

## **Mission Statement**

East Central University's mission is to foster a learning environment in which students, faculty, staff, and community interact to educate students for life in a rapidly changing and culturally diverse society. Within its service area, East Central University provides leadership for economic development and cultural enhancement.

This document was published by East Central University as authorized by House Bill 1714. A total of 400 copies were printed at a cost of \$787.00.

## **PRESIDENT'S STATEMENT**

Greetings:

As faculty and staff members of East Central University, it is important that each of us stay updated on the most current policies and procedures for effectively managing and operating the ECU campus. This handbook contains easily referenced guidelines pertaining to employment policies, benefits and general information that each of you will find useful during your employment.

The policies and procedures include those unique to ECU as well as the policy and procedures established by the Regional University System of Oklahoma. Please visit with ECU's Department of Human Resources should you have any questions about these policies and procedures.

A handwritten signature in cursive script that reads "Richard Rafes".

Richard Rafes, J.D. Ph.D.  
President  
East Central University

**EQUAL OPPORTUNITY POLICY/AFFIRMATIVE ACTION  
COMPLIANCE STATEMENT  
East Central University**

The President and employees of East Central University (ECU) reaffirm the policy as set forth in the previous statements of compliance with Title VI and Title VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990, the Family & Medical Leave Act of 1993, and the Civil Rights Act of 1991, that no discrimination on the grounds of race, color, religion, gender, age, national origin, disability, or status as a veteran will exist in any area of the University.

This policy statement further reaffirms commitment of continuing and expanding positive programs which will assure the strengthening of this policy not only to the legal requirements of compliance, but also to further employment opportunities and promotions for all ages, cultural/ethnic groups, veterans, physically challenged, visually or hearing-impaired individuals, and genders. The President of East Central University assures that this commitment will embrace the developing and maintaining of our Affirmative Action Compliance Program which will involve necessary additional efforts with respect to the recruitment, selection, placement, termination, training, and promotion of all employees and with respect to personnel action such as compensation, benefits, transfers, layoffs, return from layoffs, education, tuition assistance, recreation programs, and other appropriate programs.

East Central University explicitly prohibits acts of discrimination that violate individual civil rights or conduct that is founded in prejudice or hate violence. Discrimination/hate violence is unlawful and will subject those who engage in it to university discipline to include discharge, as well as civil and criminal penalties.

No institutional policies are in effect at East Central University that deviate, in wording or intent, from the above-stated administrative policy.

It is the intent of the University that printing of all appropriate publications for public distribution will include the following equal opportunity statement:

“East Central University, in compliance with all applicable Federal and State laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disability, status as a veteran, or special disabled veteran in any of its policies, practices, or procedures. This includes but is not limited to admission, employment, financial aid, and educational services. The following person has been designated to handle inquiries regarding these non-discrimination policies, practices, or procedures: Director of Placement and Personnel, Room 152, Administration Building, 580-310-5252.”

## PREFACE

This Non-Faculty Handbook contains information about employment conditions, opportunities, policies, and procedures. It is to be used as a working guide throughout your employment at East Central University. ECU is an “at-will” employer and nothing in the handbook is intended to waive the “at-will” status of employment.

The Vice President for Institutional Advancement has designated the Personnel Director to provide administrative interpretation of these policies and act in a staff advisory capacity.

These policies are effective immediately upon approval of the President of East Central University.

It is the responsibility of each supervisor, faculty or non-faculty, to enforce all provisions of these policies with respect to non-faculty employees under his/her supervision.

These written policies and procedures will assist each supervisor in providing a fair and equitable environment for his/her employees. It will also help to ensure uniformity of personnel policy interpretation and application throughout the University.

East Central University retains the right to change any of the provisions in this handbook at any time. For the sake of convenience, new pages will be sent to each supervisor for distribution when changes are made.

After reading this handbook, should you have any questions, please do not hesitate to discuss them with your supervisor or call the Personnel Office.

This 2001 revision of the Non-Faculty Handbook supercedes any previously written handbooks and prevails over any previous policies to the extent that they are inconsistent with the policies contained herein.

NOTE: Policies and procedures established by federal law, state statute, the Oklahoma State Regents for Higher Education and the Board of Regents of Oklahoma Colleges are bolded to distinguish them from policies or procedures established by the University.

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# 1. EMPLOYEE BENEFITS

## 1.1. EMPLOYER-PAID INSURANCE

These benefits are provided to all regular employees and faculty working 75% FTE (full-time equivalent) or more.

### 1.1.1 Health and Vision Insurance

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Coverage for health and vision insurance is effective the first day of the month after employment begins. Employees may be required to pay a portion of his/her premium depending on his/her plan selection. New employees may be subject to six month pre-existing conditions.

Employees and his/her covered dependents are eligible to continue health insurance after terminating employment with East Central University through provisions of COBRA, a federally mandated program. Please contact the Personnel Director for specific information regarding COBRA continuation and cost.

### 1.1.2 Life Insurance

Coverage effective date is the first day of the month after employment begins. Coverage equals the annual base salary rounded down to whole thousands and multiplied by two with maximum coverage of \$250,000.

### 1.1.3 Long-term Disability Insurance

Eligibility for coverage begins six months after employment. Benefits are integrated with workers' compensation insurance, Social Security, and Oklahoma Teachers' Retirement System disability benefits.

## 1.2 RETIREMENT

### 1.2.1 Social Security

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Every employee will participate in Social Security as provided by law.

### 1.2.2 Oklahoma Teachers' Retirement

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Oklahoma Teachers' Retirement participation is mandatory for certain supervisory and administrative staff as well as faculty and support personnel. East Central University will pay all required contributions to the Oklahoma Teachers' Retirement System.

### 1.2.3 TIAA/CREF

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East Central University will make employer-paid contributions to TIAA/CREF on the employee's behalf in the amount of 4% of annual base salary (subject to change

without employee consent), provided three criteria are met:

- (a) employee has worked 75% FTE or more
- (b) employee has attained age 23.
- (c) employee is required to be employed for one year prior to being vested

Each employee meeting these requirements will be notified of eligibility at the appropriate time. The employee or faculty member must complete an application with the payroll clerk when notified of eligibility. This benefit is not retroactive in the event the employee delays completion of the application.

#### 1.2.4 Supplemental Retirement Program

A defined full-time regular employee hired by one of the Oklahoma regional institutions of higher education prior to July 1, 1987, may qualify for a supplemental retirement benefit to be paid by East Central University. For further information, please contact the Personnel Office.

#### 1.2.5 Retiree Insurance

East Central University will continue to pay for group health and life insurance coverage for retirees until qualified for Medicare Insurance, as long as the employee retires under provisions of Oklahoma Teachers' Retirement System and East Central University. When the retiree is eligible for Medicare Insurance, the retiree may continue the health insurance plan under provisions of a Medicare supplement, with the retiree paying any required premium. Contact the payroll clerk for further details.

### 1.3 OPTIONAL BENEFITS/PAYROLL SERVICES

East Central University also offers several payroll services and optional benefits to be paid by the employee. Contact the Personnel Office for information on any of these services and benefits.

- 1. Direct Deposit of Salary Payments
- 2. U.S. Savings Bonds
- 3. Tax-deferred Annuity Programs
- 4. Cancer Insurance
- 5. Dependent Health Insurance
- 6. Dependent Life Insurance
- 7. Dental Insurance
- 8. Dependent Vision Insurance
- 9. College Savings Plan

### 1.4 WORKERS' COMPENSATION INSURANCE

All University employees are covered by Workers' Compensation Insurance. Injuries

which arise out of and in the course of the performance of compensable work for the University are covered under this program. There is no enrollment required. The cost of the premium is paid entirely by the University. (See Section 7.2 for filing instructions.)

#### 1.5 UNEMPLOYMENT COMPENSATION

The University is self-insured with the Oklahoma State Employment Security Commission to provide Unemployment Compensation benefits for eligible terminated employees or those who are laid off. Information concerning Unemployment Compensation can be found in a booklet entitled, "Information for Workers Who Are Unemployed Concerning His/Her Rights To Receive Unemployment Compensation." Copies of the booklet can be obtained from the Oklahoma State Employment Security Commission or the Personnel Office.

#### 1.6 COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE

The State of Oklahoma provides automobile liability insurance under the State Governmental Tort Claims Act for all employees who are acting within the scope of his/her duties. Further information is available from the State Office of Risk Management or the Personnel Office.

All University employees are covered for liability up to \$175,000 for bodily injury and \$25,000 for property damage, per incident, per person up to \$1,000,000, while operating a University automobile.

