c. insure that job selection standards and criteria (such as applicant interview questions and rankings, and questions asked during pre-employment reference checks) are job related and are applied consistently to all applicants under consideration;
- d. conduct pre-employment reference checks and, with the approval of Human Resources, extend offers of employment based on the steps and requirements outlined herein.

Vice Presidents/Vice Provost

The Vice Presidents/Vice Provost who supervise the hiring departments are responsible for approving Personnel Request forms and insuring that department heads follow the hiring procedures outlined herein.

The Executive Vice President/Chief Operating Officer

- a. The Executive Vice President/Chief Operating Officer is responsible for the final approval of all Personnel Requests for new positions.

2.3.1.3 Procedures

2.3.1.3.1 Form and Documents

- a. The department head or hiring official first completes and signs a *Position Description form (Appendix A)*. This must be done before the recruitment process can begin. Preparation of the position description is the most important step in recruiting and employment, as information in the position descriptions provides the bases for subsequent key steps in the recruitment/employment process (e.g., advertisements, interview questions, pre-employment reference checks and criteria for selecting the final candidate). Position descriptions must not improperly screen out candidates by stating unrealistic or unnecessary job or education requirements.
- b. The department head or hiring official next completes a *Personnel Request Form (Appendix B)* for each vacant position. This form must be signed by the department head.
- c. The completed position description and Personnel Request forms then are forwarded through the Dean/Director to the appropriate Vice President/ Vice Provost for approval.
- d. The Vice President/Vice Provost forwards the approved forms to the Department of Human Resources.
- e. The Department of Human Resources approves the title, pay and level of the position then forwards the properly completed and approved Personnel Request and position description forms for new positions to the EVP/COO for approval.
- f. The EVP/COO returns the approved forms to the Department of Human Resources. Human Resources then will distribute approved copies to the hiring departments.

2.3.1.3.2 Posting and Advertising

- a. Upon receipt of the approved personnel request and position description forms referenced above from the EVP/COO, the Department of Human Resources will "post" the recruiting vacancy.
- b. Vacancies will be "posted" in the website for a minimum of five working days. In addition to this minimum posting, the Department of Human Resources, with the concurrence of the hiring department, may advertise in newspapers and trade journals for affirmative action and recruiting purposes.
- c. The Department of Human Resources will write and place all job advertisements in consultation with the department head. When placing an advertisement for an open position, the Department of Human Resources will consult with the Equal Opportunity and Diversity Officer and the department head in order to choose those publications which best accommodate the University's commitment to Affirmative Action and Equal Employment Opportunity.
- d. All advertisements shall state that Chapman University is an Affirmative Action, Equal Employment Opportunity Employer.
- e. Costs resulting from advertising may be charged to the budget of the department which initiated the request for advertising.
- f. In unusual circumstances the Vice President of Human Resources, with the concurrence of the Equal Opportunity Officer, may make exceptions to the posting requirements.

2.3.1.3.3 Screening and Referral of Applicants

(Applies to external applicants and current Chapman University Employees)

- a. All applications, resumes and related materials must be received formally through the Department of Human Resources prior to review by the hiring departments. Should applicants send employment inquiries directly to departments, department officials may not contact applicants directly; rather departments must refer the inquiries immediately to

Human Resources. Because of federal record-keeping requirements, Human Resources may only accept applications and/or resumes for approved, posted positions.

- b. The Human Resources Department will retain all applications for a particular vacancy until the recruitment closes and then will refer all applications to the hiring department for further screening and interviewing. If the hiring department so requests, Human Resources will perform an initial screening of the applications and/or resumes by determining if the candidate meets the requirements of the position as stated in the job description. Human Resources then will direct the applications and/or resumes of the qualified applicants to the hiring department head for further screening and interviewing.
- c. Current employees of the university may apply for posted positions by completing and forwarding a current resume to the Department of Human Resources.
- d. Applicants for employment will be screened without regard to race, color, national or ethnic origin, religion, age, sex, disability, veteran status, or any other characteristic protected by federal or state law.

2.3.1.3.4 Interviewing, Reference Checks and Final Selection

- a. Department officials will screen the applications and/or resumes of the job applicants referred by Human Resources and will interview the candidates who are the most qualified. All applicants will be screened on the basis of the job requirements as stated in the position description.
- b. Department officials will develop written screening criteria and interview questions, using guidelines based on the job description, and will devise a written rating/ranking scale or process whereby the relative qualifications of candidates may be compared. The Department of Human Resources must give advance approval to screening/ selection criteria and interview questions.

- c. The following guidelines will insure that a fair and objective process occurs:
 - 1. All interview questions and rating/ranking criteria are to be job-related. Questions and criteria must be based on the duties and responsibilities of the position as stated in the position description.
 - 2. All candidates are to be asked the same general interview questions; similarly the same ranking/rating criteria must be applied to all candidates consistently.
 - 3. Whenever possible, department heads should form a small screening and evaluation committee to participate in the interviews, ranking and selection process. This degree of openness will insure that a fair, objective and affirmative process takes place.
- d. In cases where relatives are referred by the Department of Human Resources, refer to Section 2.3.4, "Employment of Relatives". Care must be taken to avoid the perception that nepotism or favoritism exists in the selection process.
- e. Department heads will conduct written reference checks on the final candidate or candidates. The following guidelines are provided:
 - 1. As is the case with interview questions, questions asked during reference checks are to be job-related, that is, they must be based on the job requirements as stated in the position description.
 - 2. Questions asked must be consistent from applicant to applicant.
 - 3. References must be checked on the final candidate(s) before an offer of employment can be approved. References may be checked on more than one finalist as long as reference checks are made on all finalists.
 - 4. Reference checks are to be made in person or by telephone. Letters of reference may provide useful information but they are not acceptable alternatives to personal or telephone inquiries.

5. Department heads should attempt to obtain "business" (as opposed to "personal") references from at least three persons who have worked with the candidate(s). At least one of the references should be from the current, or a recent supervisor.
- f. Positions must, in addition to normal reference checks, undergo an investigation of criminal conviction records. If applicable to the position, a DMV and credit check may be conducted.
- g. After the final candidate is selected, but before the offer of employment is extended, the department head will provide documentation on the job-related reasons the final candidate has been selected.

2.3.1.3.5 Offer of Employment

- a. The offer of employment to the selected candidate will be extended by the department head with the approval of the Department of Human Resources. Human Resources, in consultation with the hiring department head will determine the starting salary and date.
- b. Upon selection of the new employee, the hiring department shall complete an Employee Requisition and Change Request (*ERCR*) and obtain the signature of the appropriate Vice President/Vice Provost.
- c. The hiring department then sends the approved *ERCR* and employment application and/or resume to the Department of Human Resources.
- d. The Department of Human Resources signs and forwards the *ERCR* for processing.
- e. The hiring department shall contact the Department of Human Resources, in advance of the employee's first day of work, to schedule an orientation of the new employee with Human Resources Staff. This orientation takes place on the new employee's first day of work.
- f. *No new employee may begin working until all required forms have been properly prepared, and approvals have been obtained.*

2.3.1.3.6 Notification to Unsuccessful Candidates

- a. When the final selection of a candidate has been made and the extended offer of employment is accepted, the department head will mail a "letter of regret" to all unsuccessful candidates.

2.3.1.4 Records

The department head shall return all applications, resumes, forms and screening/selection worksheets to the Department of Human Resources, where they shall be retained for a period of two years, as required by law.

2.3.2 Recruitment and Hiring Procedures for Temporary staff and Administrative Employees

2.3.2.1 Purpose

These Procedures outline responsibilities and practices for the recruitment and hiring of temporary staff and temporary administrative employees at Chapman University.

The goal of these procedures is twofold: 1) insure that proper personnel procedures and State/Federal regulations are followed in the hiring of temporary employees; and 2) recognize the limited period of time and transitory relationship which temporary employees have with the University, and therefore expedite the hiring process for temporary employees.

2.3.2.2 Authority and Responsibilities

The Human Resources Department:

- a) Approves the title and salary of temporary employees;
- b) Monitors the temporary employment process to insure that University policies and procedures, and state and federal laws are followed.

The Hiring Department:

- a) Prepares a brief summary of duties, responsibilities and requirements for temporary positions;
- b) Prepares required forms, secures necessary approvals and forwards approved forms through appropriate channels as specified in these procedures;
- c) Conducts pre-employment reference checks on the person to be hired.

- d) Extends offers of employment to temporary employees at the date, salary and title approved by the Human Resources Department.

2.3.2.3 Procedures

Preliminary Steps (prior to hiring temporary employees)

- a) The hiring official contacts the Human Resources Department to discuss the nature and expected duration of the temporary employment.
- b) The hiring official prepares, signs and forwards the documents as follows to Human Resources through the appropriate vice president.
 - 1) Employee Requisition and Change Request (ERCR)
 - Please note that the ERCR must contain an “on-or-before” ending date. The temporary employee will be taken off the payroll on that date unless a revised ERCR indicates an earlier termination date.
 - 2) Brief Statement of Duties and Responsibilities of the Temporary Position
 - 3) Chapman University Employment Application
 - 4) Record of Applicant Pre-Employment Reference Check
- c) The vice president approves the temporary hire and forwards the signed forms to the Human Resources Department.
- d) The Human Resources Department assigns the appropriate title, pay and starting date of the temporary employee, and so informs the hiring official.
- e) If the total salary expenditure for the temporary employment is expected to exceed \$5,000, the Human Resources first must forward the forms to the EVP/COO for approval.

2.3.2.4 Offer of Employment

- a) Before an offer of employment is made, the hiring department conducts pre-employment reference checks on the person to be hired.
- b) After approval is given by Human Resources, the hiring official extends the approved offer of employment to the temporary employee and issues a letter “Offer of Employment for Temporary Employees” to the person to be hired. The letter is to be signed by the intended employee and returned to the hiring official and Human Resources before the first day of employment.

2.3.2.5 Hiring the New Employee

- a) On or before the first day of work the hiring official, with the new employee, completes and forwards the forms as follows to Human Resources
 - 1) Offer of Temporary Employment Letter
 - 2) Workers Compensation Benefits form
 - 3) Form W-4 (Current year)
 - 4) Supplemental Data Sheet
 - 5) Department of Justice Employment Eligibility Verification (Form I-9)
- b) No temporary employee may begin working until all required approvals have been obtained and all required forms are signed.

2.3.3 Introductory Period of Employment

The first 180 days of an employee's active employment are considered an introductory period. During this time, an employee's performance on the job and his/her potential abilities will be evaluated by the supervisor in light of the employee's stated qualifications. Both the employee and his/her supervisor will have the opportunity to judge whether the employee's job placement has been appropriate and whether the University's and employee's own expectations have been met.

If the employee completes the introductory period to the satisfaction of both the employee and the University, the employee will be considered a regular status employee. If the supervisor determines that the employee's abilities or performance do not meet the requirements of the job, the employee will be terminated from employment. If the supervisor determines that an additional period of time is needed to assess the employee's abilities or performance, the supervisor may extend the introductory period for up to three additional months. Termination of employment or extension of the introductory period may occur at any time during the introductory period.

At Chapman University, an employee's length of service is measured from the day the employee began active employment.

Vacation and sick pay for eligible employees begin to accrue from the date the employee begins active employment. However, an employee is not eligible to use accrued vacation and sick pay during the first 90 days of the introductory period.

Eligibility for tuition discount benefits begins after the successful completion of the introductory period. Refer to the Tuition Discount Policy for more information.

Employee eligibility for University sponsored health care, insurance and retirement benefits normally becomes effective on the first day of the month following 90 days of service. Refer to the Chapman University Benefits e-Guide for more information.

Statement of At-Will Employment

This policy is not intended to and does not alter the University's at-will employment relationship with its employees. Employment at Chapman University is for no specified term and is subject to the mutual consent of the University and the employee. Either party may terminate the employment relationship at will, at any time, with or without cause. The above policy shall not limit the University's right to terminate an employee at any time, with or without cause.

2.3.4 A Program of Affirmative Action to Assure Equal Employment Opportunity at Chapman University

2.3.4.1 General

Equal employment practices are of major concern to Chapman University.

All aspects of the employment relationship are subject to Equal Opportunity considerations.

2.3.4.2 Purpose

The purpose of this statement is to give official direction and policy for the establishment and implementation of a program for Affirmative Action which will assure Equal Employment Opportunity at Chapman University.

2.3.4.3 Policy

The Administration of Chapman University is committed to the principle that equal employment opportunities shall be afforded to all persons regardless of race, color, marital status, religious creed, gender, sexual orientation, national origin, ancestry, disability, age, disabled or Vietnam veteran status, or any other protected status, and that discrimination, either passive or active, will be neither condoned nor tolerated.

It shall be the practice of the Administration of Chapman University to support the hiring and promotion into positions of responsibility of the best qualified persons regardless of race, color, marital status, religious creed, gender, national origin, ancestry, disability, age, disabled or Vietnam veteran status or any other protected status and that discrimination, either passive or active is neither condoned or tolerated for any reason including, not only the grounds cited above

but also on the grounds of sexual preference, or family status.

The Administration of the University recognizes that Equal Employment Opportunity will be assured only by providing adequate resources, (recruiting, training, staffing, funding, etc.) for a carefully administered and utilized program designed to eliminate employment practices, standards, and/or conditions that may result in discrimination. This will be achieved by initiating affirmative steps in recruitment, selection, examination, promotion, remuneration and training procedures to effect extension of equal employment opportunities to all qualified persons.

It is the objective of the Administration of the University to provide opportunities for every employee to realize his or her potential and to assist that person to function more effectively and to reach a level commensurate with their abilities and goals.

2.3.4.4 Dissemination of EEO/AA Statement

This affirmation statement shall be given wide publicity through the campuses of Chapman University, by the President's own affirmation and direction along with, a published affirmative action plan including its periodic update.

This policy shall be disseminated by the Equal Opportunity and Diversity Officer to all applicable persons and agencies outside the University campuses.

2.3.4.5 Application

This policy applies equally to all terms, conditions, and privileges of employment including hiring, promotion, training and development, compensation, benefits, transfer, termination and retirement.

The Equal Opportunity Officer has been appointed to oversee all Equal Employment Opportunity Programs for the University and will be responsible for working in conjunction with an Affirmative Action Committee.

The duties of the Equal Opportunity and Diversity Officer include:

Collecting and analyzing employment data, identifying areas in which Chapman University may be deficient in the utilization of minorities and women, and working with Vice Presidents, Deans and Department Heads to establish goals and timetables.

Development of policy statements, affirmative action programs, and internal and external communication techniques regarding the Equal Employment policies of the University.

Designing and implementing record keeping and reporting systems to ensure compliance with legal requirements, and posting of notices as required by law.

Preparing an annual review and summary of the state of the Chapman University Affirmative Action Program and the results achieved under the program for submission to and approval by the President.

Assisting supervisory personnel in arriving at solutions to EEO/AA problems.

Keeping the University Administration informed of the latest developments in the EEO/AA area.

Serving as Adjudicator in the event of a grievance filed as a result of an alleged violation of University policy related to Affirmative Action or Equal Employment Opportunity.

The Human Resources Director will bring grievances of this nature to the Equal Opportunity and Diversity Officer for review and appropriate recommendations to the President.