#### 1.7 PROFESSIONAL LIABILITY

Effective January 23, 1995, coverage provided insures actual or alleged "wrongful" acts, which are defined as any breach of duty, neglect, error, or misstatement, misleading statement, or act or omission by any employee in his/her capacity as such, committed solely in the course of his/her employment and of the activities of East Central University, including but not limited to discrimination, whether based upon race, sex, age, national origin, religion, or disability; sexual harassment, libel, slander, defamation, or publication or utterance in violation of an individual's right to privacy.

In the event an employee is threatened with litigation by a third party, that employee should notify the Personnel Office as soon as possible.

## 1.8 ENROLLMENT OF EMPLOYEES IN UNIVERSITY COURSES

All full-time University employees are eligible to participate in the tuition waiver program. The waiver may be used by employees themselves or may be assigned to or shared with spouses or dependent children upon written approval from the president's office. The waiver will cover only tuition, not fees and is limited to one-half of the tuition per semester. All standard East Central University admission requirements must be satisfied prior to entry into any class.

## 2. LEAVES OF ABSENCE

### 2.1 VACATION LEAVE

ECU support staff employees shall be entitled to vacation leave. Vacation leave accrues as follows:

0-5 years	(12-60 months)	10 working days
6-10 years	(61-120 months)	12 working days
11-15 years	(121-180 months)	15 working days
16-20 years	(181-240 months)	17 working days
21 years +	(241-over months)	20 working days

ECU professional staff employees shall accrue vacation leave at the rate of 1.67 days per month (20 working days per year).

Vacation leave may not accumulate beyond sixty days in any given fiscal year. Holidays and other non-working days falling within one's vacation leave, and compensatory time off for overtime, shall not be charged against one's accumulated vacation leave.

If an employee resigns or is discharged, full payment for unused vacation leave will be made provided the employee has worked for a continuous six-month period and gives a minimum of ten workdays notice. No payment for vacation leave will be authorized for any person who has not completed at least six months of continuous employment at the University and/or does not give required notice.

If an employee transfers from one department to another within the University, the employee should use accrued leave prior to transferring. Exceptions to this policy must be approved by supervisors of both the transferee and transferor departments and by the president.

Vacation leave is granted at the convenience of the University by the president of the university or by the administrative department head on request of the employee. The desire of an employee as to the time he/she will take leave will be respected insofar as this can be done without inconvenience to the University.

No employee may be paid extra for working during vacation leave unless the University has particular need for his/her services during the time and then only with written approval by the president or vice president responsible for the department.

A University Request/Approval of Leave Form must be completed in advance and approved by the supervisor before vacation leave is taken. (See Exhibit 2)

**An employee shall only be allowed to use vacation leave that has been accumulated before the beginning of the month for which leave is requested.** It is the responsibility of the department supervisor and the employee to ensure that sufficient time has been accrued to cover the time requested prior to the request and approval of the leave. Each month department supervisors receive a leave status report. The report will reflect leave accrued through the previous month and leave taken during the second month prior to the report. For example, the report dated July 1 would reflect leave accrual through June and leave taken through May. Before granting leave, time taken during the month prior to the dated report and the month of the report must be deducted from the leave balance to get an accurate leave balance figure.

All full-time employees may take vacation leave at the convenience of the department. Request/Approval of Leave Forms should be available from the supervisor. Additional forms may be obtained from the Personnel Office. A vacation is not automatically extended because of illness during the vacation.

A compensatory balance (see 3.3) must be exhausted before using vacation leave unless this action will result in a loss of vacation leave due to maximum accrual.

## 2.2 SICK LEAVE

Sick leave is a period of time during which an employee is unable to work because of illness, injury, or medical, surgical, dental or optical examinations or treatment to the employee and/or immediate family member(s) or because the employee has been exposed to a contagious disease and presence at work would jeopardize the health of others.

All requests for sick leave must be made in writing, setting forth the exact time of absence. Requests for sick leave should be made in advance when possible. If this is not possible, notify the department supervisor as soon as possible after the beginning of the work period and submit a Request/Approval of Leave Form immediately upon return to work. The employee must notify the supervisor each day the employee is unable to work. Sick leave may be denied for failure to notify the department supervisor promptly, or if the employee has been denied for failure to notify the department supervisor promptly, or if the employee has been abusing the sick leave privilege. If the illness is prolonged, the department supervisor must be provided with a doctor's statement on a monthly basis so that work may be planned. If an absence due to illness lasts for three or more consecutive working days, a

current and signed doctor's statement may be requested upon return to work unless the employee is released from this requirement by the department supervisor. A doctor's statement may be required for each day the employee is unable to work at the University's discretion.

A full-time employee (75% or more) accrues sick leave at the rate of 7.50 hours for 75% of full-time to 10 hours per month for 100% full-time. Unused days may be accumulated up to 1,040 hours (130 working days).

Sick leave will not be earned by an employee during leave of absence without pay, unpaid family or maternity leave, suspension without pay, layoff, or removal from the payroll for any reason. Sick leave will not be paid on any illness or injury incurred while committing a crime, nor will it be paid on any illness or injury resulting from paid employment elsewhere. There will be no payment for any unused accrued sick leave balance at time of termination or reduction to less than full-time.

While the University pays for authorized sick days, the University expects the employee to be honest in requesting and using sick leave. Employees suspected of abusing his/her sick leave benefit may be required to bring a doctor's statement for any sick leave used.

Under no circumstances should an employee claim sick leave benefits to work on another job or for any other reason not covered in the definition of sick leave. Any abuse of this benefit will be taken into account during performance evaluations. Appropriate disciplinary actions will be taken if sick leave abuse is discovered, not to exclude termination.

### 2.3 SICK LEAVE SHARING POLICY

A Sick Leave Bank will be created on July 1, 2001. Full-time employees may donate five days of sick leave to the Bank at the beginning of each fiscal year. However, the donation must not reduce the employee's sick leave balance below 30 days. Donations to the Bank shall be for one year; the Bank's balance returns to zero at June 30 of each fiscal year, and all unused sick leave remaining in the Bank will become null and void.

Regular, full-time employees may request days from the Sick Leave Bank only when all accrued sick leave and vacation leave is exhausted. The request must be submitted through normal channels to the President's Office for final approval. Normally, the number of days awarded to an individual should be based upon a physician's statement or other appropriate documentation of need; exceptions may be granted depending upon the circumstances of individual requests. In situations where circumstances prevent an employee from requesting leave from the Bank prior to the absence(s), a request after the fact will be considered.

Only donors to the Bank are eligible to receive leave awards from the Bank.

However, in the event an employee is not eligible to donate to the Bank due to his/her inadequate sick leave balance, such employee, who exhibits an unusual situation or circumstance, may be awarded leave with the understanding that he/she will become a donor to the Bank when eligible.

#### 2.4 PERSONAL LEAVE

Personal leave shall be charged against sick leave and may not be granted in excess of accumulated sick leave. The number of hours granted will be governed by the circumstances of the case, but in no event shall they exceed 40 hours in any calendar year. Requested personal leave in excess of 40 hours in any calendar year will be charged to vacation leave until the vacation leave balance is depleted and then to leave without pay.

Regular full-time employees are eligible for personal leave. Personal leave can be used when a member of the employee's immediate family requires his/her attention due to an emergency that only the employee can handle, or for bereavements. Personal leave hours may not be accumulated or carried over from one year to the next. Personal leave is not vacation leave and therefore is not intended to supplement vacation periods. Department supervisors shall recommend approval to the appropriate vice president for approval for personal leave hours to be used.

#### 2.5 HOLIDAYS

East Central University observes certain holidays to be announced by the President of East Central University. Employees scheduled to work on a University-approved holiday will be granted an equal amount of time off with pay on a date mutually agreed to by the employee and department supervisor, if he/she was in a paid status on both the day before and the day after the holiday.

#### 2.6 LEAVE WITHOUT PAY

Leave without pay is an absence from duty granted to the employee for which no pay is received.

Leave without pay may not be used unless all accrued vacation leave and compensatory time have been exhausted. In the case of illness or absence for medical leave, sick and vacation leave must be exhausted. Any exceptions to this policy must be approved in advance by the President of the University. Neither vacation nor sick leave will be earned during leave without pay. Leave without pay must be requested in writing, setting forth the exact time to be absent and the reason for absence. Leave must be approved by the department supervisor and may be refused if approval is not in the best interest of the department or University. Leave without pay can be canceled by the University upon five work days written notice. The employee may return to work before the end of the leave with written approval of the department supervisor.

## 2.7 FAMILY AND MEDICAL LEAVE ACT

East Central University is in compliance with the Family and Medical Leave Act (FMLA) of 1993. The following procedures and rules are in effect for employees:

To be eligible for FMLA leave, an employee must have worked for ECU for at least 12 months and have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave. An eligible employee will be granted up to a total of 12 work weeks of unpaid leave in a 12 month period for one or more of the following reasons: 1) for the birth of a son or daughter, and to care for the newborn child; 2) for the placement with the employee of a child for adoption or foster care, and to care for the newly placed child; 3) to care for an immediate family member (spouse, child, or parent - but not a parent "in-law") with a serious health condition; and 4) when the employee is unable to work because of a serious health condition. Leave to care for a newborn child or for a newly placed child must conclude within 12 months after the birth or placement.

Spouses both employed by ECU may be limited to a combined total of 12 workweeks of family leave for the following reasons: birth and care for a child and for the placement of a child for adoption or foster care, and to care for the newly placed child.

The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances: 1) intermittent/reduced schedule leave may be taken when medically necessary to care for a seriously ill family member, or because of the employee's serious health condition; or 2) intermittent/reduced schedule leave may be taken to care for a newborn or newly placed adopted or foster care child only with the employer's approval. Only the amount of leave actually taken while on intermittent/reduced schedule leave may be charged as FMLA leave.

Employees needing intermittent/reduced schedule leave for foreseeable medical treatment must request his/her supervisor to schedule the leave so as not to unduly disrupt operations, subject to the approval of the employee's health care provider. In such cases, ECU may transfer the employee temporarily to an alternative job with the equivalent pay and benefits that accommodates recurring periods of leave better than the employee's regular job.

Eligible employees seeking to use FMLA leave must provide: 1) a 30-day advance notice of the need to take FMLA leave when the need is foreseeable; or 2) notice "as soon as practicable" when the need to take FMLA leave is not foreseeable. Sufficient information must be provided to understand that the employee needs leave for FMLA-qualifying reasons. In addition, where ECU was not made aware that an employee was absent for FMLA reasons and the employee wants the leave counted as FMLA leave, timely notice (generally within two business days of returning to work) that leave was taken for an FMLA-qualifying reason must be given to the

supervisor. The employee is required to exhaust accrued paid vacation and/or sick leave for any of the situations covered by FMLA prior to being granted FMLA leave.

ECU may require that the need for leave for a serious health condition of the employee or the employee's immediate family member be supported by a certification issued by a health care provider. In such circumstances, the employee will have at least 15 calendar days to obtain the medical certification.

ECU will maintain group health insurance coverage, including family coverage, for an employee on FMLA leave on the same terms as if the employee continued to work. When appropriate, arrangements will need to be made for employees taking unpaid FMLA leave to pay his/her share of health insurance premiums. In some circumstances, ECU may recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from FMLA leave.

Upon return from FMLA leave, the employee will be restored to his/her original job, or to an "equivalent" job, which means virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions. In addition, a employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using (but not necessarily during) FMLA leave. The use of FMLA leave will not be a negative factor in employment actions.

## 2.8 EXTENDED MEDICAL LEAVE

East Central University may continue to require a physician's statement periodically from employees on medical leave. Failure to provide a statement from the physician could lead to termination. Failure to return to work at the beginning of the next scheduled work day after being released by the physician may result in termination. The actual position held by the employee may be held for a reasonable period of time after the exhaustion of paid leave, to be determined by the needs of the University. After that time, the employee may be terminated.

## 2.9 MEDICAL TERMINATION

Employees who are physically unable to perform his/her essential assigned job functions with or without accommodations and are not likely to be able to perform his/her duties at a later point in time may be terminated.

## 2.10 MILITARY LEAVE

Per Oklahoma statute, O.S. Title 44, Section 209, all employees of the University who are members of any component of the armed forces of the United States shall, when ordered by proper authority to active duty or service, be entitled to a leave of absence for such active service. There will be no loss of status. There will be no loss of pay for up to 20 working days per calendar year. For more detailed information

regarding the above policy and procedures, please contact the Personnel Director.

#### 2.11 VOTING LEAVE

Per Oklahoma statute, Title 26 7-101, East Central University is committed to giving all employees a reasonable amount of time off with pay for the purpose of voting in national, state, and local elections. Therefore, any registered voter employed at the University may be granted two (2) hours of time during the period when the election is open in which to vote, and if the employee is located in the county or at such distance from the voting place that more than two (2) hours are required in which to attend such elections, then the employee shall be allowed a sufficient time in which to cast his/her vote. No employee shall be entitled to such time to vote unless he/she notifies his immediate supervisor orally or in writing of the intention to be absent, on the day preceding the election day. Upon proof of voting, such employee shall not be subject to any loss of compensation or other penalty for such absence. The University shall select the hours which the employees are allowed to attend the elections and shall notify each employee which hours he/she are to have in which to vote. This policy shall not apply to an employee whose work day begins three (3) hours prior to the time of closing the polls. The employer may change the work hours to allow such three (3) hours before the beginning of work or after the work hours. This act shall not apply to school board or bond elections.

#### 2.12 JURY DUTY

Jury duty will be turned in on a Request/Approval of Leave Form but will not be counted against sick leave, vacation leave, or personal leave.

Employees summoned to be on jury duty must submit a copy of the summons with the Request/Approval of Leave Form. After completing jury duty, evidence of having served on a jury for the time claimed must be submitted to the department supervisor.

#### 2.13 COURT DUTY

When an employee is subpoenaed to appear in court, he/she must submit a copy of the subpoena to the Personnel Office. At that time a ruling will be made as to how the leave will be charged after consultation with the appropriate supervisor.

#### 2.14 INCLEMENT WEATHER

Because of the unpredictable nature of Oklahoma weather, combined with the large number of commuter students at East Central University, on occasion administrative offices will be closed and classes will have to be canceled or delayed. When classes are canceled or a late starting time is announced, all local media are called by the designated University official as soon as possible. The closing or late opening of administrative offices will be announced separately from the class changes.

If the President of the University deems it necessary to close or delay the opening of University offices due to inclement weather conditions, all REGULAR FULL-TIME employees will be given University-paid leave time for such absence. If an employee is required to work during this time, appropriate compensatory time will be given. This leave will not be deducted from any of the accumulated leave balances of the employee. PART-TIME HOURLY AND FULL-TIME/TEMPORARY employees, including students, WILL NOT be paid for this time off. The department supervisor has the authority to allow hourly employees additional work hours over the weekend or during a following workweek to compensate for hours lost due to the time that the University was closed.

### **3. HOURS OF WORK**

#### **3.1 WORKWEEK**

For payroll record-keeping purposes, the workweek at East Central University begins at 12:00 a.m. Saturday and ends at 11:59 p.m. Friday. The workweek is defined as being 40 hours.

Administrative office hours are normally 8:00 a.m. to 5:00 p.m. Monday through Friday.

#### **3.2 FLEXTIME**

Flexitime is an alternative work pattern that allows departmental supervisors the flexibility to vary the arrival and departure times of departmental employees. This arrangement allows variations in the length of the workday/workweek. All flexitime decisions are subject to departmental approval; control and supervision and all exceptions will be handled by the department's supervisor on a case-by-case basis. Flexitime should benefit both the employee and the departmental supervisor. Such arrangements should be rare in occurrence and be limited to a specified length of time.

#### **3.3 OVERTIME (Support Staff Employees)**

Overtime work is to be performed only when approved by the employee's department supervisor in advance. When it is necessary for an employee to work more than eight hours in a workday, the workweek should be rearranged so that it does not exceed 40 hours. If this is not possible, the employee must be given compensatory time off during a later workweek. When the hours worked in a workweek (excluding paid leave hours and holidays) exceed 40, the employee will be granted compensatory time off at the rate of one and one-half hours for each hour of overtime worked.

When the work credited during a workweek exceeds 40 hours but actual hours of work do not, the employee will receive compensatory time off at the rate of hour for hour.

Compensatory time off should be taken within the same pay period unless it places a hardship on a department. Compensatory time may not be accumulated beyond 80 hours. Any exception to this limit must be approved by the vice president in writing. Supervisors and department supervisors will determine when this compensatory time is to be taken with the least amount of disruption to University operations. Compensatory time off should not be used to allow an employee to be absent from work for extended periods of time.

If a department cannot allow an employee to take compensatory time off as compensation for overtime, the department supervisor must authorize approval prior to the performance of the overtime work in order to receive authorization to pay overtime wages. Overtime wages are for support staff employees only.

#### 3.4 WORK BREAKS

A brief break from work is extended to employees as a privilege and not a right. Breaks should be arranged with the supervisor or department supervisor. A work break should be no more than 15 minutes twice a day. Break time cannot be accumulated, added to lunch period, or otherwise used to shorten the workday or workweek.

#### 3.5 LUNCH PERIOD

The lunch period consists of one (1) hour daily unless otherwise scheduled by the department supervisor to meet special needs. Employees may not forego the lunch period to shorten the workday or workweek.

#### 3.6 TARDINESS

Employees are expected to be at his/her work stations at the scheduled work time. Habitual tardiness will be a matter for disciplinary action.