Information on the status of recruitment, employment, and development of all employees in general and particularly minorities and women, will be reported by the Equal Opportunity and Diversity Officer to the President on an annual basis.

Insuring that the policies and practices of the University remain in compliance with Executive Order #11246 as amended, Revised Order #4, Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, Sections 503 and 504 of the Rehabilitation Act of 1973, the Vietnam Veteran's Rehabilitation Act of 1974, Title IX of the Educational Amendments of 1972 and other applicable governmental regulations.

2.3.5 Non-Discrimination on the Basis of Disability

2.3.5.1 General

The purpose of this section is to outline the University policy concerning disabled individuals.

2.3.5.2 Definition

The term "disabled individual" means anyone who (1) has a physical or mental disability that, for such individual, constitutes or results in a substantial disability to employment and (2) can reasonably be expected to benefit in terms of employability from vocational rehabilitation services. The term "disabled individual" also

means any person who (1) has a physical or mental impairment that substantially limits one or more of his major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A disabled individual is substantially limited if he is likely to have difficulty in securing, retaining, or advancing in employment because of a disability. Alcoholics and drug abusers are considered disabled under the Rehabilitation Act of 1973. However, people actively abusing alcohol or drugs are explicitly excluded from coverage.

Reasonable accommodation to a disability varies depending upon the circumstances, but no accommodation is reasonable if it requires a substantial or fundamental alteration in the nature of the business. The University has an obligation to accommodate an individual's known disability, unless it would cause undue hardship to the University to do so. It is not reasonable for the University to deprive other employees of their rights in order to accommodate a protected group member.

2.3.5.3 Policy

In accordance with the provisions of Section 504 of the Rehabilitation Act of 1973 and all regulations issued thereunder to protect the rights of disabled persons, it is the policy of Chapman University that: no program or activity administered by the University shall exclude from participation, deny benefits to or subject to discrimination any individual solely by reason of disability. Equal employment opportunity shall be extended to qualified disabled persons in all aspects of the employer- employee relationship, including recruitment, hiring, training, promotion, transfer, discipline, layoff, recall and termination. The University will provide reasonable accommodation to the known physical or mental limitation of an otherwise qualified individual.

The Equal Opportunity and Diversity Officer has been designated the coordinator for this policy. All questions or grievances concerning this policy should be submitted to the Equal Opportunity and Diversity Officer.

2.3.6 Employment of Relatives

2.3.6.1 Purpose

This section outlines University policy on the employment of relatives within Chapman University.

2.3.6.2 Policy

Chapman University seeks to maintain equitable employment practices in all areas of personnel policy.

Relatives of Chapman University employees shall be considered for employment as would any other individual, on the basis of qualifications and experience. Family relationship is neither an aid nor an impediment to employment.

Relatives of employees are eligible for employment except where potential problems of supervision, safety, security, morale, or potential conflicts of interest exist. Within a department, no relative shall directly supervise another relative, as defined below.

Should the University have a need to assign or maintain an employee in a position in which the employee would come under the supervision of another relative, the President in consultation with the appropriate Vice President shall appoint a non-relative within the work unit to provide a supervisor other than the relative in order to avoid a conflict of interest. All concerned in the work unit shall be made aware of the designated supervisor.

Relatives include an employee's parent, child, brother, sister, spouse, in-laws and step-relations.

Should the marriage of two current employees create a problematic situation as outlined above, the University will try to make reasonable accommodations to resolve the employment situations.

2.3.7 New Employee Orientation

2.3.7.1 Overview

All new staff and administrative employees participate in a comprehensive orientation program that introduces new employees to Chapman's traditions, values and activities. The program highlights the contributions of students, faculty, staff and administrators, and underscores their importance to Chapman's goals of service and academic excellence.

The Chapman University Orientation Program is a "process" that begins with the first day of work and continues for a number of months. The program specifically applies to new staff and administrative employees who are "regular" status, however students, faculty and other members of the campus community are invited to participate in the process.

Outlined herein is a comprehensive, four-phase employee orientation program that assigns responsibilities and describes phases, steps,

and subject matter content in the Chapman New Employee Orientation process.

2.3.7.2 Responsibilities

The Employee's Supervisor

The overall responsibility for the success and effectiveness of orienting the new employee to Chapman University lies with the employee's immediate supervisor. The supervisor explains the steps of the orientation process to the employee, monitors the progress of the employee through the orientation phases and insures that the employee is given the opportunity to participate in the sessions and programs outlined herein.

The Human Resources Department

The Human Resources Department coordinates the various phases of the new employee orientation process as outlined herein and provides overall program monitoring and evaluation. Human Resources also provides checklists and periodic training for supervisors and mentors.

Human Resources staff conduct the Human Resources Orientation on the first day of work (outlined later in this policy).

2.3.7.3 The Phases in the Employee Orientation Process

The Supervisor's Orientation (begins the first day of work and continues as long as necessary).

The immediate supervisor of the new employee:

- a. insures that the new employee is welcomed properly into the department and has supplies and equipment needed to begin work;
- b. explains to the new employee the department's performance standards and operational procedures;
- c. reviews the department's organization chart and highlights the responsibilities of other faculty and/or staff in the department;
- d. instructs the new employee in safe work practices and the safety requirements of the department;
- e. reviews the job description with the employee;
- f. discusses the performance expectations of the new employee and explains the introductory/yearly period performance appraisal

process;

- g. explains the functions of the various offices with which the employee's department interacts;
- h. coordinates the new employee's orientation activities with the assigned mentor.

The Human Resources Orientation (takes place on the first day of work)

On the first day of work the Human Resources Department:

- a. meets with the new employee and explains the terms of employment and starting salary;
- b. completes with the employee the necessary employment forms;
- c. provides information on benefits;
- d. reviews with the new employee the general policies and provides information on Chapman's commitment to a harassment-free workplace;

2.3.8 Immigration Status

All employees hired by Chapman University must present documentation establishing their identity and employment authorization in accordance with the immigration laws of the United States upon request prior to or during orientation. The acceptable documentation is included as part of the most current I-9 form issued by the Department of Homeland Security, United States Citizenship and Immigration Services.

In addition, each employee must sign an attestation on the form authorized by the U.S. government, that they are a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien who is authorized under federal law or by the U.S. Attorney General to be hired, recruited, or referred for employment by Chapman University.

Any employee failing to provide and execute proper documentation as specified above within 72 hours of hire shall be ineligible for continued employment with the University. Such failure shall result in discharge of the employee, even in the presence of a written contract for employment.

2.4 Personnel Records for Staff and Administrative Employees

2.4.1 General

Personnel records for all Staff and Administrators shall be maintained in the Department of Human Resources.

All employee records maintained in the Department of Human Resources are kept in folders which are identified as Personnel, Benefits and Worker's Compensation Files. Basically, the Personnel File contains the original Application for Employment, Employee Evaluation, Employee Warning Reports, Employee Requisition and Change Request Forms. Benefits and Workers' Compensation Files generally may contain information related to benefits enrollments; leaves of absence related documents, and workers' compensation claims, which are kept separate from Personnel Files.

Departmental personnel files maintained by individual area deans and directors shall contain only those records which are appropriate in conducting the business of that unit. Each dean or director shall be responsible for maintaining those files in a secure fashion, under lock and key. Upon termination of employment of an individual, all such departmental files on that individual, shall be sent to the Department of Human Resources.

2.4.1.1 Establishment and Maintenance

The Department of Human Resources shall be solely responsible for the establishment, maintenance and security of Personnel, Benefits and Workers' Compensation Case Files as defined, above.

Documents to be included in the Personnel, Benefits and/or Workers' Compensation Files shall be forwarded by individual departments to the Department of Human Resources.

All Personnel, Benefits and Workers' Compensation files shall be secured in locked files in the Department of Human Resources.

Personnel, Benefits and Workers' Compensation Files shall be retained by the University as required by law. An outdated file will be destroyed in such a manner as to protect the privacy of the former employee.

2.4.1.2 Personnel Records -- Confidentiality and Access

The official personnel file shall be maintained in confidence and will be available for confidential access as outlined in this section.

Except as stated in this section, no official or employee of the University may divulge to another person, any information contained in the personnel records of another University employee.

Employees may contact the Department of Human Resources to schedule an appointment to review the contents of their own personnel files. Employees are entitled to one photocopy of any document contained in their personnel files which bears the employees' signatures. Employees may, with the approval of the Vice President of Human Resources, enter a written document into their Personnel File in the case of dispute or clarification with any of the contents of his/her Personnel File. Employees may not remove, alter, augment, deface or eradicate any documents maintained in their personnel files.

Authorized Chapman University Administrative personnel who have a "need to know" may review the contents of the Personnel Files of employees assigned to their areas of responsibility, upon securing approval from the Vice President of Human Resources.

Supervisors may review the files of employees who work within their areas of authority upon securing approval from the Vice President of Human Resources.

For a valid reason, and with the approval of the Vice President of Human Resources, the employee may authorize in writing access to their file by a person not indicated above.

For the purpose of telephone verification of employment for financial or related reasons, Human Resources will supply only dates of employment and title of the employee in question. This information will be given only upon the written approval of the employee.

Upon the approval of the Vice President of Human Resources, the University may permit access to and copying from personnel files pursuant to subpoena, or lawful requests from a federal, state or local government agency when such request is relevant to investigations, hearings or other proceedings pending before such agencies or the courts.

University employees and officials may provide employment references for current or former Chapman Employees.

When providing employment references, Chapman employees/officials are to limit their comments to "job-related" information. This means that they are to comment only about the job responsibilities and qualifications of the current or former Chapman employee in relation to the job responsibilities and qualifications of the prospective employer. In no case may the Chapman employee or official divulge personal or non-job related information even if asked.

Mishandling of employment references may give rise to legal liability. Therefore, Chapman employees and officials who are asked to provide employment references should contact Human Resources for advice and assistance before providing such information.

2.4.2 Records Retention

2.4.2.1 Regulations

Retention of specific records will be as follows, as required by the laws governing the locations in which the University operates:

Fair Employment Practice Act/CA Labor Code Sect. 1420.4. All employment records and files such as applications, references, interview forms, interview notes and rejection notices for a period not less than two years. In the case of a verified complaint, all files and records must be maintained until final disposition of the charge.

CA Labor Code Sects. 1174 & 1353 - All payroll records showing hours worked daily and wages paid to employees, names and addresses of all employees employed for a period of not less than one year.

CA Labor Code Sect. 1197.5 - Records showing wages, wage rates, job classifications and other terms and conditions of employment for all employees for a period of not less than two years.

Unemployment Insurance Code - Employee's name, status, social security number, date of hire/rehire, date of termination, wages paid at termination, for a period of not less than four years after date of termination.

Industrial Welfare Commission Orders - Records to include employee's full name, home address, occupation, social security number, date of birth, timesheets, total wages paid each pay period, total hours worked each pay period, for a period of not less than three years.

Fair Labor Standards Act - All payroll records containing the following: name, home address date of birth, gender and occupation of every (non-exempt) employee. Time of day and day of week on which the employee's workweek begins and ends. Regularly hourly rate of pay for any week in which overtime is worked. Hours worked each workday and total hours worked each week. Total daily, or weekly straight time wages, total overtime computation for any workweek containing overtime, total additions to or deductions from wages, retroactive payment of wages, including the amount of such wages period covered and the date of payment. Such records must be maintained for a period of not less than two years.

Fair Labor Standards Act - For exempt employees, employee name, home address, date of birth, gender and occupation. Time of day and day of week that workweek begins and ends. Total wages paid each pay period, date of payment, and pay period covered by such payment. Such records must be maintained for a period of not less than three years.

Age Discrimination in Employment - All records which contain the employee's name, address, date of birth, occupation rate of pay, days worked, and compensation earned each week. All other personnel records which relate to hiring, promoting, or discharging employees, job descriptions, occupational qualifications, hiring and promotion policies, classified advertisements, job applications, and other matter pertinent to determination of whether an action is based on a factor other than age, including employee benefit records for a period of not less than one year following date of last action.

Occupational Safety and Health Act of California - Log and summary of occasional injuries and illness (OSHA 200) for a period of not less than five years.

South Coast Air Quality Mgt. District Rule 708.4(g) - A written record of actions taken for a predicted second or third stage episode, containing the time of day episode message was received, actions taken to notify employees including the time of day such action was taken, measures taken on the day of the predicted episode to determine the effectiveness of the plan, and the estimated reduction of vehicle miles traveled, and actions to be taken to improve effectiveness of plan, for a period of one year following each episode.

Equal Pay Act - Any records which explain or relate to payment of wages, rates of pay, performance evaluations, job descriptions, merit systems, or other matters which describe or explain the basis of any differential to employees of the opposite sex. These must be maintained for a period of not less than two years following the date of the personnel action.

Occupational Health and Safety Act 1970 (29CFR Part 1910 - Employee Exposure and Medical Records) - Records of employee exposure to toxic substances or harmful physical agents. Results of environmental monitoring (including personnel, area, grab, wipe or other forms of sampling) Material Data Safety Sheets or any other record which reveals the identity of a toxic substance or harmful physical agent. Employee medical records pertaining to work related illness, injury or medical complaint. All such records are to be maintained for a period of not less than thirty years.

The above obligations are likewise incumbent upon the Office of the Provost and the Vice Provost for Life-long Learning, who shall authorize their staffs to follow these regulations as policy of the University, the laws of the State of California, and Federal statutes in respect to Faculty personnel files under their care.

2.5 [Employee Assistance Program](#) – Found on the [HR website](#)

2.6 Performance Appraisal

2.6.1 Purpose, Application and General Provisions

This procedure establishes a process for appraising the performance of staff and administrators at Chapman University. Performance Appraisals have the following objectives:

- 1) Encourage continuing supervisor-employee communications about job-related and professional matters. Forms of communication include coaching, counseling, training and feedback on job performance.
- 2) Provide a means whereby the supervisor and employee may establish workplace goals and objectives.
- 3) Provide guidance for employees on professional and job development.
- 4) Provide a means for supervisors to recommend employees' salary increases based on merit and job accomplishments.

This procedure applies to staff and administrative employees who have achieved "regular employment status" and who occupy positions other than "temporary. Refer to Section 2.3.2 for employees who are in the Introductory Period of Employment.

Performance appraisals shall be conducted using appraisal instruments approved by the University.

All supervisors and employees are required to participate in the appraisal process at least annually. Salary merit increases may occur only after the completion of the performance appraisal process.

Under certain circumstances performance appraisals may be withheld for an employee who will be leaving the University near the effective date

of the performance appraisal. The supervisor should discuss the situation with the Human Resources Department.

The annual performance appraisal cycle, as described below, normally begins each September and ends each August. An alternate cycle may be approved by the Human Resources Department at the request of the appropriate Vice President or Dean. A supervisor may conduct a single performance appraisal whenever such appraisal would foster communications.

2.6.2 Responsibilities

Deans and Directors:

- 1) Insure that supervisors provide a performance appraisal at least annually to staff and administrative employees under their supervision, in accordance with guidelines and procedures specified herein.
- 2) Insure that supervisors are trained properly in performance appraisal techniques, including goal-setting, participatory management, coaching and counseling.

The Human Resources Department:

- 1) Provides guidance and training for supervisors, especially in the methods of employee motivation, team building, conflict resolution and coaching/counseling. Training also will be provided on the use of the University's performance appraisal instruments.
- 2) Coordinates the administration of the performance appraisal program.

Vice Presidents and Deans

- 1) Insures that these procedures are followed in all departments and schools, and that each employee receives a performance appraisal at least annually.

2.6.3 Procedures

2.6.3.1 Setting employee goals, objectives and standards

- 1) At the beginning of the appraisal cycle, supervisor and employee meet to discuss and establish employee goals, objectives and standards.
- 2) Employee goals, objectives and standards are to be based on the supervisor's expectations and by the duties and responsibilities outlined in the employee's position description.
- 3) In order to be useful as management and developmental tools, the goals, objectives and standards should be measurable and

reasonable.

- 4) At least one goal or objective should be "developmental," that is, prescribe a course of instruction, workshop, conference or similar event, where the employee may obtain knowledge or skills directly related to the "task"-oriented goals and objectives.

2.6.3.2 Participating in periodic employee coaching and counseling sessions

- 1) After the initial setting of goals and objectives at the beginning of the appraisal period, the supervisor and employee meet periodically (e.g., weekly, bi-weekly, monthly) throughout the appraisal period to review progress and discuss problems which the employee may be having in achieving the goals, objectives and standards.
- 2) At these sessions the supervisor, with input from the employee, also may re-establish the goals, objectives and standards if changing job conditions, workloads or other circumstances so warrant.

2.6.3.3 Conducting the Performance Appraisal

- 1) At the end of the appraisal period, the supervisor will ask the employee to complete the employee's self-appraisal portions of the appraisal form. The supervisor in turn will complete the supervisor's portions of the form.
- 2) Supervisor and employee then will meet to review and discuss the appraisals, the respective "ratings", the employee's accomplishments and any problems the employee has experienced in achieving the goals and objectives established at the beginning of the appraisal period.
- 3) The supervisor will coach or counsel the employee on performance enhancement or improvement techniques, especially if performance problems have occurred during the reporting period. Several meetings may be needed to reach mutual understanding and, if possible, agreement.
- 4) The supervisor and employee will re-initiate the appraisal cycle by mutually discussing goals, objectives and standards for the coming year.
- 5) The supervisor and employee then will sign the appraisal form. The supervisor will provide the employee with a copy of the form and forward the original to the Vice Presidents or Dean as appropriate. Both the employee's and supervisor's ratings and comments must be forwarded.
- 6) The Vice President or Dean will forward the performance appraisal form to the Human Resources Department where it will

be filed in the employee's personnel records.

2.6.3.4 Use of the Performance Appraisal In Awarding Merit Pay Increases

- 1) If funds are made available for merit increases, the supervisor's performance appraisal (ratings and comments) will be used to determine merit increases (i.e., determine whether or not merit pay increases are justified and if so, the amount of the increase).
- 2) Merit increases generally are effective on January 1 of the years in which funds are made available. Employees who are hired or receive a pay increase on or after the September 1 date that immediately precedes a January 1 merit date, will not be eligible to receive a merit pay increase on that January 1 date.
- 3) Rules and guidelines for applying the appraisal ratings to the merit increase will be approved annually by the Vice President of Human Resources and issued by the Human Resources Department.

2.7 Employee Duties and Responsibilities

2.7.1 General

Each employee is required to perform the duties and responsibilities of his/her position in a professionally competent and skillful manner, observe and abide by the policies, regulations and procedures of the University as delineated in this handbook and undertake to conduct all authorized activities of the University in accordance with the highest ethical standards.

2.7.2 Other Duties

Each employee is required to perform such other duties as may be assigned by his/her supervisor from time to time.

Employees are subject to reassignment of duties by the President or his designee on a temporary or permanent basis as the President or his designee determines to be in the best interests of the University.

2.7.3 Safety

2.7.3.1 General

It is the policy of Chapman University to achieve the greatest practical degree of freedom from accidents and to ensure that every employee is provided safe and healthful working conditions, free from recognized hazards.

A Safety Program has been instituted which will aid in providing a safe, healthful and pleasant workplace.

Safety hazards should be reported immediately to Campus Safety and/or Facilities Management for correction. State law provides criminal penalties for the failure of responsible managerial officials of the University properly to report any known serious concealed dangers associated with any workplace or University facility managed by such officials.

A Safety Committee has been established to address matters of concern to employees regarding a safe work environment.

All work related injuries or illness must be reported immediately to the Department of Human Resources by the employee's immediate supervisor.

2.7.3.2 Workplace and Campus Community Violence Prevention Program

2.7.3.2.1 Overview

Workplace violence has become a national issue and has increased in frequency with a resulting cost in lives, psychological trauma and employer liability. The annual cost of workplace violence is estimated nationally at over 4.2 billion dollars. Workplace violence represents a challenge to employers and their supervisors who have a responsibility to respond to and manage these incidents proactively. Workplace violence has been addressed in California by the Cal OSHA Injury and Illness Prevention Programs (IIPP) and the California Workplace Violence Safety Act. Violence may be perpetrated by a student, faculty or staff member at Chapman; by an acquaintance or relative; by a recipient of services offered by Chapman or by a person who randomly enters the campus.

2.7.3.2.2 Statement of Policy

Chapman University is committed to provide for the safety and welfare of all members of the campus community -- faculty, staff, administrators and students. Chapman prides itself on having a close-knit community of students, faculty and staff who support one another. However, no institution is immune from the effects of violence and, in our academic setting, this includes the potential for violence in classrooms, offices, residence halls and elsewhere on University grounds.

The Student Code of Conduct, Sections III and IV

establishes standards and review procedures for physical and verbal abuse, threats, intimidation, harassment and conduct that threatens or endangers the health or safety of any person.

This policy on Violence in the Workplace, Classroom and Residence Halls is not intended to alarm people. The intent rather is to initiate proactive steps to help insure the safety and well-being of members of our campus community. Acts of violence frequently are neither random nor unpredictable. Therefore a proactive program of awareness and planning will help insure that members of the Chapman community are protected from the effects of this serious national phenomenon.

2.7.3.2.3 Zero Tolerance Policy At Chapman University any threats or acts of workplace, classroom or residence halls violence will be taken seriously and dealt with quickly and directly. Threats or acts of violence include, but are not limited to:

- threats or statements about "getting even" with, or "harming" employees, supervisors or others (even if made in jest);
- threats or statements about committing violent acts (even if made in jest);
- possessing or having control of any firearm, deadly weapon or prohibited knife, as legally defined, including BB, pellet guns, paint guns, facsimile of a gun or any counterfeit item, switch blades, bows and arrows, explosive devices, martial arts weapons, fireworks, all other weapons listed in the California penal code section 12020, and/or other weapons considered dangerous is strictly prohibited while on the property of the University, except as required in the lawful course of business or duty as authorized by the Director of Campus Safety;
- intimidating another person at Chapman (defined as an intentional act that threatens bodily harm to another person or damage to the property of another);
- committing any act of violence (defined as an intentional act that causes bodily harm, however slight, to another person or damage to the property of another).

- any faculty member, staff member or student who engages in any of the above behavior or acts will be subject to immediate disciplinary action up to and including termination from employment or student expulsion. In addition, such persons are subject to immediate banishment from the campus. This includes the means whereby the University or individuals may obtain a temporary restraining order, as authorized by the Workplace Violence Safety Act of 1994.

2.7.3.2.4 Responsibilities

Each student, faculty member and staff member is responsible for helping to create an environment of mutual support and an environment where each person is afforded respect, dignity and freedom from threats, intimidation and personal safety.

Students, faculty members and staff members are responsible for reporting threats or acts of violence to their supervisors or to a member of the Violence Prevention Task Force as outlined in this policy.

Deans, directors, and supervisors are responsible for making efforts to create a workplace environment where each person

- is afforded respect, dignity and freedom from threats, intimidation and personal safety;
- clearly understands performance expectations and receives both positive and negative feedback when warranted;
- notifies their superiors or a member of the Violence Prevention Task Force about any violent comments or behaviors or that could potentially lead to violence.

The Human Resources Department, Office of the Provost and the Dean of Students are responsible for

- administering the Workplace And Classroom Violence Prevention Programs for staff, faculty and students respectively;
- providing awareness and procedural information and training;
- insuring that this information is imparted to all

newly hired faculty and staff, and to all incoming students.

The Chapman University Workplace and Classroom Violence Task Force plans and administers this program and functions as the crisis group that will react to reported instances of potential or actual workplace violence. This task force is appointed by the President of the University and is made up of students, faculty, staff and representatives from Chapman's Life Assistance Program (LAP). The names and telephone numbers of members of this group will be distributed widely to all members of the campus community and posted in public places throughout campus.

2.7.3.2.5 Procedures - This section outlines the procedures to be followed by a faculty member, staff member or student who encounters any actual or potential act of violence.

Any faculty member, staff member or student who encounters or learns about what (s)he believes is a potential act of violence, immediately will report the incident to one of the following officials or offices (If the person encounters an actual act of violence in progress, he/she should contact the Public Safety Office and/or the local police (911), directly and immediately):

<u>Name</u>	<u>Telephone Number</u>
Public Safety Office	714-997-6763
Dean of Students	714-997-6721
Director of Student Psychological Counseling;	714-997-6778
Equal Opportunity and Diversity Officer	714-997-6847
Office of Human Resources	714-997-6686
Office of the Provost	714-997-6826
Emergency	911

The Chapman official to whom the alleged incident is reported first will contact the Public Safety Office. The Public Safety Office will initiate any immediate action required to avert or deal with a crisis.

The Public Safety official to whom the alleged incident is reported then will convene the Chapman University

Workplace and Classroom Violence Task Force immediately. The alleged perpetrator's academic dean or supervisor will be in attendance at the task force meeting.

If the alleged perpetrator is a Chapman faculty or staff member

The Chapman University Workplace and Classroom Violence Task Force will direct an immediate investigation of the alleged incident, involving the academic dean or supervisor of the alleged perpetrator. A task force representative will communicate regularly with the person(s) who reported the alleged behavior as to the status of the investigation. The task force also will inform the President of the University and the appropriate vice president (or equivalent) of the allegation and status of the investigation.

Upon completion of the investigation of the alleged incident a task force representative will inform the appropriate vice president (or equivalent) of the results of the investigation with recommendations of action to be taken, if any. Remedial or corrective action, if indicated, will be in accordance with the Faculty Manual or the Staff and Administrative Handbook as appropriate.

If the alleged perpetrator is a Chapman student, the matter will be referred to the Dean of Students where the matter will be dealt with in accordance with the Student Conduct Code -- Article IV: Elements of the Conduct Policy. Any remedial or corrective action taken will be reported back to the Workplace and Classroom Violence Task Force.

The Chapman University LAP will provide counseling and related services should such services be indicated at the conclusion of the incident or investigation.

2.7.4 Break and Meal Periods for Staff Employees

2.7.4.1 General

The purpose of this section to clarify when meal and break periods are required, and under what circumstances they must be included as paid time.

2.7.4.2 Break Periods

Employees working a shift of less than three and one-half hours are not entitled to paid breaks. Other employees are entitled to take one paid break of fifteen minutes for each four hour time period in which they work more than half that time.

3.5 through 6 hours worked	1 fifteen minute break
7 through 11 hours worked	2 fifteen minute breaks
12 through 16 hours worked	3 fifteen minute breaks

Employees are expected to utilize their break period at approximately half-way through each four hour shift.

Break periods may not be combined with, or be used in lieu of, unpaid meal periods.

Break periods may not be used to offset an employee's late arrival to, or early departure from, work.

Employees do not receive additional compensation for missed breaks. Employees should be discouraged from missing their break periods.

2.7.4.3 Meal Periods for Staff Employees

Meal periods are required for all employees working five or more hours per day, except that employees scheduled work six hours or less per day may waive the meal period by mutual consent of the employee and the University.

Meal periods are generally of a one hour duration, and are never less than thirty minutes duration.

Employees who normally work in excess of six hours per day must take a meal period before they have worked more than five hours into their regular shift.

Employees must be entirely relieved from all duty while on their meal breaks. Any portion of a meal period in which the employee is working is paid as time worked. If the employee has less than thirty minutes of uninterrupted time for a meal, then the entire meal period is paid as time worked.

Employees may not "skip" a meal in order to arrive late or leave the workplace early without lost wages. No employee may be scheduled to work more than six hours without a regular meal period. Meal periods may not be combined with break periods.

Employees are discouraged from taking meal breaks at their work

area, unless no alternative area is available.

Time allotted for meal periods is generally not paid as time worked, except as noted above.

Meal periods must be noted on Staff employees time sheets.

2.7.5 Tardiness and Absenteeism

2.7.5.1 General

Regular attendance and punctuality are expected of all employees.

2.7.5.2 Tardiness

Employees are expected to commence and end their work on schedule. Accordingly, arriving late or leaving early in connection with scheduled work hours, meal or break periods, is impermissible.

Repeated incidents of tardiness or leaving work early may result in disciplinary action, including possible discharge. (See section 2.8)

2.7.5.3 Absenteeism

On occasion, employees may have a reason to be away from work. On these occasions, employees must contact their department or unit as early as possible on the first day, and each day absent thereafter, unless a formal leave of absence is granted by the department or unit head.

Employees must indicate the reason for their absence and the probable duration of the absence.

Excessive absenteeism may result in disciplinary action, including possible discharge. (See Section 2.8)

Excessive instances of tardiness or absenteeism occur when such events occur to a degree too great to be acceptable or reasonable with the work unit. Absences or tardiness are excessive, for example, when they result in additional workload for others, or work falls behind to an unacceptable degree.

The definition of "excessive" rests with individual chairs, unit or department managers, directors and supervisors.

When the University grants time off for an approved leave of absence, there is never a guarantee that the employee's position will be held open until such time as the employee returns to work, unless specified otherwise by law.

Any employee who is absent for five or more days due to illness or injury will be placed on a medical leave of absence (section 2.13.3)

An employee who is absent for three or more consecutive days without contacting his/her department in the correct manner will be considered to have voluntarily abandoned his/her employment at Chapman University unless a reasonable excuse is documented and offered to and accepted by the University.

2.7.6 Attendance Records

2.7.6.1 Purpose

The purpose of this section is to outline the responsibility of every employee for keeping accurate attendance and payroll records.

2.7.6.2 Policy

All Staff employees must complete a electronic timesheet on a daily basis, noting actual time in and out for both work and meal periods. Holidays, vacation, sick time, personal days and other compensable time not worked shall be noted as such on the timesheet.

For Staff employees, hours reported on timesheets must reflect actual hours worked. They shall not be "adjusted" to accommodate early or late arrival or departure from work, or manipulated to accommodate compensatory time off ("comp-time"). Accurate recordation of time worked and compensable time not worked is an essential job requirement for all Staff employees.

In addition, all Staff employees are required to report any use of sick, vacation, bereavement, jury duty, and other time not worked on the timesheet.

Administrators are required to complete time records to indicate their use of vacation, sick time, bereavement, jury duty and other compensable time not worked.

Staff employees working nights are advised that the workday begins at 12:01 a.m. and ends the following midnight. Those employees reporting to work for a midnight shift must sign in and out on the day the shift ends. For example, if an employee reports to work at 11:59 p.m., Friday night, and works until 8:30 a.m., Saturday morning, the employee must sign in and out for hours worked as the first shift of Saturday, not the last shift of Friday.