#### 3.7 ABSENTEEISM

Employees who are absent from work shall be responsible for notifying his/her supervisor when they are absent and indicating when they will report back to work. The employee will notify the supervisor personally as soon as possible after the beginning of the shift. Any employee who fails to comply with this rule will be subject to disciplinary action. Excessive absenteeism will be reflected in the employee job performance evaluation and may lead to dismissal.

#### 3.8 OUTSIDE EMPLOYMENT

A person who accepts full-time employment at East Central University assumes a primary professional obligation to the University. Any other employment or

enterprise in which an employee engages for income must be understood to be definitely secondary to his/her University work. Employees may not re-arrange work schedules to accommodate outside employment.

Working outside the University's assigned and authorized employment will not be permitted when the working hours of such employment are contemporaneous with the employee's regular hours at the University without approved leave that is either leave without pay or accrued vacation leave.

Outside employment must not be a conflict of interest or have the perception of being a conflict of interest with his/her University work. If outside employment becomes a problem for the employee to perform his/her University work in a satisfactory manner, the employee will be asked to take corrective action, not to exclude the termination of outside employment. Any employee working outside the University on a regular basis should advise his/her immediate supervisor.

### 3.9 ABANDONMENT OF POSITION

The University reserves the right to terminate employment after an employee has failed to report to work for 3 consecutive workdays without notifying his/her supervisor. Such employee will be considered to have resigned his/her position. The last day of work will be the effective termination date for payroll.

## 4. WAGE AND SALARY

The wage and salary program of East Central University is administered by the Personnel Office and provides for salaries comparable to those paid for similar positions in the surrounding area, based on the University's ability to pay. The program also provides recognition for differences in individual ability and performance.

The Personnel Director shall, upon need or request, conduct classification reviews on studies of any position or classification, and may revise the classification plan or any individual position classification according to findings.

### 4.1 EXEMPT AND NON-EXEMPT CLASSIFICATIONS

The Personnel Director shall determine and specify, subject to the provisions of the Fair Labor Standards Act, those classifications which shall be exempt. All classifications not specifically determined to be exempt classifications shall be considered non-exempt classifications.

#### 4.1.1 Exempt Classification

Exempt classifications are those classifications which shall neither be entitled to the earning of, accrual of, or credit for overtime. The department

supervisor has the discretionary authority to arrange the work schedule of an exempt employee.

#### 4.1.2 Non-exempt Classification

Non-exempt classifications are those classifications which shall be eligible for earning of, and credit for, appropriately authorized overtime. These employees must maintain a time record reflecting actual hours worked.

### 4.2 SALARY INCREASES

The salaries of all employees are reviewed annually. On July 1<sup>st</sup> of each year, pending approval, the employment verification is issued with approved salary.

Any adjustments are based on work performance, promotion, demotion, labor market conditions, legislative actions, and budget constraints.

### 4.3 PERFORMANCE EVALUATIONS

All employees should be evaluated following his/her sixth month of employment by his/her appropriate supervisor. The employee will be evaluated again one year after employment and normally at one-year intervals thereafter. These periodic reports on an employee's progress become a permanent part of his/her personnel file. This file is referred to for salary review and promotional considerations and also used as background material should a supervisor feel the need to discuss improvement in an individual's work.

### 4.4 PAY DAY

All salaried employees shall normally be paid the last working day of the month.

Any questions concerning payroll dates should be directed to the Business Office.

### 4.5 HOLIDAY PAY

To be eligible for University-approved holiday pay, an employee must be a regular full-time (75% or more) employee and, if regularly scheduled to work on a holiday, the employee must be in paid status on both the day before and the day after the holiday. Some exceptions exist including police, custodial, Wellness Center, etc.

If a designated holiday falls within a vacation period, it shall not be charged against vacation time.

Any regular full-time employees required to work on a holiday will be entitled to a substitute holiday off to be scheduled by the supervisor. If an employee is scheduled to work on a University-approved holiday and becomes ill, the employee will receive

sick pay for that day.

#### 4.6 GARNISHMENTS

Each employee is expected to take care of his/her financial obligations independent of the University.

The University will accept court-ordered wage assignments, garnishments, and tax levies and process them in the legally prescribed manner.

### 5. EMPLOYMENT/TERMINATION POLICIES

#### DEFINITIONS

##### 5.5.1 Employment

5.5.1.1 Initial Employment refers to placing an individual on the payroll for the first time.

5.5.1.2 Re-employment refers to placing a former employee on the payroll after a break in service of more than 90 days.

5.5.1.3 Reinstatement refers to placing a former employee on the payroll after a break in service of 90 days or less.

##### 5.5.2 Promotion

The advancement of an employee to a classification with a higher pay range.

##### 5.5.3 Transfer

A transfer occurs when an employee moves from one position to another position of equivalent responsibility within the same pay range.

##### 5.5.4 Demotion

The movement of an employee to a classification with a lower pay range. A demotion may result in decrease in pay. Demotions may be either disciplinary or non-disciplinary.

#### 5.2 EMPLOYMENT CATEGORIES

Positions at East Central University are categorized as one of the following:

##### 5.2.1 Regular Full-time Employees

Those employees who work at least 30 hours per week and maintain continuous regular employment status.

#### 5.2.2 Regular Part-time Employees

Those employees who work less than 30 hours per week and who maintain continuous regular employee status. Employees in this classification may work more than 30 hours per week on occasion, but should not average 30 hours per week or more.

#### 5.2.3 Temporary Employees

Employment which is expected to last less than six months.

#### 5.2.4 Student Employees

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Student employee status applies to those employees currently enrolled in East Central University whose primary purpose for being at the University is to obtain an education.

Student employees should be enrolled in at least three hours.

### 5.3 ADVERTISING POLICY

The employing department may be charged for position openings advertisements in newspapers or journals.

In the event a department requests an ad to run in a special publication, the department will be responsible for the cost of the advertisement.

For more detailed information regarding the above policy and procedures, please contact the Personnel Office.

### 5.4 EMPLOYMENT TESTING

Federal regulations require that employee selection testing, if prescribed by a department or the Personnel Office, be validated to show a direct relationship between test results and job performance. Employment tests are not to be used until they have been approved by the Personnel Office.

### 5.5 PROBATIONARY PERIOD

The probationary period is a time for demonstrating the skills and abilities to perform the duties assigned. Every supervisor should routinely keep notes on his/her employees' performances and especially document counseling sessions. As an employee's evaluation period approaches (during the sixth month), each supervisor

should review those notes to consider whether the probationary employee should be retained. The probationary period can be extended by no more than three months if the situation warrants it. Administrators will serve a one year probation period. The probationary period is an extension of the selection process.

If there is an interruption of service during the probationary period, the time lapse during the interruption shall not be included as part of the probationary period. Probationary employees will not have access to the Grievance Procedure.

Upon promotion to a new classification, transfer or demotion, employees shall be placed in a six-month probationary period to allow the department supervisor a sufficient amount of time to measure the efficiency and productivity of the probationary employee. Such probationary periods do not affect an employee's eligibility for accrual or use of University benefits.

If an employee fails to learn procedures or if the employee persists in poor work habits, a supervisor may recommend termination. It is the responsibility of all supervisors to carefully inform new employees of standards, rules, and procedures of the work place and provide them with appropriate positive direction during his/her orientation.

An employee may be dismissed without prior notice at any time during the probationary period. Recommendations for dismissals shall be reported to the President's Office.

## 5.6 VACANCIES

In an emergency situation, a person can be hired to temporarily fill a regular full-time/part-time position; however, the position should be opened for advertising.

Employees wishing to be considered for a vacancy should apply through the Personnel Office.

## 5.7 DIRECT APPOINTMENT

Direct appointments can be made with the approval of the President. This policy provides operational efficiency, equitable consideration and opportunity for qualified employees to fill managerial level positions at East Central University.

Direct appointments will be used only in exceptional cases when the need to fill the position is immediate, or the field of eligible internal candidates is known, or a current employee has been effectively performing higher level duties for an extended period of time, or when it is considered to be in the best interest of the University to do so.

## 5.8 INTERIM APPOINTMENTS

It is the policy of East Central University to provide an interim salary increase for current staff who are serving in a temporary position of higher grade until the vacant position is filled.

The requesting department supervisor, dean, etc., through the appropriate vice president and the Personnel Director will determine the salary for the interim classification on a case-by-case basis.

Consideration will be given to using the entry level base as a minimum up to, but not to exceed, the existing budgeted salary amount.

For information pertaining to process and procedures, please contact the Personnel Office.

## 5.9 NEPOTISM

Being a relative of a University employee shall not prevent a person from being employed or advanced in University employment. However, no two persons who are related within the third degree of kinship shall be given positions in which either one is directly responsible for making recommendations regarding hiring, promotion, salary or retention of the other. For all purposes involving the application of this policy, a relative within the third degree is defined as a parent, spouse, child, brother, sister, the foregoing as in-laws, and other close relatives by birth or marriage, such as, but not limited to aunt, uncle, nephew, niece.