2.8 Separation

2.8.1. Resignation of Employment

2.8.1.1 A Resignation is a Courtesy Extended from an Employee to the University.

In the case of a resignation, a signed letter of resignation is expected. The letter must state the reason for resignation and last day to be worked. This letter must be attached to an E.R.C.R. and forwarded immediately to the Department of Human Resources by the appropriate department head.

2.8.1.2 Policy

Staff employees are requested to provide the University with at least two weeks' advance notice of their intent to leave their jobs at Chapman University. Such notice is accepted only in writing.

Administrators are requested to supply the University with at least thirty days' advance notice of their intent to leave their jobs at the University. Such notice will be accepted only in writing and must indicate last day to be worked and the reason for resignation.

In addition, the University is not obliged to honor resignation notices given inappropriately far in advance, or to honor otherwise reasonable resignation notices if a resigning employee fails to carry out his/her work responsibilities in a professional manner during the notice period.

2.8.2 Retirement Age

2.8.2.1 General

In accordance with Federal and State law, and except in certain limited circumstances, there is no mandatory retirement age for Staff and Administrators. Generally, most employees in the past have chosen to retire at or around the age of 65. If an employee is nearing his/her own personal date for retirement, the University will appreciate being notified of the employee's plans so that succession or replacement issues can be addressed.

2.8.3 Layoffs

2.8.3.1 Policy

In the event of a workforce reduction, Chapman University will consider demonstrated work performance and abilities, the

University's need for particular positions, and any other relevant factors, as well as length of employment, to determine order of lay-off.

2.8.4 Credit for Prior Service following Rehire of Staff or Administrative Personnel

2.8.4.1 General

The purpose of this section is to define the conditions under which an employee may be credited with past service following termination and subsequent rehire. An adjustment of the hire date is necessary to accrue benefits accurately based on actual time worked rather than original date of hire.

2.8.4.2 Policy

Employees will be credited with prior service provided the elapsed time between termination and date of rehire does not exceed 365 days, and the previous employment period was in excess of 180 days' duration.

Credit for prior service in such circumstances is implemented by advancing the previous hire date by the number of days equal to those in the break of service.

2.9 Progressive Discipline

2.9.1 Purpose and Application

This procedure applies to staff and administrative employees who occupy positions other than "temporary" and have achieved regular employment status. Refer to Section 2.3.2 for employees who are in the Introductory Period of Employment. Refer to paragraph D.3. below in this policy, for employees in temporary positions.

The progressive discipline procedure provides guidelines for effecting corrective action when, in the judgment of the dean or director and supervisor, an employee displays substandard performance and/or behavior problems. Guidelines are provided for the imposition of corrective action for performance and/or behavior transgressions.

The purposes of progressive discipline are to:

- 1) Promote positive employee relations by encouraging communication between supervisor and employee where the employee's performance or behavior is considered unsatisfactory.
- 2) Provide information which enables the employee to make a self-directed decision regarding his or her employment.

- 3) Provide the employee with advance knowledge of the corrective action which may result from unsatisfactory work performance and/or behavior.

2.9.2 Investigatory Suspension

The supervisor may, under some circumstances, remove the employee from the workplace and place the employee on a paid or unpaid leave of absence during a period of review or investigation. Approval of the dean or director and the Human Resources Director (or their designees) is required prior to placing an employee on a paid or unpaid investigatory suspension.

2.9.3 Authority and Responsibility

Before formal corrective action is taken, the dean or director (or their designees) and supervisor shall discuss the matter with a Human Resources staff member. However, it is recognized that certain exceptional situations may require immediate corrective action (for example, where the safety of employees or University resources is an issue). In these situations the dean or director shall discuss the matter with Human Resources as soon as possible after the corrective action is taken.

Deans or directors (or their designees) and supervisors shall consult with Human Resources staff in the early stages of performance or behavior problems. Human Resources will provide guidance in resolving performance, behavior and/or communications problems, and in determining what discipline is appropriate to the situation at hand.

2.9.4 Steps and Procedures

The following actions, shown in order of severity, may be taken:

- 1) Counseling the employee on job standards and expectations (pre-discipline);
- 2) Verbal warning;
- 3) Written warning;
- 4) Disciplinary probation;
- 5) Disciplinary demotion;
- 6) Suspension without pay;
- 7) Termination.

Discipline ideally begins with less severe and, if not resolved, progresses to more severe actions. However, the University may initiate any of the above disciplinary actions in any order if, in its opinion, circumstances so warrant. Nothing in this policy shall be construed to limit the right of the University to terminate employment without cause and without advance warning.

2.9.5 Termination of Employment for Substandard Performance or Behavior.

The purpose of this section is to address the circumstances which may result in termination of employment of any employee classified as Staff or Administrator.

All employees, including employees in their Introductory Period of Employment and employees who occupy temporary positions, are expected to meet acceptable standards of performance. Failure to meet such standards may result in termination of employment. The following is a partial list of infractions or performance problems which may result in disciplinary action up to and including termination. It is impossible to identify every situation or condition which may result in termination of employment. Therefore, this list is for illustrative purposes only.

- 1) Falsification of credentials or experience in securing employment.
- 2) Professional misconduct or dishonesty.
- 3) Harassing, threatening, intimidating or coercing any co-worker or student.
- 4) Absence without proper notification or authorization.
- 5) Any actions which endanger the health or well-being of co-workers or students, or any other actions which represent serious deviations from generally accepted norms of employee behavior.
- 6) Substance abuse or related practices.
- 7) A pattern of neglect or refusal of reasonable and normal job-related obligations.
- 8) Mishandling, misappropriation or unauthorized removal or possession of the funds and/or property of the University.
- 9) Other reasons may be specifically noted in this Handbook.

Employees (other than temporary employees and employees in their introductory periods of employment) who feel that a termination for any of the above reasons from the University has been unwarranted may avail themselves of the Grievance Procedure in Section 2.14.

Temporary employees have a brief and transitory employment relationship with the University. Therefore, employees who occupy temporary positions are terminated if and when the University determines that their performance or behavior is not adequate or that their services no longer are needed, so long as termination does not violate federal or state laws.

2.9.6 Statement of At-Will Employment

This policy is not intended to and does not alter the University's at-will employment relationship with its employees. Employment at Chapman University is for no specified term and is subject to the mutual consent of the

University and the employee. Either party may terminate the employment relationship at will, at any time, with or without cause. The above steps shall not limit the University's right to terminate an employee at any time. Further, the University in its sole discretion, reserves the right to impose whatever disciplinary sanction it deems appropriate at any time or in any sequence.

2.10 Copyright Law Compliance - See the [Institutional Policies](#) webpage for the current policy

2.11 General University Policies and Regulations

2.11.1 Closure

The Board of Trustees or the President of the University, or persons acting under their authority, may close the University due to circumstances beyond the University's control which impair its ability to continue normal operations. Such circumstances may include, but are not limited to, inclement weather, natural disaster, labor disputes, national emergencies, or other forces or circumstances beyond the University's control. During such periods of closure, the employee shall be considered to be on unpaid leave of absence unless requested by a Vice President to perform duties on behalf of the University.

Announcement of the closure of the University shall be disseminated by means of local radio stations. During such occurrences, the employees are requested to monitor the sections for information. Employees who report to work during periods of closure shall not be compensated for "show-up" time or for the performance of any compensable activities, unless requested to do so by a Vice President.

2.11.2 Hazardous Materials See the [Environmental Health and Safety](#) website

2.11.3 Human Subject and Animal Research See the [IRB](#) and [IACUC](#) webpages.

2.11.4 External Communication Channels see the [Press and Media Policies](#) webpage

2.11.5 Fund-raising Policy

While the University encourages employee fund-raising on its behalf, proper coordination and approval is necessary to avoid conflicts and confusion.

Therefore, all fund-raising activities conducted on behalf of or in the name of the University by any employee shall be subject to the coordination of the Vice President for University Relations. Grants, or gifts may not be accepted on behalf of the University unless approved by the Vice President for University Relations.

Employees may not solicit funds on behalf of any organization, other than an approved University organization, on University property unless prior approval is received from the President's Office. Employees may not sell, or solicit the

sale of, products on University property or on work time other than University approved products, the same of which is part of the employee's job duties or responsibilities.

It is unlawful for anyone to appropriate to his/her own use or the use of another the University name, logo, seal, emblem, or any other trademarks or service marks of the University without the written permission of the President.

2.11.5.1 General

The purpose of the section is to avoid overlapping campaigns, and disappointments in solicitations and to enable professional staff to assist groups in producing the most effective fund raising printed materials.

2.11.5.2 Policy

All fund raising plans, programs, printed material, prospect lists, etc., that are proposed by any Chapman University affiliated group or organization, whether on or off campus, shall be cleared with the Vice President for University Relations prior to final preparation of such material or finalization of plans.

Rough drafts of all solicitation material shall be reviewed with the Vice President for University Relations, or his designee, prior to production.

All prospect lists and special mailing lists, including lists of prospective advertisers for publications, shall be reviewed and cleared with the University Relations Office in advance of any campaign activity.

The President of the University, upon recommendation of University Relations, shall determine final disposition of fund raising plans.

2.11.5.3 Assistance

To assist all groups in planning and coordinating their fund raising plans, a general fund raising planning meeting for all groups shall be held by the Vice President for University Relations early in each semester. All groups shall be notified in advance regarding time and place of the meeting.

2.11.5.4 Gift Recording

General

The purpose of this section is to insure that private donors to Chapman University receive proper recognition for their support through appropriate acknowledgment; that the tax deductibility of their gift is safeguarded; and that the possibility for overlapping solicitation is avoided.

2.11.5.5 Policy

All gifts to Chapman University from private sector donors are to be channeled through the Gift Recording Section of the University Relations Office as soon as received.

The Gift Recording Section will take appropriate steps in acknowledging gifts, assigning them to proper accounts, and sending the gift instrument to the Business Office for deposit.

2.11.6 Sale of Employee Created Materials to University Students

Faculty and staff members often create materials in which they hold commercial interests and which might be used in courses or programs which the faculty or staff member is teaching or administering for the University. It is the policy of the University that faculty or staff members may require students to purchase materials in which the faculty or staff member holds a commercial interest for courses taught or programs administered by that faculty or staff member. In this situation, however, the faculty or staff member shall assign all income rights for all the materials sold to the University. Any income thus received shall be placed in a special fund which shall then be made available by application to faculty and staff members in order to promote research, publication, or other creative efforts.

2.11.6.1 Solicitation and Distribution

In order to avoid disruption of University operations, the following rules shall apply to solicitations and distribution of literature on University property (other than in connection with classroom teaching functions and University approved fund raising activities, as covered in Section (2.11.5):

- a) Non-employees. Persons who are not employed by the University may not solicit or distribute literature on University property at any time for any purpose.

- b) Employees of the University. Employees of the University may not solicit during working time for any purpose. Working time is defined in paragraph C below.
 - 1. Employees may not distribute literature during working time for any purpose.
 - 2. Employees may not distribute literature at any time for any purpose in working areas.
- c) Working Time. Working time includes the working time of either the employee doing the soliciting or distributing or the employee to whom the soliciting or distributing is being directed. Working time does not include break periods, meal periods, or any other specified periods during the work day when employees are properly not engaged in performing their work tasks.

2.11.7 Conflict of Interest

A University employee shall disclose to his/her immediate supervisor all facts and circumstances related to any University transactions, activities, contracts or other dealings in which they are involved or may become involved on behalf of the University which might directly or indirectly involve them in a duality or conflict of interest. Such disclosure shall be made in writing as soon as is reasonable after the conflict or potential conflict comes to the knowledge of the employee. A duality or conflict of interest shall be deemed to exist at any time when an interest held by the employee, or a personal, family, or business relationship maintained by the employee, prohibits or inhibits, or potentially prohibits or inhibits, the employee from exercising independent judgment in the best interests of the University. A duality or conflict of interest also shall exist whenever an employee is a director, president, general manager, or similar executive officer or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in a transaction with the University. (see section 2.11.10.4)

The immediate supervisor to whom a report of a duality or conflict of interest or potential duality or conflict of interest is given shall directly report the matter to the jurisdictional Vice President who shall have the authority to impose the interest of the University in the situation, subject to the superintendence and preemption by the President and the Board of Trustees. Should the President or Board choose to act in the matter.

No employee may perform two jobs for the University (i.e., administrator without faculty rank, teaching part-time) without the written consent of his/her

supervisor. This consent can appear in the form of the supervisor's signature on an E.R.C.R. which outlines the scope of the additional duties.

2.11.8 Alcohol and Substance Abuse Policy

2.11.8.1 Purpose

a) The Drug-Free Schools and Communities Act

The Drug-Free Schools and Communities Act Amendments of 1989 (20 USC 1145g) require that institutions of higher education certify that they have adopted and implemented a drug and alcohol prevention program as a condition of receiving funding under any federal program. The Secretary of Education has, as required by the Amendments issued regulations to enforce the law. These regulations, known as the "Drug Free Schools and Campuses," may be found in 34 CFR 86. Under the Drug-Free Schools regulations certification generally is required only once.

The basic requirements of the Amendments can be found at 20 USC 1145g and in the regulations at section 86.100. The regulations state that the prevention program of Institutions of Higher Education (**IHE**) must at a minimum include:

- 1) The annual distribution in writing of the following information to each employee, and to each student who is taking one or more classes for any type of academic credit, except for continuing education units, regardless of the length of the student's program of study;
 - a) Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
 - b) A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol.
 - c) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
 - d) A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students.
 - e) A clear statement that the **IHE** will impose disciplinary sanctions on students and employees (consistent with

local, State, and Federal law; and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph 1.a. of this section.) A disciplinary sanction may include the completion of an appropriate rehabilitation program.

- 2) A biennial review by the **IHE** of its program to determine its effectiveness and implement changes to the program if they are needed.
- 3) Assurance that the disciplinary sanctions are consistently enforced (55 Fed. Reg. 33582).

b) The Drug -Free Workplace Act of 1988

The Drug-Free Workplace Act of 1988 requires recipients of federal contracts or grants to certify that they will maintain a drug-free workplace by: 1) publishing an anti-drug policy statement; (2) providing workers with a copy of the statement; (3) establishing an employee drug awareness and education program; (4) stipulating that, as a condition of employment, workers must abide by the anti-drug policy and report any criminal convictions for drug-related activity in the workplace; (5) notifying the appropriate federal agency of employee conviction; (6) taking appropriate personnel actions against workplace substance abusers; and (7) making a 'good faith' effort to comply with the Act's requirements. The certification mandated in the Drug-Free Workplace Act must be submitted with each application for a grant or contract.

2.11.8.2 Statement of Philosophy

In keeping with its institutional mission, Chapman University seeks to provide an environment which is conducive to the pursuit and acquisition of knowledge and which fosters the social, cultural and intellectual growth of students. Responsibility for the preservation of a quality academic environment rests with faculty, staff, and students alike. Chapman University is committed to teaching responsible, mature decision making and concern for self and others rooted in solid values and in a life-preparatory philosophy. This Alcohol and Substance Abuse Policy is imbued with these philosophies.