Neither of the two persons so related, who hold positions in the same budgetary unit, shall be employed in an executive or administrative position in that same unit.

## 5.10 PROMOTIONS AND TRANSFERS

To provide equitable consideration and opportunity for qualified employees to fill job vacancies at East Central University, promotions and/or transfers can be made. An employee desiring a transfer to another position should contact the Personnel Office. Arrangements for interviews and transfers will be made in agreement with the employee and supervisor.

The University encourages the upward mobility of employees to positions for which they are qualified and which meet his/her career interests and objectives. Any East Central University employee is eligible at any time to apply for vacant positions regardless of length of service.

Promotions will be based on qualifications including experience, education, attendance, ability, and other job-related factors. Employees interested in promotional opportunities must provide the Personnel Office with updated employment

application material as positions open.

#### 5.11 RE-EMPLOYMENT

Those employees who terminate his/her employment under satisfactory conditions and who desire to return after the expiration of 90 calendar days may do so upon application and completion of proper documents with a recommendation from the department supervisor and approval by the President. The returning employee in this category would return with no restoration of previous benefits.

#### 5.12 REINSTATEMENT

Employees who are reinstated to a full-time position by the University within 90 calendar days following termination under satisfactory conditions will have his/her previously accrued sick leave balance and vacation accrual rate restored to his/her employment record. These reinstated employees who were participating in TIAA/CREF at the time of termination will be eligible for immediate participation in this benefit.

#### 5.13 RETIREES RETURNING TO WORK

Oklahoma Teachers' Retirement System regulations require a minimum of 60 calendar days between a retiree's last day of pre-retirement public education employment and any such post-retirement employment. Retirees may be considered for full or part-time employment, but only within the parameters established by the Oklahoma Teachers' Retirement System. Copies of the regulations and further information are available through the Personnel Director.

#### 5.14 EMPLOYMENT TERMINATION

Although both the employee and East Central University may terminate employment at will, the University requests an employee to give at least a ten work-day notice.

The letter of resignation will be submitted to the division or department supervisor, who will then submit it to the Personnel Director and/or the President. The salary of an employee whose services are terminated before the end of the month will be prorated on the basis of work days during the month of termination. The employee must complete the clearance process.

#### 5.15 REDUCTION IN WORK FORCE

It is the policy of the University to provide stable employment to its employees. However, conditions may arise which necessitate a reduction in the University's work force. Employees, including those on leave, may be separated from University service when positions are discontinued because of insufficient funding, lack of work, program changes, or changes in the structure of departments, divisions, or

other University administrative units.

#### 5.16 TERMINATION CLEARANCE PROCESS

The employee must complete the clearance process before the final pay check will be issued. Prior to the last day of work the employee will receive a clearance card from the Personnel Office. The employee must obtain his/her department supervisor's signature on the clearance card and complete the clearance process as noted on the clearance card. The process includes turning in all University property, such as keys, identification card, parking permit, credit cards, library books, uniforms, clearing all University debts, clearing Information Technology (IT), and completing an exit interview. Upon termination, all financial obligations to the University must be settled.

**Note: The termination date of any terminating employee will normally be the last day physically worked.**

### 6. GENERAL INFORMATION

#### 6.1 ACCESS TO PERSONNEL FILES

For the purpose of making employment decisions, the University maintains individually identifiable personnel files on persons who have been or who are its employees. This policy is intended to provide guidelines for access to those records in order to promote an informed public while maintaining the security of personnel records necessary to protect the privacy of its employees and the interests of the institution in fulfilling its mission.

Individual employees are entitled to access to his/her own personnel file. Access to appropriate records shall be in accordance with the provisions of this policy, the University's Open Records Policy and the States Open Records Act.

##### 6.1.1 Contents

The Personnel Office, as custodian of personnel files, shall determine information to be placed in the files. Only such information as is germane to the person's employment with the institution shall be retained in these files. Examples of this type of information are:

1. Information pertaining to bona fide occupational qualifications.
2. Behavior and discipline matters.
3. Personnel actions, such as appointment, change of status, etc.

Individuals may ask that materials relevant to his/her employment be

included in his/her personnel file by written request to the Personnel Director. An individual may not remove or add any records to his/her personnel file at the time of inspection.

4. Evaluation of work performed.

#### 6.1.2 Open Records Act

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The following personnel records shall be deemed confidential and may be withheld from public access:

1. Those that relate to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation; or
2. Those where disclosure would constitute a clearly unwarranted invasion of personal privacy such as, but not limited to, employee evaluations, payroll deductions and employment applications submitted by persons not hired by the University; or
3. Those which are specifically required by law or University policy to be kept confidential.

Personnel records not specifically falling within the exceptions provided above shall be available for public inspection in accordance with the Open Records Act.

- 6.1.3 Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in his/her areas of responsibility on a need-to-know basis and shall have authority to share the information with others responsible for personnel recommendations and/or decisions. Further, other institutional officers or employees showing a legitimate need for the information shall be permitted such access.

Except as may otherwise be made confidential by statute or University policy, an employee (or his/her designee as authorized in writing and signed by the consenting employee) shall have a right of access to his/her own personnel file, provided:

- (a) Letters of evaluation and/or recommendation that apply to pre-employment qualifications, and/or promotion that are solicited in confidence or sent with the expectation of confidentiality shall be deemed confidential and unavailable to the employee unless otherwise ordered by a court of law
- (b) An individual wishing to inspect his/her personnel file should submit a

written request for inspection to the custodian of the file.

(3) If the file contains confidential records as set forth in 3(a) above, they must be removed before the file is opened to the individual. Upon request, employees will be advised of the type and number of documents that were not made available to the employee for his or her review and that will be returned to the file after the review

(d) An individual may not remove or add any records to his/her file at the time of inspection

#### 6.1.4 Correction of records

An employee may dispute the accuracy of any material included in his/her personnel file. Such questions should be directed to the custodian of the file in writing. If the questions are not resolved by mutual agreement, the employee may initiate a formal challenge through the employment grievance procedures as outlined elsewhere in this handbook.

## 6.2 WEAPON POLICY

The safety of the students, faculty, staff, and visitors of East Central University is of the highest priority. In compliance with 21 O.S. 1991, 1272, **no person, other than an authorized Peace Officer, may have in his/her possession a weapon of any kind while on the campus grounds or while participating in any activity on behalf of East Central University.** University property includes all vehicles, buildings, offices, grounds, or other premises either owned, leased or controlled by East Central University or its affiliates. Activities of East Central University include, but are not limited to, normal daily business and attendance at any authorized University-sponsored function.

This policy applies to all University faculty, staff, students, and visitors, whether or not an individual has been issued a license to possess a firearm under the provisions of the *Oklahoma Self-Defense Act*, or other similar state or federal statutes or regulations. Any person found to be in violation of the concealed weapon policy is subject to immediate termination of employment. A visitor to the University found to be in violation of this policy is subject to immediate removal from University property.

East Central University expects and demands that no dangerous weapon of any type be brought onto its campus without *prior written approval* of the President of East Central University.

## 6.3 CONFLICT OF INTEREST

An employee has an obligation and responsibility to report to his/her supervisor any

outside business or financial activity which is or may be in conflict with the interests of the University or which interferes with the performance of his/her duties. Violations of this policy will be considered grounds for disciplinary action, up to and including termination.

#### 6.4 DRIVER'S LICENSE PROCEDURE

It is a University policy that employees who are required to operate a University motor vehicle on any public roadway while in the performance of his/her regular job duties must have a valid driver's license issued by the State of Oklahoma.

#### 6.5 DRUG-FREE POLICY

East Central University recognizes its responsibility as an educational and public service institution to promote a productive work environment. This responsibility demands implementation of programs and services which facilitate that effort.

**Federal law and the Board of Regents of Oklahoma require the establishment of a Drug-Free Workplace Policy, with a signed acknowledgment of understanding and compliance, and the establishment of anti-drug programs that prohibit the use of illegal drugs in the workplace.** For further detailed information, please contact the Personnel Office.

#### 6.6 E-MAIL POLICY

Computing services at East Central University are provided to promote administrative, educational, and research efforts of the faculty, students, and staff. All persons utilizing these services are responsible to ensure that computing services are used in an ethical and lawful manner.

Violations of electronic mail will result in the revocation of computer privileges. In addition, such actions may result in disciplinary review, sanctions, dismissal from the University, and legal action. Violations of the Electronic Mail Policy may constitute a criminal offense, punishable by local, state or federal law.