Chapman University seeks to fulfill this commitment first and foremost through educational means relying heavily on positive staff

and faculty role modeling, the formation and use of a peer education network and curriculum infusion whenever possible. Factual information and knowledge regarding alcohol and drugs, skills and strategies for achieving and maintaining healthy behaviors, creation of a cooperative and consistent campus peer environment and compliance with all local federal regulations are components of this educational agenda. Illegal and abusive use of alcohol and other drugs by any member of the campus community constitutes an untenable threat to the community and signals a need for intervention on the part of the University. There are a number of individuals and offices that can provide confidential information and consultation regarding alcohol and drug issues. These include Student Psychological Counseling Services, Student Health Services, and the Director of Peer and Health Education. In addition, the Dean of Students, Director of Student Activities and Organizations, the University Chaplain, Director of Human Resources, and/or an alcohol and substance abuse peer educator can be contacted for assistance.

2.11.8.3 Federal, State and Local Laws Regarding Drug and Alcohol

It is the University's belief that all disciplinary sanctions should assist in education and provide the opportunity for personal growth; to that end, counseling and referral for individual assessment may be included as a condition of any sanction. However, the University is required to adhere to all laws applicable to the dissemination and use of drugs and alcohol. In compliance with the Drug Free Schools and Communities Amendments Act and Drug-Free Workplace Act, the following summarizes the principal laws applicable to Chapman University. Complete copies of these laws and advice regarding their application are available from the Office of Student Activities and Organizations.

a) Laws Regarding Drug Use

The Federal Controlled Substances Act provides penalties of up to 15 years imprisonment and fines up to \$25,000 for unlawful distribution or possession with intent to distribute narcotics. for unlawful possession of a controlled substance, a person is subject to up to one year of imprisonment and fines up to \$5,000. Any person who unlawfully distributes a controlled substance to a person under twenty-one years of age may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

Criminal Sanctions under California Law for the unlawful possession or distribution of illicit drugs and alcohol include the following:

- 1) Imprisonment in State prison for possession of specified controlled substances, including opium derivatives and cocaine (Health and Safety Code Section 11350).
- 2) Imprisonment in State prison for two to four years for possession or sale of specified controlled substances including opium derivatives and cocaine (Health and Safety Code Section 11351).
- 3) Imprisonment in state prison for three to five years for possession for sale of cocaine base (Health and Safety Code Section 11351.1).
- 4) Fine not exceeding \$50,000 for possession for sale of heroin (Health and Safety Code Section 11352.2).
- 5) Fine of not more than \$100 for possession of less than 28.5 grams of marijuana; imprisonment in county jail and/or fine of not more than \$500, or imprisonment in State prison for possession of concentrated cannabis (Health and Safety Code Section 11357).
- 6) Imprisonment in State prison for possession for sale of marijuana (Health and Safety Code Section 11359).

b) Laws Regarding Alcohol Use

Chapman University has established an alcohol use policy based on the tenet that those serving and drinking alcohol will do so responsibly, with concern for others around them, and with an understanding of the social, personal and legal issues involved.

It is the responsibility of the persons or organization requesting an alcohol permit (see Chapman University Alcohol Permit) to be familiar with and abide by all laws regarding the sale and use of alcoholic beverages. The following is a summary of the more important laws that directly relate to the University's Alcohol Policy:

1) Minors

Definitions: The State of California requires that individuals be twenty-one (21) years of age to purchase alcoholic beverages or to consume it in any on-sale premises (Business and Profession Code §256658 (b)). Minors who use any form of false identification in order to obtain alcoholic beverages are guilty of a misdemeanor and subject to at least a \$200.00 fine (Business and Professional Code §25661). It is also unlawful to provide a minor with a false identification for any purpose (Business and Professional Code §25660.5).

Additionally:

- a) It is a misdemeanor for anyone to sell, furnish, or give or cause to sell, furnish, or give any alcoholic beverage to a minor (Business and Professional Code §25658(a)).
- b) It is a prohibited to advertise alcoholic beverage in such a way as to encourage minors to drink (Business and Professional Code §25664).
- c) It is a misdemeanor for a minor to have any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public (Business and Professional Code §25662(a)).
- d) Any minor who purchases any alcoholic beverage, or any minor who consumes any alcoholic beverage, or any minor who consumes any alcohol beverage in any on-sale premises, is guilty of a misdemeanor and shall be punished by a fine of not less than \$200.00, no part of which shall be suspended (Business and Professional Code §25658(b)).
- e) Minors attempting to purchase alcoholic beverages will be fines \$100.00 for the first offense and \$250.00 for a second or subsequent offense. Violators may also be required to perform 36 hours of community service (Business and Professional Code §25658.5).
- f) No minor shall knowingly drive any motor vehicle carrying any alcoholic beverage, unless the minor is accompanied by a parent or legal guardian (Business and Professional Code §23224(a)).

- g) Peace officers who lawfully enter a premises may confiscate alcoholic beverages which are in plain view and possessed by or provided to minors at social gatherings. The gatherings must be open to the public, have 10 or more minors in attendance, with minors consuming alcoholic beverages and no supervision by the parent or guardian of one or more of the participants. Alcoholic beverages in open containers that are confiscated may be destroyed while those in unopened containers shall be impounded for not more than seven (7) working days after which they too may be destroyed. Unopened containers may be released within the seven (7) days to the owner or resident of the property provided they are 21 years of age (Business and Professional Code §25662(b)).
- h) Any person providing an alcoholic beverage to a minor will be contributing to the delinquency of a minor and guilty of a misdemeanor (Penal Code §272).

2) Possession of Alcohol in a Public Place

It is unlawful to be in possession of alcoholic beverages in a public place (Orange Municipal Code 9.16.050). A public place is defined as any location where all members of the public have unrestricted access. This includes, but is not limited to, outside walkways within the University Campus and walkways and balconies within the Residence Halls and apartments.

3) Intoxicated Person

Definition: The use of intoxicating liquor by the average person in such quantity as to produce intoxication causes many commonly known outward manifestations which are "plain" and "easily seen or discovered". [People of the State of California v. Johnson, 185 P.2d 105 (Cal.App. Sup. Ct. L.A. Cty. 1947), p. 106]. Additionally, the sale or furnishing of alcoholic beverages to an obviously intoxicated person is a misdemeanor (Business and Professional Code §25602).

4) Operation of Vehicle

- a) It is unlawful for any person who is under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any

drug, to operate a bicycle or a motor vehicle (Business and Professional Code §23152(a)).

- b) No person shall drink any alcoholic beverage while driving a motor vehicle upon any highway (Business and Professional Code §23220).
- c) No person shall have in his or her possession, on his or her person, while driving a motor vehicle upon any highway, any bottle, can or other receptacle, containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed (Business and Professional Code §23223).

5) Sale of Alcohol

It is a misdemeanor to sell alcoholic beverages without a license from the State Alcoholic Beverage Control Board (Business and Professional Code §23300 and §23301). Included are forms of indirect sales such as selling tickets which may be exchanged for drinks, tickets of admission which include an alcoholic beverage or "passing the hat" during an event to cover the cost of alcohol.

2.11.8.4 Health Risks Associated with the Use of Drugs and Alcohol

The use of any mind or mood-altering substance, including alcohol, can lead to psychological dependence, which is defined as a need or craving for the substance and feelings of restlessness, tension or anxiety when the substance is not used. In addition, with many substances use can lead to physical tolerance, characterized by the need for increasing amounts of the substance to achieve the same effect, and/or symptoms when the substance is no longer being used. As tolerance and psychological or physical dependence develop, judgement becomes impaired and people often do not realize they are losing control over the use of the substance and that they need help. It is impossible to accurately predict how an individual will react to a specific drug or alcohol because effects vary depending on the person, environmental variables, the dosage and potency of the substance, the method of taking the substance, the history of use, and whether the substance is taken in conjunction with other substances. Illegal drugs have particularly unpredictable effects due to variability in dosage and purity. Further, the overall potency of street drugs has increased dramatically making users increasingly susceptible to negative effects.

Alcohol acts as a depressant to the central nervous system and can cause serious short and long-term damage. Short-term effects include nausea, vomiting, and ulcers; more chronic abuse can lead to brain, liver, kidney and heart damage, and eventually death. Ingesting a large amount of alcohol at one time can lead to alcohol poisoning, coma and death. Drugs such as LSD, amphetamines, marijuana, and alcohol alter emotion, cognition, perception, physiology, and behavior in a variety of ways. Health risks include but are not limited to depression, apathy, hallucination, paranoia, and impaired judgement, and all substances can have adverse effects on pregnancy. When two or more substances are combined, there is often an effect that is stronger than their additive sum.

2.11.8.5 Chemical Dependency Recognition and Counseling Policy

Student Psychological Counseling Services (SPCS) operated by the principle that the University has a responsibility to educate, prevent, and/or help procure treatment for individuals with chemical dependency or difficulties origination from family problems involving chemical dependency. SPCS believes that chemically dependent persons can and should be effectively treated and rehabilitated, and views the problem primarily as a disease which can be treated, and not reflective of the moral character of the student. The goal is to help restore the person to full physical and psychological health so that he/she can function productively in personal, academic, and professional pursuits.

SPCS also believes that adequate chemical dependency treatment often requires specialized care, involving intervention, assessment, medical evaluation and detoxification procedures, as well as treatment and adequate follow-up. Facilities at SPCS do not allow for a complete chemical dependency program to be carried out on campus, therefore services provided by SPCS are limited and specific (see *Procedures and Protocols for SPCS*).

A student who has concerns about personal chemical dependency problems may contact SPCS for a preliminary assessment at 997-6778.

Possible outcomes may include assignment to a counselor at SPCS if the problem is deemed low-risk and appropriate to the level of treatment and expertise available at SPCS; referral to the Director of Peer & Health Education for education concerning drugs and/or alcohol; referral to Student Health for medical assessment; and/or referral for further assessment by a treatment facility in the community. University administrators, faculty, staff, and students

who have concerns about a student's possible chemical dependency should either refer the student to SPCS, or come to the Wellness Center in person. Referrals do not have to be based on a formal diagnosis of chemical dependency. Behavioral or academic problems, impaired work performance, difficulties in interpersonal relationships due to alcoholism or drug abuse are sufficient reasons for referral.

Any student, faculty, administrator, or staff contacting SPCS or Human Resources for chemical dependency issues will be assured of confidentiality. No information will be released without written permission.

Nothing in this statement is to be interpreted as constituting a waiver of the University's responsibility to maintain an environment conducive to education and personal safety or the right to take disciplinary measures in the case of conduct violation that may result from chemical dependency. Students involved in illegal activities are not exempt from their legal liabilities, civilly or criminally.

2.11.8.6 Life Assistance Program (LAP)

The University has contracted with Cigna's Life Assistance Program to provide ongoing assistance to employees and their family members with a variety of matters including alcohol and substance abuse problems.

Information about this program can be found on the [Human Resources website](#).

2.11.8.6 Education Programs

a) Peer Education Program (PEP)

Chapman University Maintains a Peer Education Program (PEP) to train selected students to provide initial education of students with potential substance abuse problems. PEP training is designed for students whose special position within the University places them in regular, personal contact with other students. An example of such a position is that of the Resident Advisor. Each academic year, the Peer and Health Education Director will solicit students who desire to become Peer Educators. In consultation with the Dean of students and the Director of Student Activities and Organizations/Assistant Dean of Students, the Director of Peer and Health education will select a minimum of two students to enter the PEP. Through appropriate courses presently within the University curriculum, students will receive instruction in the causes and effects of alcohol and substance abuse. During supervised internships, students will receive training in peer education techniques. Supervision of PEP educators will be provided by the Director of

Peer and Health Education.

b) Continuing Education Programs (CEP)

The University sponsors a number of programs designed to provide students with an understanding of alcohol and substance use and abuse.

2.11.8.7 Procedures for Students, Staff, Administrators, and Faculty Involved in Alcohol and Substance Abuse

All members of Chapman University must comply with all University policies as well as with local, state, and federal laws with regard to alcohol and drug use. Chapman University and participating law enforcement agencies have agreed to work in a cooperative manner to assist members of the University involved in substance abuse. Procedures outlined have been reviewed by the agencies involved and will be in effect until such time as it is mutually agreed to revise them. All agencies involved in assisting persons involved in substance abuse have agreed to cooperate and work together in assisting corrective measures to avoid duplication and unfair punishment. The University has agreed to release all substance confiscated from its members to the appropriate law enforcement agency.

a) Procedures for Faculty, Staff, and Administrators Involved in Alcohol and Substance Abuse

Chapman University, in compliance with and in support of the Drug-Free Workplace Act of 1988 and the Drug-Free School and Communities Act Amendments of 1989, hereby notifies all employees that the unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and alcohol is prohibited at Chapman University.

Violation of this prohibition by an employee shall result in Chapman University taking appropriate personnel action against the employee, up to and including termination of employment, or requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency. As a condition of employment, each employee shall abide by the terms of this statement and shall notify Chapman University through the Department of Human Resources of any criminal drug statute conviction for a violation occurring at Chapman University no later than five (5) days after such conviction. Within ten (10) days after receiving notice from an employee or otherwise receiving actual notice of such conviction, the Human Resources Department shall notify the U.S. Department of Education of said conviction. Within thirty (30) days of the Department of Human Resources being notified

of said criminal conviction, the Department of Human Resources shall notify the U.S. Department of Education of the personnel action taken.

Chapman University is committed to maintaining a drug-free workplace as outlined in the preceding paragraph and will provide employee assistance through referral drug counseling and/or rehabilitation upon request through the Department of Human Resources. Employees deemed by Chapman University to be in violation of the prohibition short of actual conviction, and short of requesting referral through the Department of Human Resources, shall be subject to the personnel action deemed appropriate by the University as outlined in the preceding paragraph.

b) Procedures for Students Involved in Alcohol and Substance Abuse

The Chapman University Student Conduct Code, Student Handbook and the Guide to Residence Living provide information regarding the codes of conduct and referral sources for Chapman University students involved in alcohol and substance abuse violations.

2.11.9 Smoking - See [Institutional Policies](#) webpage.

2.11.10 Professional Considerations

2.11.10.1 Purpose

To set forth general policies and standards of conduct governing employment by Chapman University.

2.11.10.2 Code of Ethics

- a. Maintain a high degree of professionalism in all relationships related to employment at Chapman University.
- b. Proper operation of Chapman University requires that employees provide responsible service and use the designated organizational channels when seeking decisions and policy determinations.
- c. Employees of Chapman University are bound to observe in their official acts the highest standards of ethics and morality and faithfully discharge the duties of their positions, regardless of personal considerations.
- d. Mindful that they represent Chapman University, employees shall always conduct themselves in accordance with the highest

ethical principles.

- e. Employees shall take precautions to guard the reputation and name of Chapman University and to ensure that its reputation and name be used only for authorized non-profit and educational purposes.
- f. Employees shall never abuse their professional contacts or positions, nor cause discredit or embarrassment for their institution or colleagues or for their profession in any way.
- g. The name, stationery, and seal of Chapman University shall be used only in an official capacity.
- h. The name of Chapman University shall not be used for commercial, personal, organization, or political gain, or in any announcement, advertisement, publication, or report, if such use in any way implies Chapman University endorsement of any product or service.
- i. Employees shall seek administrative advice if they are in doubt as to the propriety of using the name, stationery, or seal of Chapman University.
- j. Employees should not act in any way to breach the law, nor should they ask others to do so in University-related actions or activities.
- k. No employee shall engage in any business or transaction or shall have a financial interest, direct or indirect, which may create a conflict of interest with Chapman University.
- l. An employee shall not disclose confidential information concerning the business or personnel of Chapman University.