#### 6.7 ETHICS POLICY

**The State Ethics Commission was established under Article XXIX of the Oklahoma Constitution. The Commission is charged with promulgating rules of ethical conduct of state officials and employees, including civil penalties for violations of such rules. State officers and employees are to comply with the Ethics Commission "Act" [Section 4200 et seq. Of Title 74] and the Ethics Commission "Rules" [Chapter 20 of Title 257 of the Ethics Commission rules]. The "Rules" and the "Act" deal with prohibitions against political activities, financial disclosure, conflicts of interest, and penalties and enforcement. For further detailed information, please contact the campus liaison.**

## 6.8 IDENTIFICATION CARDS

The employee may obtain an identification card at no cost. The identification card admits the employee to certain designated University-sponsored events and library privileges. **The identification card must be returned to the Personnel Office at the time employment is terminated.**

## 6.9 INCIDENT POLICY

East Central University is committed to maintaining a workplace environment that is safe and secure for all employees of the University. Threats, threatening behavior, acts of violence and unwanted attention directed against other employees, visitors, or guests by an employee of the University will not be tolerated.

All personnel are responsible for notifying his/her supervisor and/or East Central University Police Department of any threats which have been witnessed, received or been told that another person has witnessed or received. Even without an actual threat, employees should also alert his/her supervisor to any behavior which can be regarded as threatening or violent, when that behavior is job related or might be carried into the workplace. Employees are responsible for making this report regardless of the nature of the relationship between them and the person initiating the threat or threatening behavior.

The provision of a safe workplace and the protection of employees from threats to his/her safety cannot be effectively accomplished unless supervisors and/or East Central University Police Department are informed of these circumstances.

## 6.10 INFECTIOUS DISEASE POLICY STATEMENT

East Central University recognizes the need to analyze individual circumstances and respond to each person's infectious condition on a case-by-case basis. Responding to each case individually rather than developing a "blanket policy" is in the interest of flexibility, sensitivity, simplicity, and the balancing of legitimate interests.

Victims of diseases will be permitted to work at and/or enroll in courses at East Central University unless the employee's personal physician, campus medical officials, or state or federal public health officials declare that the disease represents a substantial risk to the health and safety of members of the community. In such instances, appropriate measures will be taken to protect the institution and the individual.

For further detailed information, please contact the Personnel Office.

## 6.11 KEYS

All requests for keys must be approved in writing by the chairperson, dean, or

department supervisor and submitted to the Facilities Coordinator Office, University Center Information Desk.

Employees entrusted with keys are responsible for reporting any lost or stolen keys immediately.

**All keys must be returned to the Facilities Coordinator Office during the termination clearance process or at the time of job change, office relocation, or lock change.**

#### 6.12 LOST/MISPLACED/STOLEN OR DISCARDED ITEMS

Lost, misplaced or stolen personal items such as jewelry, keys, clothing, etc., regardless of where found, should be turned in immediately to Student Services, room102 Administration Building. Do not turn in lost items to individual departments on campus.

Student identification cards should be turned into the Student Services Office.

The procedure outlined below should be followed if an employee, while in the course of his/her duties, finds **discarded** equipment or items that appear to be of value:

Physical Plant Department or Purchasing Department will pick up the item, determine its value, and dispose of it properly.

#### 6.13 LOYALTY OATH

**Each new University employee must sign a State of Oklahoma Loyalty Oath in the Personnel Office. The requirement extends to all employees and must be satisfied before an individual can be paid. (51 O.S. § 36.2A)**

#### 6.14 PARKING PERMITS

All vehicles parked on University-owned or rented property must display the appropriate parking permit, which may be picked up at East Central Police Department located at 1036 E. 10<sup>th</sup>, (580)332-3875 or Ext. 760. Vehicles found parked on campus without displaying the appropriate parking permit will be cited. All employees are required to obtain a copy of the parking regulations and to follow the posted parking regulations.

#### 6.15 POSTING OF NOTICES IN UNIVERSITY BUILDINGS

It is the policy of East Central University to provide the University with up-to-date information on University activities using various communication methods including the posting of notices (flyers). Flyers are not to be posted on painted walls or doors.

For information pertaining to process and procedures, please contact the office of the Vice President for Student Services.

#### 6.16 PRIVATE SALES SOLICITATIONS

Outside sales solicitations or presentations in state facilities are not authorized whether or not employees are on duty. This restriction does not apply to private entities under contract with the State who are acting in an official capacity as agents of the State.

**Employees are not to invite or entertain sales solicitors in the workplace.**

#### 6.17 SEXUAL HARASSMENT

**The University condemns sexual harassment in any form and is committed to providing a harassment free work environment.**

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature in the following context: (1) when submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic standing; (2) when submission to or rejection of such conduct is used as the basis for employment or academic decisions; or (3) when such conduct unreasonably interferes with one's work or academic performance or creates an intimidating, hostile or offensive work/academic environment. Employees experiencing sexual harassment should report it to the alleged harasser's supervisor or the Personnel Office. All complaints concerning sexual harassment will be thoroughly investigated, with care taken to protect the rights of the complainant as well as the rights of the alleged harasser. A finding of sexual harassment will result in appropriate disciplinary action which may include a range of actions up to and including dismissal. (See Exhibit 4 for the complete Sexual Harassment policy.)

#### 6.18 SMOKING IN PUBLIC PLACES

**In accordance with the state Smoking in Public Places Act, passed in 1987, the University has established a Smoking in Public Places Policy.** Smoking and the use of all tobacco products is prohibited in all campus buildings, except in the designated smoking areas.

#### 6.19 SUBSTANCE ABUSE

East Central University strives to ensure that all employees are provided with an enriching and supportive work environment. It is in the best interest of both the University and its employees to provide assistance for employees in dealing with personal problems such as substance abuse, including alcohol and drug abuse. For more detailed information, contact East Central University Personnel Office.

## 6.20 USE OF UNIVERSITY EQUIPMENT

All University equipment, including cars, trucks, all computers, etc., is to be used for official business only and is not to be used for personal convenience or gain on campus, at home, or in any other location. The department supervisor is responsible for equipment in the department and will designate the employees responsible for operating or using the equipment.

## 6.21 USE OF STATE VEHICLES AND PRIVATE AUTOMOBILES

Oklahoma statutes prohibit the use of state-owned vehicles for private purposes. Employees are expected to comply with all applicable laws, rules and regulations while operating state-owned vehicles. It is the policy of the University that passengers shall not be transported in state vehicles unless they are on state business. When private vehicles are used for state business purposes, the University's liability insurance covers the employee. Passengers not on official business are not covered.

According to Oklahoma statute, the use of state-owned vehicles to ride to and from an employee's place of residence, except in the performance of official duty, is expressly prohibited. Employees of the University cannot be assigned a University-owned vehicle for use on a permanent 24-hour basis unless an exception under the statute has been granted. Requests for an exception must be submitted in writing to the President of the University through his/her Department Supervisor and Vice President.

## 6.22 WHISTLE BLOWER

Employees shall not be disciplined or terminated for reporting actions taken by the employer that might violate the law as cited under the Whistle Blower Statute, 74 O.S. § 841.7. For further information contact the Personnel Office.

# 7. ON-THE-JOB INJURIES

## 7.1 EMPLOYEE INJURY POLICY/PROCEDURE

It is the goal of East Central University to provide and maintain a safe and healthy work environment for employees. However, in the event of an employee injury, the following practices will help guide an employee relative to his/her rights. Employees injured on East Central University property will be allowed to file an injury report in the manner they deem to be in his/her best interest. There are two ways in which they can file:

Risk Management. If an individual incurs an injury on University property and is not involved in compensable work for the University, a claim should be filed with the State of Oklahoma. The State Governmental Tort Claims Act provides coverage for those individuals who are on state property but not performing compensable work

and are injured on state property. Claims to State Risk Management may be denied if the University was not negligent. Information is available in the Personnel Office.

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Workers Compensation. If an employee incurs an injury during the course of the performance of compensable work for the University, appropriate Workers' Compensation Claim forms must be filed through the Business Office.

## 7.2 WORKERS' COMPENSATION

All East Central University employees are provided coverage under Workers' Compensation Insurance. Employees injured on the job to any extent should report immediately to his/her supervisor. **The supervisor is to immediately call the Personnel Office and inform them of the nature of the injury and receive further instructions.**

In cases of life-threatening injuries, the employee should be transported by ambulance to the nearest available emergency health care treatment center.

In cases of injuries incurred after 5:00 p.m., contact East Central University Police Department, (580)332-3875 or Ext. 760, who will in turn assess the situation and respond accordingly. This may include calling the ambulance service, fire department rescue unit, etc.

An incident report (Exhibit 6), should be completed immediately by the injured employee's supervisor and forwarded to the Personnel Office as soon as possible. Forms authorizing medical treatment are in the Business Office, Room 107A.

## 8. DISCIPLINARY ACTION

### 8.1 POSITIVE DISCIPLINE

University policy is designed to give each employee a full opportunity for work success. This objective is dependent upon good employee selection procedures, meaningful employee orientation, appropriate on-the-job training, periodic performance evaluations, and a positive approach toward employee discipline by University supervisors.

Disciplinary action is considered a dimension of performance evaluation. It is a corrective process to help employees overcome work-related shortcomings, strengthen work performance and achieve success. When problems occur, they must be handled in a manner which jointly supports the concept of positive discipline and minimizes the interruption of University services. Employee discipline may be needed and, as a corrective procedure, is an integral part of University employment policy. The University's expectation is that supervisors will direct his/her disciplinary efforts toward positive employee development and success.

When discipline is necessary, the positive guidelines below should be used to assure fairness and consistency throughout the University. The guidelines are not expected to be rigidly applied, but will be suitable for most University discipline situations. Depending upon the circumstances in individual cases, repeating a step, passing over a step or moving to immediate discharge may be appropriate. All disciplinary actions should be coordinated with the Personnel Director.

## 8.2 ORAL REMINDER

An oral reminder is the first step in the discipline procedure. It involves a discussion between a supervisor and an employee about a minor work performance problem. The objective is to correct the problem by indicating in a friendly but serious manner how actual performance falls short of desired performance. This step should ensure that no employee is disciplined for violation of a policy or procedure she/he might reasonably not know. The supervisor should record and maintain on file the date of the discussion and a brief summary of the items discussed, including date of the discussion and a brief summary of the items discussed, including witnesses if appropriate. If the problem persists, a written reminder is appropriate.

## 8.3 WRITTEN REMINDER (WARNING)

This is usually the second step in the procedure if an oral reminder has not corrected the problem. If the offense is of a serious nature, a written reminder would be an appropriate first step. The written reminder formalizes the discussion between the supervisor and employee; and it should include discussion as to how actual performance differed from that desired, how correction is to take place, and a definition of the time frame within which correction is expected. This could be considered a disciplinary probation period. The employee should sign the written summary of the discussion covered by the written reminder as acknowledgment and should receive a copy. Another copy should be sent to the Personnel Director. If the employee refuses to sign the reminder, this fact should be duly noted on the reminder.

If an employee receives three written reminders for the same type of offense, the employee may be discharged. However, if an employee does not receive a written reminder for at least 12 months, the reminder should be considered inactive. Inactive reminders will not be considered in determining employee promotion or transfer.

## 8.4 DISCIPLINARY LEAVE

An employee may be placed on a disciplinary leave of absence with or without pay when it is in the best interest of the University to do so. Suspension with or without pay may be recommended by the supervisor to the Personnel Director and Vice President for serious incidents which could eventually warrant discharge. In this case, the employee may be suspended (with or without pay) for an indefinite period of time pending investigation and the decision as to the extent of disciplinary action or termination. A letter will be given to the employee stating the reason for the

suspension with or without pay. The length of the suspension will be determined after the investigation.

Immediate suspension may be ordered when circumstances make attendance at work dangerous to the employee or others, when an investigation is needed, or when circumstances seriously impair the employee's effectiveness on the job.

## 8.5 DISCHARGE

This is not a step in the positive discipline procedure. It is one that may be taken when positive steps have been used but performance has not changed, or when an employee has committed a major offense.

A major offense is one that involves dishonesty or seriously threatens University operations or the safety and well-being of the individual or other employees. This represents behavior that is unacceptable to the institution. Examples would include theft or willful destruction of University property, threatening or hitting another person, fighting, falsifying University records, insubordination or other acts of misconduct, or any violation of state or federal statutes, knowingly or unknowingly, any of which may result in the immediate discharge of an employee. Any University faculty member, staff or student employee found to be in violation of the concealed weapon policy is subject to immediate termination of employment.

Recommendation for discharge should be documented in writing and a copy sent to the Personnel Director for review before any further actions are taken. Documentation should include the employee's name, date of the incident, explanation of the circumstances resulting in the recommendation for discharge, and reference to all previous disciplinary steps taken. When appropriate, upon the discretion of the Personnel Director, documents may be reviewed to explain his/her actions. The Personnel Director and Vice President may conduct the hearing which includes the following steps:

1. Review of documentation
2. Interview the employee
3. Interview the supervisor, department supervisor and any other relevant employees
4. Final meeting with employee providing him/her an opportunity to present any additional information and question statements.

The positive discipline and discharge procedures are to be used as guidelines in making disciplinary decisions. The procedures do not alter the at-will employment relationship. The University reserves the right to terminate an employee at any time.

## 9. GRIEVANCE PROCEDURE

East Central University recognizes the right of employees to express legitimate concerns when the terms of his/her employment have been violated or when they have a legitimate complaint, question or problem concerning working conditions including situations arising under the Americans with Disabilities Act. The purpose of this policy is to define and describe the issues resolution process open to all full-time and part-time, non-faculty employees.

Wages and salary, job classifications, fringe benefits and University policies are not grievable items. Sexual harassment is addressed elsewhere (see Section 6.17 and Exhibit 4).

Employees should attempt to resolve all complaints by informal discussions with his/her immediate supervisor within three working days of the occurrence giving rise to the complaint. Should they fail to resolve the dispute at that level, the employee may request an appointment to discuss the problem with the appropriate person at each administrative level up to and including the University president.

Should the employee still feel that his/her rights under University policy have been violated, he/she may originate and file a formal grievance. The written grievance should be filed with his/her immediate supervisor, with a copy to the director of personnel, within three working days of the final informal discussion with the administrative leadership and should contain the following:

- A. A clear and detailed, signed statement of the complaint
- B. The specific remedial action or relief sought
- C. A summary outlining with whom the points of dissatisfaction were discussed and with what results, and
- D. The reason(s) why remedial action or relief is sought.

The immediate supervisor shall respond in writing to the grievant's request(s) within three working days. If the grievant is still dissatisfied, he/she may submit the grievance to the department supervisor. If the department supervisor is the grievant's immediate supervisor, the complaint should be filed with the appropriate vice president. The supervisor or vice president should respond to the grievant's request(s) in writing within three working days. Copies of these responses will be forwarded to the Director of Personnel.

If the grievant is still dissatisfied he/she should submit a formal written request for a Grievance Committee hearing within three working days of the issuance of the response from the director or vice president.

The director of personnel shall within three working days appoint a three to five member grievance committee from among the full-time employees of the University.

The Grievance Committee shall be convened by the director of personnel normally within five working days of appointment, and each member shall be instructed on procedures to assure that all aspects of the grievance procedure are clearly understood.

1. The Committee shall elect a chairperson, who will be a voting member.
2. The grievant shall be heard first in all phases of the grievance hearing.
3. Length of hearing sessions shall be established in advance and reasonable rest periods shall be assured all participants throughout the duration of the hearing.
4. A 15-minute time limit will be imposed for opening and closing statements.
5. A confidential tape recording of the proceedings shall be made by administrative clerical staff and shall be the official minutes of the hearing. This tape will be accessible to the parties involved, to members of the Grievance Committee, and to all authorized representatives on a need-to-know basis. A copy of the tape may be requested by either party provided that the requesting party supplies a blank tape.
6. Either party shall have the right to call witnesses and may be assisted by a person of his/her own (excluding attorneys) choosing in preparing and presenting a grievance. Witnesses shall be heard individually and shall be excluded from the hearing room when not actually testifying.
7. All testimony pertaining to the grievance hearing shall be held in confidence between the grievant and respondent, witnesses who appear before the committee, the Grievance Committee members, and other necessary officers of the university.
8. Only evidence pertinent to the grievance may be introduced into the hearing. Questions of pertinence shall be decided by the chairperson.
9. Both parties involved in the grievance must furnish six copies of all written documents pertaining to the grievance.
10. The Grievance Committee's recommendation shall be submitted to the director of personnel within three working days after the hearing is completed. Both parties shall receive copies of the committee's recommendation.
11. The Director of Personnel shall review the committee's recommendation and submit it with suggestions to the University president within three working days.

The University president shall have five working days to make a final decision on the grievance, which decision shall be communicated to the grievant and to the director of personnel.

Exhibit 1

**APPOINTMENT: REGULAR EMPLOYEE**

**EAST CENTRAL UNIVERSITY**

**Ada, Oklahoma 74820**

To: President, East Central University \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_ SS# \_\_\_\_\_ is recommended for appointment as  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, 200\_\_\_\_\_.

- ( ) This person would be a replacement for \_\_\_\_\_
- ( ) This person would be an additional employee (not a replacement).