2.11.10.3 Rules of Conduct

- a. All employees must observe the following basic principles of work conduct:
 - (1) Perform a full day's work in an efficient and diligent manner in accordance with accepted methods and standards.
 - (2) Be at work on scheduled working days at a proper starting time and to remain at assigned work places during normal periods, unless permission to leave has been granted by the supervisor.
 - (3) Observe breaks, or rest and lunch periods as scheduled.

- (4) Notify the supervisor as quickly as possible if absence from work is necessary.
 - (5) Use carefully and considerately and keep in proper condition tools, machines, cars and other property and equipment belonging to Chapman University.
 - (6) Cooperate in keeping the premises and equipment clean and safe.
 - (7) Carry out specific work related orders or instructions from the supervisor or other staff in charge.
 - (8) Truthfully give all pertinent facts on records prepared when they are properly requested.
 - (9) Follow established safety practices and report all job-related accidents promptly to the Department of Human Resources.
 - (10) Observe established organizational channels.
 - (11) Maintain a positive attitude and address all human relations problems with patience, tact, and diplomacy.
 - (12) Not promote discord among fellow workers, students, faculty and staff.
 - (13) Avoid gossiping and furthering rumors.
 - (14) Honor the confidentiality of files, records and documents.
 - (15) Exercise discretion in the number and frequency of personal guests and personal telephone calls in the professional environment.
 - (16) Schedule office social functions only before or after working hours or during the lunch hour unless otherwise approved by the area Vice President.
 - (17) Dress appropriately for the department/position.
- b. Supervisory personnel are accountable for the proper conduct of the employees and the work activities under their supervision.

2.11.10.4 Outside Employment

- a. Employees must recognize that full-time employment by Chapman University requires that they dedicate such hours and energy as are necessary to perform their duties efficiently and effectively.

- b. No employee of Chapman University shall engage in any activity, employment, business, professional work or enterprise which is inconsistent, incompatible, or in conflict with efficient performance of the employee's duties, functions, and responsibilities as an employee. Employees needing further clarification or explanation regarding this section should discuss their concerns with their immediate supervisor. (see section 2.11.7)
- c. Employees are required to conduct their activities on behalf of the University with the utmost good faith and loyalty. Employees may not compete with the University or convert business opportunities of the University to their personal gain or advantage or the gain or advantage of another. Employees may not convert confidential information or trade secrets of the University to their personal gain or advantage or the gain or advantage of others.

2.11.11 (This section not in use)

2.11.12 [Harassment and Discrimination](#) - See [Institutional Policies](#) webpage

2.11.13 Union Free Environment

Chapman University believes that in today's environment the most effective, efficient and profitable method of operation is for the University administration and employees to work together directly, without a union separating them. The resulting productivity provides the maximum potential for benefits and growth for each employee. Each employee can and should be treated as an individual and as a full participant in the operation of the University. Chapman University strongly endorses the philosophy that individual consideration in employee-supervisor relationships provides the best climate for the maximum development of the individual and the attainment of the goals of both the individual and the University.

In particular this extensive Staff and Administrative Handbook is clearly designed to foster as complete a communication of University policy and procedure as possible, and to assist the entire community in a careful consideration of community interests.

2.12 Compensation

2.12.1 Salary/Wages

Initial salaries for new hires are determined at the discretion of the University based upon factors such as experience, position duties, and responsibilities, applicants skills and qualifications, labor market conditions,

and institutional resources. Salaries for existing employees are reviewed by the University at least annually. Adjustments are made at the discretion of the University based upon a variety of factors including, but not limited to, quality of performance, position, duties and responsibilities, experience, qualifications, longevity, labor market conditions, and institutional resources. Adjustments in salary must be approved by the President, Executive Vice President or designee.

2.12.2 Payroll Distribution

Wages or salary earned by staff employees are paid by the University on a biweekly schedule. Administrative employees are paid on the 26th of each month over a twelve month period, unless specified otherwise in writing by the appropriate Vice President.

Payments of wages or salary earned are subject to withholding requirements of local, state and federal governments and withholding deductions authorized by employees for programs for which the University has authorized a payroll deduction plan.

2.12.3 Administrative Load and Compensation

2.12.3.1 General

The purpose of the section is to establish policy regarding conditions governing overload compensation for full-time administrators.

2.12.3.2 Policy

A person who is designated as a full-time or three-quarter time University "administrator" is presumed to be engaged in a variety of administrative roles which, taken together, constitute full-time service to the University and as such represent the basis for the administrators salary.

In recognition of the importance of teaching and scholarly inquiry, the University encourages administrators who are academically qualified to teach periodically as a part of their regular administrative load. Since full-time administrative service to the University involves the performance of a variety of professionally related tasks, it is understood that the execution of these duties, including but not limited to such additional teaching as may be appropriate, shall not qualify for additional salary, overload or other compensation if the duties of an academic value are performed during regular working hours and days. Should such duties be in evenings or on weekends, outside of normal working hours, a term academic contract may be offered by the Provost Office for extra compensation. Qualified administrators or staff shall not hold faculty status but qualify only for per course titles delineated in the Faculty

Handbook. Such additional services must be mutually agreed to and specifically approved in advance by:

The Dean of the Faculty or his/her designee for all campus administrators with faculty rank.

The Executive Vice President/Chief Operating Officer or designee for all campus administrators without faculty rank.

It is further understood that any services involving compensation, including teaching undertaken by a full-time Chapman administrator or staff for another University or university, must be approved in advance by the appropriate Vice President and the Vice President of Human Resources. Approval for such services will be considered when it can be demonstrated that such additional services will not adversely affect the administrator's performance at Chapman, the quality of their part-time teaching elsewhere, and not be a conflict of interest in respect to Chapman University.

2.12.4 Overtime Wages

2.12.4.1 General

Employees shall be paid for their hours worked in accordance with all legal requirements to do so.

2.12.4.2 Policy

Employees who qualify as administrative, executive, or professional employees under the state and federal wage and hour laws are exempt from overtime and are not subject to this policy. (Section 2.1.3)

All overtime work by non-exempt employees must be approved in advance, whenever advance notice is possible, by the employee's supervisor. Unapproved overtime is against University policy. The University will pay for such unauthorized overtime, as required by law. Employees are subject to disciplinary action, up to and including termination of employment, for working unauthorized overtime hours.

Non-exempt employees shall record all time worked, and all scheduled working hours during which no work was performed, on their time sheet. Overtime is calculated on the number of hours actually worked in a day or week. Paid hours not worked (i.e., sick vacation, holiday hours) are not counted as hours worked in the calculation of overtime wages.

Compensatory time off ("comp time") in lieu of overtime payment is not permitted for non-exempt employees under any circumstances.

No non-exempt employee may not be permitted to work unless time worked is compensated in accordance with Industrial Wage Order No. 5-2001 for the State of California, which states:

" . . . employees shall not be employed more forty hours in any workweek unless the employee receives one and one-half times such employee's regular rate of pay for all hours over forty in the workweek. Employment beyond more than six days in any workweek is permissible provided that the employee is compensated at not less than:

One and one-half times the employee's regular rate of pay for all hours worked in excess of forty hours per workweek.

2.12.5 Severance Pay

2.12.5.1 General

The purpose of this section is to establish the maximum amount of severance pay which may be awarded, at the sole discretion of the University, in the event of a termination of employment.

2.12.5.2 Schedule

<u>Length of Service</u>	<u>Severance Pay</u>
Under 1 year	0 weeks
1 to 3 years	2 weeks
3 to 5 years	3 weeks
5 to 7 years	5 weeks
7 to 9 years	7 weeks
9 to 11 years	9 weeks
11 to 14 years	11 weeks
14 to 17 years	14 weeks
17 to 20 years	17 weeks
20 to 23 years	20 weeks
23 to 26 years	23 weeks
over 26 years	26 weeks

In determining the amount of severance pay, only full years of service shall be considered; partial years shall not be considered.

Severance pay shall be computed based on the employee's pay rate at the time of termination.

All employees who receive severance pay may be required to sign a severance agreement and release satisfactory to the University.

Severance pay may not be adjusted for participation in a 403 (b) or 401(a) plan, nor will the University make such contributions on behalf of an employee receiving severance pay.

The President of the University may consider special circumstances which warrant severance pay in excess of that in the above schedule. However, any such exception of the policy shall be in writing, and the special circumstances shall be indicated.

2.12.6 Pay in Lieu of Notice

2.12.6.1 General

The purpose of this section is to define the circumstances under which the University may or may not provide pay in lieu of notice.

2.12.6.2 Policy

If an Administrator is terminated with thirty days' advance notice, no other pay is generally provided. In the event an Administrator is terminated without thirty days' advance notice, that Administrator will receive thirty days' pay from the date of notice, unless the termination is the result of gross negligence or misconduct. Pay in lieu of notice may not be comprised of accrued vacation.

Staff employees are not given pay in lieu of notice as a matter of policy. Such pay may be awarded at the sole discretion of the University, with consideration given to the employee's performance and reason for termination.

Any wages provided in lieu of notice will be provided with the employee's terminal pay check on the day termination occurs.

2.12.7 Final Payroll Check

2.12.7.1 General

The purpose of this section is to state when final wages are due to employees who resign or are terminated, in the absence or presence of advance notice.

2.12.7.2 Policy

If an employee resigns, and provides advance notice of more than 72 hours, all wages should be paid to that employee on the last day employed.

If an employee resigns, but provides less than 72 hours' advance notice, all wages should be paid to that employee within 72 hours of resignation. Such an employee who requests final payment by mail

and designates a mailing address shall receive final payment by mail. Such final payment shall be mailed within 72 hours of the notice of resignation.

All fully accrued, unused vacation will be paid out upon termination of employment.

Termination checks for Staff and Administrative employees on the Orange Campus are available in the Department of Human Resources on the last day of employment.

It is the responsibility of each Director, Manager, Supervisor, or Vice President to supply Human Resources with sufficient notice of pending termination to facilitate processing a final check in a timely manner.

2.12.8 Relationship of Grants to Salaries

2.12.8.1 General

The purpose of this section is to establish policy regarding the relationship of grants to salaries of administrators and staff.

2.12.8.2 Policy

In the case of an administrator on a 12 month contract, if a grant is awarded that involves supervision of the grant by a University administrator there will be no additional compensation to the administrator. The grant will be used to pay a portion or all of the administrator's salary. Adjustments in the administrator's workload may be necessary in order to carry out the grant supervision.

2.12.9 Hours of Work/Workweek

2.12.9.1 General

The purpose of this section is to establish the hours which make up the workweek, for the purpose of computing overtime, and to provide guidelines regarding scheduled hours of work.

2.12.9.2 Policy

The standard workweek at Chapman University begins at 12:01 a.m. Monday and ends at 12:00 midnight the following Sunday. The standard workday begins at 12:01 a.m. and it ends at midnight on the same day. Each workday and workweek stands alone for overtime calculation. Averaging hours over two or more workdays or workweeks is not permitted. Payment of wages and calculation of overtime is based upon this workweek. Work schedules are established within this framework.

Each employee's immediate supervisor will advise the employee regarding his/her specific working hours. Various factors, such as workloads, operational efficiency, and staffing needs, may require variations in an employee's starting and quitting time and total hours worked each week. Chapman University reserves the right to revise work schedules as needed to accommodate these factors. Employees are expected to work scheduled hours, and be punctual and consistent in attendance, as a condition of employment.

2.12.10 Compensatory Time Off

2.12.10.1 General

Compensatory time off ("comp time") is the practice of granting non-exempt (Staff) employees time off in a manner which serves to offset the payment of overtime wages.

2.12.10.2 Policy

Use of compensatory time off is prohibited at Chapman. Under no circumstances may any non-exempt (Staff) employee be required to take time off in lieu of overtime pay. Overtime will be paid in accordance to Section 2.12.4 of this handbook. Further, Staff employees are required to record all hours worked, including overtime, exactly as worked, on their timesheets.

2.12.11 Travel Pay for Staff Employees

2.12.11.1 General

Travel time to and from work does not constitute hours worked. Travel which occurs during the workday as part of the employee's job must be counted as hours worked if it relates to the employee's job. Travel that occurs in addition to regular hours is considered hours worked if it is performed pursuant to supervisor's instructions.

2.12.11.2 Policy

All travel time for Staff employees sent out of town is counted as hours worked if that travel is job related. Because the employee would normally be required to report to work at the normal work place, any time spent traveling between the employee's home and the terminal of a common carrier (airport, depot, etc.) can be deducted. During travel periods, all hours spent engaged in Chapman business are compensable as hours worked. Time spent for sleeping, meal, social functions, entertainment, and other non-business related activities, are not compensable.

2.13 Leaves of Absence for Staff and Administrators

2.13.1 Leaves Related to Illness, Injury or Disability

Leaves for illness, injury or disability will be granted in accordance with these procedures and federal and state regulations. Types and periods of leave mandated by federal and state laws are embodied in these procedures. If differences do occur, the requirements of law will prevail.

Leaves for illness, injury or disability are approved on the basis of law and upon proper authentication by the employee's health care provider that illness or injury exists as outlined below. Whenever possible the employee shall request leaves in advance of the effective date of the leave.

Leaves for illness, injury or disability are not considered as time worked when computing overtime.

While an employee is absent on an approved leave for illness, injury or disability, the employee's vacated position may be filled on a temporary basis only, unless the employee is terminated from employment.

2.13.1.1 [Sick Pay for Staff and Administrative Employees](#)

2.13.1.2 Disability Leave for Staff and Administrators

2.13.1.2.1 General

A disability leave is defined as any absence of the employee from work due to an injury to or illness of the employee. The illness or injury may be job related or non- job related and

1. Results in the employee missing five or more consecutive work days or;
2. Is compensable under Workers Compensation or;
3. Qualifies for coverage under the Federal Family and Medical Leave Act, (FMLA) or;
4. Qualifies for coverage under the California Family Rights Act (CFRA) or;
5. Qualifies for coverage under the California Pregnancy Disability Act (PDA).
6. Qualifies for coverage under another state's pregnancy disability or family leave statutes, or for coverage under federal pregnancy disability leave statutes.

Each category of disability leave specified above (i.e., workers compensation, family medical leave and pregnancy disability leave) is highlighted in following sections of this procedure. All of the conditions, eligibility criteria, benefits, duration, and reporting requirements that are outlined in Sections 2.13.1.1 (Sick Pay for Staff and Administrators) and 2.13.1.2 (Disability Leave for Staff and Administrators) apply to each of these following sections unless indicated in the specific section otherwise are prohibited by law.

Each of the disability leave programs referenced above accommodate different kinds of circumstances. However, the types and duration of benefits frequently overlap. Where applicable and permitted by law, the employee will be placed by Human Resources in a combination of the above categories of leave, and benefits will run concurrently. The Human Resources Department will notify the employee and the supervisor of the category(ies) of leave on which the employee is placed, and of the kinds and duration of benefits that the particular circumstance provides. The sections below in this procedure outline the eligibility, benefits and duration of specific kinds of disability leave as mandated by federal and/or state law.

2.13.1.2.3 Notification and Procedures

Both the employee and the employee's supervisor must notify the Human Resources Department when an employee begins, or is about to begin disability leave.

The employee must provide a written certification from the employee's health care provider. The health care provider's certification must state that the employee is unable to work and indicate the expected date of return to work. The supervisor will submit the written certification, along with an E.R.C.R. to Human Resources.

Employees must request then may be placed on disability leave by the Human Resources Department after it is determined that the employee's illness or injury falls into one or more of the appropriate categories (i.e., worker's compensation, family medical leave and/or pregnancy disability leave).

If appropriate, before placing the employee on disability leave, the University will attempt to reasonably accommodate the health needs of the employee by transferring the employee to another position or by making reasonable changes to the employee's work location or job requirements. In the case of a temporary transfer due to a

pregnancy-related disability, the same rate of pay will apply.

The University reserves the right to obtain periodic updates on the status of the illness or injury from the employee's health care provider. The University also reserves the right to require the employee to seek second and third opinions from health care providers designated by the University, in accordance with these procedures and applicable federal and state laws.

When informed by the employee and/or supervisor, the Human Resources Department will initiate the documentation that places an employee on disability leave and will provide further instructions, information and forms to the employee and the supervisor.

All types of disability leaves are without pay unless the employee uses accrued sick pay and vacation pay as permitted herein. An employee who is placed on any type of disability leave for his/her own illness or injury must use accrued University sick pay, and may use accrued vacation or personal leave for staff employees.

In order to be eligible to receive Chapman paid benefits, the employee must apply for concurrent benefits at the time the employee is placed on disability leave, as follows:

1. State Disability benefits through the State of California Employment Disability Department (EDD) or, if applicable in the state in which the employee works and resides, if the illness or injury is not job-related;
2. Worker's Compensation benefits if the illness or injury is job related;
3. State Disability or Workers Compensation payments made to the injured/ill employee, are "coordinated" with any University benefits paid to the employee (i.e., sick pay and vacation pay). This means that the combination of the paid University leave and the State Disability or Workers Compensation benefit may equal but will not exceed the employee's full-time salary. University pay will be stopped if the disabled employee is receiving University benefits and fails to apply for concurrent state or workers compensation benefits.

At the end of the disability period, the employee must present a written statement from his/her health care provider indicating that he/she is cleared medically to return to work. If special accommodations are needed, the doctor's note must specify the nature of these accommodations, whether the accommodations are permanent or temporary and, if temporary, the expected duration

of the requested accommodations. Chapman University will make reasonable accommodations to qualified persons with disabilities as required by law. The employee may return to work only upon the submission of this written approval and the approval of the Human Resources Department. The University reserves the right to require the employee to seek a second and third opinion from a health care provider designated by the University, in accordance with this procedure and applicable federal and state laws.

Under most circumstances, an employee will be reinstated to his/her original position or to a similar position with equivalent pay, benefits, and other employment terms and conditions upon return from disability leave. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on disability leave would have been laid off had he/she not gone on leave, or if the employee's job has been eliminated during the leave and there is no equivalent or comparable job available, then the employee is not entitled to reinstatement. In addition, an employee's use of disability leave will not be the cause of the loss of any employment benefit that the employee earned or was entitled to before beginning disability leave.

An employee who 1) fails to report a change in medical status to the University, 2) fails to return to work when cleared by the employee's medical provider or 3) fails to return to work when so ordered by the University following second or third medical opinions as described above, may be subject to disciplinary action up to and including termination.

Sick, vacation and personal hours continue to accrue for employees on approved disability leave as long as employees are receiving pay through University benefits (i.e., accrued vacation, sick pay and/or personal leave for staff employees). However, employees on disability leave, who were eligible to accrue sick and vacation immediately prior to the disability leave, will accrue these benefits for the first 30 days of the disability leave even if they do not receive pay for University benefits during this first 30 days. No vacation, sick pay and/or personal leave benefits will accrue after 30 days or after University pay ceases, whichever occurs later.

Employees on disability leave may continue in any "voluntary" health and welfare benefit plans in which enrolled before the first day of the leave, and at the level and under the conditions of coverage as if the employee had continued in employment as long as the employee continues to pay her/his portion of benefit payments in a timely manner. If the disabled employee is receiving University pay (through sick and vacation pay) the employee's premiums for such coverage will be deducted from the employee's paycheck.

If the employee is not receiving University pay, the employee may make arrangements with Human Resources to make such payments. If the employee does not make payments, all voluntary University health, welfare and pension benefits will cease unless otherwise prohibited by law. However, participation in any “mandatory” health and welfare plans (i.e. , group life insurance, long term disability insurance and the University 3% retirement contribution) will continue during the entire period of the approved disability leave. In some instances, the University may recover premiums paid to maintain health coverage for any employee who fails to return to work following disability leave.

Unless a longer period is required by law, disability leave normally does not continue beyond the date that the employee's University pay through accrued benefits ceases or after a period of six months, whichever occurs later. Employees in this category then may be terminated from University employment.

2.13.1.3 Family Medical Leave for Staff and Administrators

2.13.1.3.1 Overview and Purpose

Family Medical Leave is mandated by federal and state laws. The purpose of family medical leave is to provide eligible employees the opportunity to take time off from work for certain kinds of child or family care or to recover from a serious illness, subject to the conditions described below. An employee who is placed on a disability leave by Human Resources as described in the above section, will be placed on a family/medical leave, if eligible, during the period of disability leave. In this event, the benefits and specified time periods for disability and family medical leaves will run concurrently, and the leave category which provides the greater benefits for the longer period of time will prevail. When an employee is placed on Family Medical Leave, Human Resources will inform the employee of her/his status and eligibility for Family Medical Leave.

Employees who are eligible for family medical leave may take up to a maximum of 12 weeks of family medical leave in a 12 month period subject to the conditions described below. The 12-month period is measured forward from the date any employee’s first family medical leave begins. Successive 12-month periods commence on the date of an employee’s first use of such leave after the preceding 12-month period has ended. There is no carryover of unused leave from one 12-month period to the next 12-month period.

An employee will be required to use accrued sick time during a family medical leave that pertains to the employee's own injury or illness. An employee will be allowed to use accrued vacation or personal time during a family medical leave.

2.13.1.3.2 Eligibility

An employee must meet all of the following criteria in order to be eligible for family medical leave:

Must have worked for the University for a total of at least 12 months during any period of time as of the date that the leave begins;

Must have worked at least 1,250 hours during the 12 months which immediately precede the date that the leave begins; and

Must be employed 1) at the Orange campus or at a work site within 75 miles of the Orange campus; or 2) at a worksite where the University employs at least 50 employees within a 75 mile radius of the employee's worksite, as of the date that the leave begins. This distance is measured in road miles.

Part-time employees are eligible for leave if they meet these eligibility criteria. Leave benefits for part-time employees are calculated on a proportional basis.

2.13.1.3.3 Qualifying Family Leaves

An eligible employee is granted family medical leave for:

- The birth or adoption of a child -- to care for a child, to provide for the placement of a child through private or state adoption, to provide foster care or to function as a legal ward.
- A serious illness -- to care for the employee's seriously ill spouse, child or parent, or because of a serious health condition that renders the employee unable to perform his/her job functions. A "serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves either:
 - in-patient care in a hospital, hospice, or residential health care facility; or
 - continuing treatment or supervision by a health care provider.

2.13.1.3.4 Procedures

The employee must, whenever possible, provide at least 30 days' advance notice, to the employee's supervisor and the Human Resources Department, prior to the date that the family medical leave is to begin. If this is not practicable, the employee must provide notice as soon as practicable after the employee becomes aware of the need for family medical leave. The employee must consult with his/her supervisor regarding the scheduling of any planned medical treatment in order to minimize disruption to the operations of the University. The employee must provide certification as explained below within 15 days of the employee's request for family medical leave, unless it is not practicable for the employee to do so. The University may require re-certification from the health care provider if additional leave is required. In addition, the University may require the employee to obtain second and third medical opinions at any time during the leave.

If the leave is needed to care for a sick child, spouse or parent, the employee must provide a certification from the health care provider which states:

- date of commencement of the serious health condition;
- probable duration of the condition;
- estimated amount of time the health care provider will provide care;
- confirmation that the serious health condition requires the participation of the employee.

If the leave is requested for the employee's own serious health condition, the employee must provide a certification from the health care provider which states:

- date of commencement of the serious health condition;
- probable duration of the condition;
- a statement that the employee is unable to work at all or is unable to perform the essential functions of his/her position.

If leave requests involve the birth, adoption or foster care of a child, where both parents are employed by the University, not more than 12 weeks total of family medical leave will be granted.

Employees may take family medical leave intermittently (in blocks of time, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of the employee's child, parent or spouse or of the employee, and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is one hour.

Reinstatement after family/medical leave may be denied to certain salaried "key" employees as outlined in Federal Law.

For additional information about eligibility for family/medical leave, contact Human Resources.

2.13.1.4 Pregnancy Disability Leave

2.13.1.4.1 General

An employee on leave for pregnancy, childbirth or related medical conditions is eligible for temporary disability benefits in the same amount and to the same degree as any other employee on disability leave.

2.13.1.4.2 Policy and Procedures

An employee should advise her supervisor and the Human Resources Department of her intent to take pregnancy disability leave 30 days prior to the need for such leave. The notice should be in writing and should include the approximate anticipated date and duration of leave.

If possible, employees must provide at least 30 days' advance notice before the pregnancy disability leave or transfer is to begin. Employees must discuss with their supervisors the scheduling of any planned medical treatment or supervision so as to minimize disruption to the operations of the university. Any such scheduling is subject to the approval of the health care provider of the employee. If 30 days' advance notice is not possible, notice must be given as soon as is possible.

Pregnancy leave normally begins when advised by the employee's health care provider. As with all types of disability leave, the employee must provide the university with a certification from a health care provider. This certification for pregnancy disability leave must contain:

- The date on which the employee became disabled due

to pregnancy;

- The probable duration of the period or periods of disability; and
- A statement that, due to the disability, the employee is unable to work.

An employee will be required to use accrued sick time during a pregnancy disability leave. An employee will be allowed to use accrued vacation or personal time during a pregnancy disability leave.

Duration of pregnancy leave will be determined by the advice of the employee's health care provider, but disabled employees may take up to four months of pregnancy disability leave. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth or related medical condition. This includes leave for severe morning sickness and for prenatal care.

Pregnancy disability leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave is taken in increments of not less than one hour.

The time period allowed for pregnancy disability leave runs concurrently with disability leave as outlined above and with family and medical leave for the employee's own disability also as outlined above. However, the time period for child care leave under the California Family Rights Act runs sequentially (as opposed to concurrently) with the time period allowed for pregnancy disability leave.

For additional information about eligibility for pregnancy disability leave, contact Human Resources.

2.13.1.5 Occupational Disability Leave (Workers Compensation)

2.13.1.5.1 General

The purpose of this section is to outline the circumstances under which a leave of absence for occupational disability may be granted, and how it may affect benefits.

2.13.1.5.2 Policy and Procedures

A leave of absence for occupational disability shall be granted upon health care providers' orders to any employee who sustains an occupational illness or injury.

When there is a suspicion or a belief that an employee has become ill or injured for work-related reasons:

- The Human Resources Department must be notified immediately by the employee and/or the supervisor;
- The employee must be given an application for worker's compensation benefits, within 24 hours of the alleged injury or illness, and advised of his/her rights to apply for worker's compensation benefits.
- The employee's supervisor is required to file a Supervisor's Report of Injury.

Refer to the pamphlet "Facts About Workers Compensation" and contact the Human Resources Department for an explanation of medical treatment, benefits, waiting periods for leave and procedures.

If a leave is approved, the employee will be notified and must provide progress reports from the attending health care provider(s) no less than once every thirty days concerning the employee's status and expected date of return. In addition, the employee must include a written statement of intent to return to work upon expiration of the leave every thirty days.

Employees returning from such an approved leave of absence, regardless of its duration, may do so without proration of hire date. Introductory period employees, however, must complete the introductory period, if they worked less than 180 days when the disability occurred.

The University will retain employees on an extended leave of absence for work related disabilities in accordance with this section. However, the employee will be terminated from University employment if and when

- The University receives medical information which indicates that the employee will not be able to perform available job duties without risk of further injury or re-injury;
- The University determines that, because of the realities of doing business, it no longer can accommodate the leave of absence;
- The employee resigns or the University is actually or constructively notified that the employee does not intend to return to work for the University.

University-sponsored benefits for a worker's compensation leave runs concurrently with disability leave as outlined above and for family and medical leave also as outlined above.

2.13.2 Bereavement Leave

2.13.3 Time Off for Voting

2.13.3.1 General

Time off for voting is approved upon the employee's certification that the employee is unable to exercise her/his voting rights during non-work hours.

2.13.3.2 Policy and Procedure

Employees who are voters may claim necessary time off to vote at statewide elections.

If a voter does not have sufficient time outside of working hours to vote at statewide elections the voter may, without loss of pay, take off enough working time which when added to the voting time available outside of working hours will enable the voter to vote.

No more than two (2) hours of the time taken off for voting shall be without loss of pay. The time off for voting shall be only at the beginning or end of the regular working shift, whichever allows the most free time for voting and the least time off from the regular working shift, unless otherwise mutually agreed upon by the employee and supervisor.

If the employee on the third working day prior to the day of the election, knows, or has reason to believe that time off will be necessary to be able to vote on election day, the employee shall whenever possible give the supervisor at least two working days' notice that time off for voting is desired.

2.13.4 Leave For Jury Duty

2.13.4.1 General

The purpose of this section is to outline the University policy concerning jury duty for Staff and Administrators.

Employees may attend jury duty in accordance with their legal obligation to do so.

2.13.4.2 Policy and Procedures

Employees are to deliver their Notice of Jury Duty to the Department of Human Resources immediately upon receipt. A letter from the University may then be attached stating the leave policy.

Employees who are regularly scheduled to work at least twenty hours weekly are eligible for paid leave for jury duty after they have completed 90 days of continuous employment.

The employee will be paid the regular daily rate for each working day missed due to jury duty for a maximum of ten days pay per calendar year. Any time served beyond the ten day period will be without pay, unless fully accrued vacation or available personal time is used upon request by the employee. A "day" is defined in Section III above. Employees may keep the proceeds from jury duty, along with their wages from the University.

Proof of jury duty attendance must be presented to the employee's immediate supervisor. This shall be forwarded to the Human Resources Department for placement in the employee's file.

Employees must report to work on those days or parts of days when excused from jury duty, or when jury duty does not conflict with the work schedule.

It is the responsibility of the employee to return to work at the end of the approved leave. Failure to do so will be considered a voluntary termination of employment.

All benefits in force will continue while the employee is on jury duty leave. The employee is required to continue payment of any contributions for insurance coverage and retirement accounts during the leave to keep them in effect should the leave extend to an unpaid basis.

Employees must submit an ERCR which accounts for all days, or parts thereof, missed as a result of jury duty.

2.13.5 Military Duty Leave Of Absence

2.13.5.1 General

The purpose of this section is to define the circumstances that may affect pay and benefits during periods that Chapman employees are on military duty.

2.13.4.2 Policy and Procedures

An employee who has been absent from work due to service in the uniformed services of the United States, will be placed on an unpaid military duty leave in accordance with applicable federal laws.

Employees are required to give to Human Resources a copy of their official military orders.

An employee will be allowed to use accrued vacation or personal time during a military duty leave.

An employee must submit an application for re-employment with the university not later than 90 days after completion of service.

Upon completion of service of less than 91 days, the employee will be reinstated to his/her former position.

Upon completion of military service of more than 90 days the employee will be reinstated to his/her former position or a comparable position.

An employee with a disability incurred in or aggravated during military service is provided reasonable accommodation by the University in order to be reinstated to his/her former position or a comparable position. If performance of the former position or a comparable position is not possible due to the disability even with reasonable accommodation, the employee will, whenever possible, be reinstated to another position at that position's rate of pay and with full seniority.

Upon presentation of the military pay voucher, the employee will be reimbursed for the difference between their normal pay for a maximum of two weeks and the pay they receive while on military leave.

Sick, vacation and personal hours continue to accrue for employees on approved military leave as long as employees are receiving pay through University benefits (i.e., accrued vacation and/or personal leave for staff employees). However, employees on military leave who were eligible to accrue sick and vacation immediately prior to the leave, will accrue these benefits for the first 30 days of the military leave whether or not they receive pay for University benefits while on leave. No vacation, sick pay and/or personal leave benefits will accrue after 30 days or after University pay ceases, whichever occurs later.

An employee on approved military service leave will be allowed to continue participating in "voluntary" health, welfare and pension benefit plans in which he/she was enrolled before the first day of the leave, and at the level and under the conditions of coverage as if the employee had continued in active employment for the duration of such leave. If the employee is receiving University pay (through vacation pay) the employee's premium for such coverage will be deducted from the employee's paycheck. If the employee is not receiving University pay, the employee may make arrangements with Human Resources to make such payments. If the employee does not make payments, all voluntary University health, welfare and pension benefits will cease

unless otherwise prohibited by law. The employee must continue to pay her/his portion of benefit payments in a timely manner. Participation in “mandatory” benefits (i.e., life insurance, long term disability insurance and the University 2% pension contribution) will continue during the entire period of the military leave. The continued participation in such benefits begins on the date leave first begins.

In some instances, the University may recover premiums and/or contributions paid to maintain health coverage and/or participation in any retirement plan for any employee who fails to return to work following a military leave.

2.13.6 Witness Duty

2.13.6.1 Policy and Procedure

An employee who is required by law to appear in court as a witness may take unpaid time off for such purpose provided the employee gives the University adequate advance notice.

An employee who is ordered to appear in court must notify his/her supervisor upon receipt of the order to appear. An ERCR then is completed, signed by the supervisor and forwarded to the Human Resources Department.

The employee may elect to utilize fully accrued vacation as compensation for lost work time.

2.13.7 Holiday Pay (See [current holiday schedule and pay provisions on the HR Website](#))

2.13.8 Leaves Of A Personal Nature

2.13.8.1 General

Leaves of a personal nature (vacation and unpaid leaves of absence) are approved by the appropriate department head and vice president based primarily on the needs of the University after timely request by the employee as outlined below. Leaves of a personal nature may be disapproved, rescinded or discontinued should the needs of the University require the employee's presence. In such instances, should the employee be unable or unwilling to return to work, the employee may be terminated and the position filled. In that event, the employee on leave will be eligible to apply for other University positions.

2.13.8.2 Vacation Pay for Staff and Administrative Employees

2.13.8.2.1 General

The purpose of this section is to outline the University policy concerning vacation for Staff and Administrative

employees. The appropriate provisions of this policy shall apply equally to all administrative and staff personnel who are eligible to accrue vacation benefits.

2.13.8.2.2 Policy and Procedures

Vacations are granted by Chapman University for relaxation and rest away from the job. It is the policy of the University that all eligible employees take an annual vacation. Vacation time is not to be banked as deferred or extra compensation.

Eligible employees will accrue vacation hours from their dates of hire. Introductory Period employees accrue, but may not use vacation until they complete 90 days of the introductory period. The vacation time as provided above will be credited to the employee's account on the last day of each month. Incomplete months of employment will be accrued on a daily pro-rata basis.

Vacation hours must be accrued before they are used. No advances against future accrual may be granted.

Employees shall receive pay for vacation time taken off at the rate of pay which is in effect at that time vacation wages are paid out. It is not considered as time worked in the computation of overtime.

Vacations are to be approved in advance by the employee's immediate supervisor.

Administrative employees shall submit an "Employee Requisition and Change Request" (ERCR) to their supervisors for approval prior to taking vacation time.

Staff employees will report vacation time taken on their payroll timesheets.

Employees who are on an unpaid leave of absence of any kind shall not accrue vacation for the duration of the unpaid leave of absence. Such employees will resume eligibility for accrual upon return to active paid status.

On the date of termination, employees shall be paid for all accrued, unused vacation time. The employee will receive pro-rata vacation pay for the final partial month of employment, if any.

Vacation shall be scheduled at the employee's convenience whenever possible, when not prohibited by the needs of the University.

When an employee is terminating her/his employment with the University, the last day actually worked shall be recorded as the effective date of termination. An employee may not use accrued vacation hours following the last day worked, thereby extending the effective date of termination.

2.13.8.2.3 Accrual Rates

The maximum amount of vacation that may be credited to a staff or administrative employee is 200 hours. When the employee reaches the maximum amount of credited vacation, accrual for subsequent months will be zero. This will continue until the employee uses vacation and reduces the accrued amount below the maximum.

Vacation accrues at the following rates:

Vacation Accrual for Staff and Administrative Employees Hired On or After June 1, 1998, in hours per month:

	0 to 5 yrs.	5 to 10 yrs.	10+ yrs.
Full-time (40 hours)	6.67	10.00	13.33
3/4 time (30 hours)	5.00	7.50	10.00
1/2 time (20 hours)	3.33	5.00	6.67
Less than 20 hours	0.00	0.00	0.00
Temporary Employees	0.00	0.00	0.00

Vacation Accrual for Administrative Employees Employed as of May 31, 1998, in hours per month:

	Immediate
Full-time (40 hours)	13.33 (20 days per year)
3/4 time (30 hours)	10.00
1/2 time (20 hours)	6.67
Less than 20 hours	0.00
Temporary Employees	0.00

Vacation Accrual for Staff Employees Employed as of May 31, 1998, in hours per month:

	0 to 5 yrs.	5 to 10 yrs.	10+ yrs.
Full-time (40 hours)	8.67 (13 days/yr.)	12 (18 days/yr.)	15.33 (23 days/yr.)
3/4 time (30 hours)	6.50	9.00	11.50
1/2 time (20 hours)	4.34	6.00	7.67
Less than 20 hours	0.00	0.00	0.00
Temporary Employees	0.00	0.00	0.00

2.13.8.3 (Section not in use)

2.13.8.4 Personal Unpaid Leaves of Absence

2.13.8.4.1 General

The purpose of this section is to define the circumstances under which a personal Unpaid Leave of Absence may be granted.

2.13.8.4.2 Policy and Procedures

Employees who have been employed continuously in regular status for at least twelve months may request a personal leave of absence without pay for a reasonable period of time up to six months.

Unpaid leaves of absence for personal reasons may be approved by the employee's department head, with the concurrence of the appropriate vice president, for a period not to exceed six months. Leaves for periods longer than six months must be approved by the President of the University. In considering whether or not to approve personal leave the approving official will consider the

needs of the requesting employee's department and the needs of Chapman University. Employment may be terminated by the University if the employee fails to return to active work on the first scheduled work day following the completion of the granted leave of absence.

Requests for personal leaves of absence will be considered on the basis of the employee's length of service, performance, responsibility level, reason for the request, whether other individuals are already on leave, and expected impact of the leave upon the University's needs.

Accrual of University sick pay and vacation will cease during periods of personal leave without pay.

University-sponsored benefits (health, welfare and pension benefit plans) are discontinued for an employee on approved personal leave without pay. An employee may, however, be eligible to apply for the continuation of certain health and welfare benefits under the provisions of COBRA.

2.13.9 Statement Of At-Will Employment

These policies are not intended to and do not alter the University's at-will employment relationship with its employees. Employment at Chapman University is for no specified term and is subject to the mutual consent of the University and the employee. Either party may terminate the employment relationship at will, at any time, with or without cause. The above policies shall not limit the University's right to terminate an employee at any time, with or without cause.

2.14 Grievance Procedure

2.14.1 Purpose, Concepts and Definitions

This procedure applies to staff and administrative employees who occupy positions other than "temporary" and have achieved regular employment status. Refer to Section 2.3.2 for employees who are in the Introductory Period of Employment.

Any employee of the University, regardless of status, may bring to the attention of his/her supervisor, the appropriate dean or director, or the Vice President of Human Resources, allegations discussed in A.3. below. The person to whom the allegation is made will review the allegation and either take appropriate action or report the allegation to the appropriate University official.

The purpose of this procedure is to promote prompt and efficient investigation and resolution of grievances at Chapman University. These procedures shall be the method for resolving all alleged grievances as stated

below.

The term "grievance" as defined in this policy shall apply to the following:

- 1) An allegation that the grievant's employment rights and entitlements have been adversely affected due to a violation, misapplication or misinterpretation of University policies, regulations, or procedures as outlined in Section II of this Handbook.
- 2) An allegation that a federal or state law has been/is being violated, or is about to be violated.
- 3) An allegation that a safety hazard exists that threatens the health or well-being of the grievant.

The term "grievant" shall mean an identified staff or administrative employee (or group of employees) employed by Chapman University at the time of the action giving rise to the grievance.

These procedures do not apply to cases of alleged civil rights discrimination, or sexual or other harassment. Section 2.11.12., Harassment, applies to all employees regardless of status and provides guidance in these areas.

The term "working days" shall mean those days when the business offices of the University are open.

The commitment of both the University and the grievant is necessary so that the grievance procedure will achieve its designed objectives. Accordingly, if the grievant seeks resolution of the subject matter of a pending grievance in any forum or by any set of procedures other than those established in this procedure, whether administrative or judicial, the University shall be under no obligation to proceed any further with the matter hereunder. The act of filing an action in another forum in order to avoid violating a time limitation shall not necessarily be considered a violation of the intent of this paragraph.

Grievance proceedings shall be conducted on a "need to know" basis. All hearings shall be held in private.

Steps in the Grievance Procedure and time limits generally are followed as outlined below. Omission or re-ordering of one or more steps in the procedure may be approved in writing by the Human Resources Department if the circumstances of the grievance justify such action. Delays in time limits at any step in the process may be requested and approved by the University or the employee. If the University fails to meet an established deadline, the grievance will be advanced automatically to the next level. If the grievant fails to meet an established deadline, the grievance shall be deemed withdrawn.

In order for a grievant to have access to this procedure, the grievant must notify the Human Resources Department verbally or in writing that s/he is beginning the grievance process in accordance with steps C. - G. below.

This notification must be made as soon as possible after the date on which the grievant knew or should have known of the action or condition that occasioned the grievance.

2.14.2 Policy on Retaliation

No employee shall be discriminated against or otherwise treated unfairly for filing a grievance, testifying or assisting in the investigation process pursuant to this grievance procedure. However, an employee who misuses the grievance procedure, for example, knowingly misrepresents facts in the filing of a grievance or during an investigation, is subject to disciplinary action.

2.14.3 Informal Resolution of Problems

It is intended that, whenever possible, all problems be resolved informally, before the filing of a formal grievance. Open communication between supervisors and subordinates is encouraged so that resorting to the formal grievance steps will not be necessary.

Employees should first discuss questions or problems with their immediate supervisors, who may be able to effect a prompt resolution. In addition, the supervisor and/or employee are encouraged to contact the Human Resources Department or the Equal Opportunity Office for assistance in resolving grievances informally. Staff in Human Resources or Equal Opportunity will attempt to mediate and facilitate a solution satisfactory to both parties. This can be particularly useful in situations where the employee is uncomfortable discussing the problem directly with his/her supervisor.

2.14.4 Formal Resolution of Problems

Step 1 -- Written Grievance to the Supervisor

If the grievance is not resolved satisfactorily at the informal level and the grievant wishes to pursue the matter, the grievant will file a written grievance with the Human Resources Department, addressed to the supervisor, within ten days of the conclusion of the attempts of informal resolution, as discussed above.

This written submission shall state the specific policy, regulation, or procedure alleged to have been misinterpreted, misapplied, or violated, the effect on the grievant and the relief requested.

The Human Resources Department will forward the step 1 grievance to the supervisor.

The supervisor, upon receiving the grievance, shall investigate the matter as appropriate and respond to the grievant in writing, through the Human Resources Department, within fifteen (15) working days of the date the grievance was received by the supervisor.

Step 2 -- Written Grievance to the Dean or Director

If the grievance is not resolved satisfactorily at Step 1 and the grievant wishes to pursue the matter, the grievant will file a written grievance with the Human Resources Department, addressed to the supervisor's Dean or Director. This written grievance must be received by the Human Resources Department within ten (10) working days of the date of the Step 1 decision. The written submission shall state the specific policy, regulation, or procedure alleged to have been misinterpreted, misapplied, or violated, the effect on the grievant and the relief requested.

The Human Resources Department will forward the Step 2 grievance to the appropriate dean or director.

The dean or director shall investigate the grievance as appropriate and respond to the grievant in writing, through the Human Resources Department, within fifteen (15) working days from the date the written grievance statement was received by the dean or director.

Step 3 -- Written Grievance to the Vice President

If the grievance is not resolved satisfactorily at Step 2 and the grievant wishes to pursue the matter, the grievant will file a written grievance with the Human Resources Department, addressed to her/his Vice President (or equivalent-level official). The written grievance must be received by the Human Resources Department within ten (10) working days of the date of the Step 2 decision.

The written submission shall state the specific policy, regulation, or procedure alleged to have been misinterpreted, misapplied, or violated, the effect on the grievant, and the relief requested.

The Human Resources Department will forward the step 3 grievance to the appropriate vice president (or equivalent-level official).

The Vice President (or equivalent-level official) shall investigate the grievance as appropriate and respond to the grievant in writing, through the Human Resources Department, within fifteen (15) working days from the date the written grievance statement was filed with the Vice President.

Step 4 -- Written Grievance to the Executive Vice President

If the grievance is not satisfactorily resolved at Step 3 and the grievant wishes to pursue the matter, the grievant will file a written grievance with the Human Resources Department, addressed to the Executive President for the organizational unit. The written grievance must be received by the Human Resources Department within ten (10) working days of the date of the Step 4 decision. The written submission shall state the specific policy, regulation, or procedure alleged to have been misinterpreted, misapplied, or violated, the effect on the grievant and the relief requested.

The Human Resources Department will forward the step 4 grievance to the appropriate Executive Vice President.

The Executive Vice President will decide the grievance based on the facts in the case. The Executive Vice President may refer the grievance to another person (e.g., the Equal Opportunity and Diversity Officer or the Vice President of Human Resources) for further investigation and a recommendation.

The Executive Vice President will notify the grievant of the Executive Vice President's decision.

The Executive Vice President's decision is final, and completes the grievance process.