Salary or Wage Amount:

\_\_\_\_\_ Annual Salary

\_\_\_\_\_ Per Month

\_\_\_\_\_ Per Hour

Budget Charged:

- ( ) Educational and General - Part I – Department \_\_\_\_\_
- ( ) Educational and General - Part II – Department \_\_\_\_\_
- ( ) Auxiliary Enterprises – Department \_\_\_\_\_
- ( ) Other – Department \_\_\_\_\_

**Supervisor**

\*\*\*\*\*

\_\_\_\_\_, 200\_\_\_\_\_

\_\_\_\_\_( ) Approved

\_\_\_\_\_( ) Not Approved

**Executive Committee Member**

\*\*\*\*\*

\_\_\_\_\_, 200\_\_\_\_\_

\_\_\_\_\_( ) Approved

\_\_\_\_\_( ) Not Approved

**President, East Central University**

\*\*\*\*\*

Distribution: White copy to President

Yellow copy to Business Office

Pink copy to Executive Committee Member

Gold copy to Personnel Office

# East Central University

## Request/Approval of Leave Form

Name \_\_\_\_\_ Social Security Number \_\_\_\_\_

Position \_\_\_\_\_ Department \_\_\_\_\_

**Please list below period(s) of leave** (do not request leave that you do not have available):

From: \_\_\_\_\_ a.m./p.m. on (date) \_\_\_\_\_ to a.m./p.m. \_\_\_\_\_ (date) \_\_\_\_\_

From: \_\_\_\_\_ a.m./p.m. on (date) \_\_\_\_\_ to a.m./p.m. \_\_\_\_\_ (date) \_\_\_\_\_

From: \_\_\_\_\_ a.m./p.m. on (date) \_\_\_\_\_ to a.m./p.m. \_\_\_\_\_ (date) \_\_\_\_\_

Total number of hours/days of leave you are requesting: \_\_\_\_\_

Charged to (circle one):

Vacation Leave

Sick Leave

Bereavement

Leave without Pay

Compensatory Time Off

Employee Signature and Date: \_\_\_\_\_

### APPROVAL OF LEAVE BY SUPERVISOR

NOTE: If the employee does not have the type of leave requested available at the time of the absence, the request must be changed to show the correct type of leave before the request is approved.

- EXAMPLES:
1. If employee has requested sick leave and has no sick leave balance, the request must be changed to vacation leave or leave without pay before it can be approved.
  2. If employee has requested vacation leave and has no vacation leave balance, the request must be changed to leave without pay before it can be approved.

**The employee does have the requested leave available at this time. The request is approved unless undue hardship for the University is determined.**

Supervisor Signature and Date: \_\_\_\_\_

**East Central University  
Ada, OK**

**Exit Interview Form**

Name \_\_\_\_\_ Social Security \_\_\_\_\_

Before the last warrant is released, all persons leaving the employment of the University are to go to the Personnel Office (Room 152, Administration Building) for a final check of any University indebtedness, return of keys, I.D., and exit interview.

CELL PHONE	_____
COMPUTER ACCESS	_____
_____ CREDIT CARDS	_____
_____ GENERAL UNIVERSITY DEBTS	_____
_____ I.D. RETURNED	_____
_____ KEYS RETURNED	_____
_____ LIBRARY (Books, Fines, etc.)	_____
_____ PARKING PERMIT	_____
_____ PHONE CARD	_____
_____ TOOLS AND/OR EQUIPMENT RETURNED	_____
_____ OTHER	_____
_____	
_____	

\_\_\_\_\_ FINAL CHECK(S) MAY BE RELEASED \_\_\_\_\_

\_\_\_\_\_  
Personnel Director

\_\_\_\_\_  
Date

## SEXUAL HARASSMENT POLICY

### I. STATEMENT OF POLICY.

The Policy Manual of the Board of Regents of Oklahoma Colleges states that the Board affirms its commitment to ensuring an environment for all employees and students which is fair, humane, and respectful—an environment which supports and rewards employee and student performance on the basis of relevant considerations such as ability and effort. Behaviors which inappropriately assert sexuality as relevant to employee or student performance are damaging to this environment. Sexual harassment by any member of the University community, including students, faculty and staff, is a violation of both law and Board policy, and will not be tolerated. Sexual harassment is a particularly sensitive issue which may affect any member of the University community and as such will be dealt with promptly and confidentially by the University administration. The Board reserves the right to deal administratively with sexual harassment issues whenever it deems it appropriate to do so.

All employment or academic decisions at East Central University must be made purely on the basis of ability and qualifications related to job and academic performance devoid of unreasonable considerations of sex. Toward this end, all members of the academic community should support the principle that sexual harassment represents a failure in ethical behavior and that sexual exploitation of professional relationships will not be condoned.

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***DEFINITION OF SEXUAL HARASSMENT:*** Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

- (a) when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing, or
- (b) when submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
- © when such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

**EXAMPLES OF PROHIBITED CONDUCT:** Conduct prohibited by this policy may include, but is not limited to:

- unwelcome sexual flirtation; advances or propositions for sexual activity;
- continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes;
- remarks of a sexual nature to describe a person's body or clothing;

- display of sexually demeaning objects and pictures;
- offensive physical contact, such as unwelcome touching, pinching, brushing the body;
- coerced sexual intercourse;
- sexual assault;
- actions indicating that benefits will be gained or lost based on response to sexual advances.

For the purposes of further clarification, sexual harassment includes but is not limited to:

1. Making unsolicited written, verbal, physical and/or visual contact with sexual overtones. (Written examples include but are not limited to: suggestive or obscene letters, notes, invitations. Verbal examples include but are not limited to: derogatory comments, slurs, jokes, epithets. Physical examples include but are not limited to: assault, touching, impeding, or blocking movement. Visual examples include but are not limited to: leering, gestures, display of sexually suggestive objects or pictures, cartoons, or posters.)
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not sexual harassment.)
3. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. For example, within the work environment either implying or actually withholding support for an appointment, promotion, or change of assignment; suggesting that a poor performance evaluation will be prepared; or suggesting that probation will be failed.
4. Within the work environment, engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the career, salary, and/or work environment of another employee.
5. Offering favors for educational or employment benefits such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassification, etc. in exchange for sexual favors.

## II GRIEVANCE PROCESS FOR ALLEGED SEXUAL HARASSMENT BY A STAFF MEMBER.

### A. INFORMAL MEDIATION OVERVIEW:

1. The complainant and the respondent staff member must exhaust the avenues of the informal mediation procedure before initiating formal grievance procedures.
2. The informal mediation procedure should generally not require more than 40

working days to complete.

3. The informal mediation procedure is designed to seek a departmental level resolution of the issues prior to the initiation of the formal grievance procedure.
4. Lawyers for the complainant or the respondent may not participate in the informal mediation procedure.

#### B. INFORMAL MEDIATION PROCEDURE:

1. The complainant should discuss his/her concern with the respondent involved and attempt to resolve the grievance.
  - (a) If the problem cannot be resolved, or the complainant is unwilling to talk with the respondent, the complainant may start the procedure by meeting with the supervisor of the respondent; or
  - (b) If the supervisor is the subject of the grievance, the grievance procedure may start with the department supervisor.
2. The complainant shall meet with and discuss the grievance with the supervisor (or unit administrator, or vice president, if appropriate) in an effort to resolve the grievance. If the grievance is not resolved, the appropriate supervisor shall invite the complainant to submit a complaint in writing. The complaint must be submitted by the end of the fourth week after the incident(s) occurred.
3. Once a written complaint has been filed, the supervisor must: inform the respondent of the complaint; and provide a copy of the complaint to the respondent within two working days of receiving the written complaint.
4. The supervisor shall discuss the matter with the respondent and require a written response to the allegations. The respondent shall respond within five working days of notification of the allegations.
5. Upon receiving the response, and within the next five working days, the supervisor may attempt to resolve the complaint, either by independent counseling of those involved, or by bringing the complainant and respondent together and discussing the problem. The supervisor has the discretion to choose a method for resolution. If a resolution satisfactory to the supervisor, the complainant and the respondent is reached, the supervisor shall prepare a written agreement, which shall be signed and dated by each party and the supervisor. The agreement shall be transmitted to the next administrative level and the appropriate vice president. At that time, the informal mediation process shall be closed. The supervisor shall maintain a copy of the written record of the events. Any documents relating to the sexual harassment complaint shall be removed from the respondent's file one calendar year from the date of the resolution if no additional complaint of sexual

harassment is made. If not resolved, the supervisor shall write his/her analysis of the situation and recommendation for resolution and give copies to the complainant and respondent.

6. The supervisor must forward the complaint, the response, and the supervisor's analysis and recommendation, plus any additional comments by the respondent or complainant, to the appropriate administrative supervisor level with copies to the respondent and complainant within two working days. (If the grievance procedure was initiated at a level above the immediate supervisor, the records shall be forwarded directly to the Vice President. The grievance would then proceed with step 9.)
7. Within five working days of receipt of the grievance records from the supervisor, the supervisor may attempt to resolve the complaint, either by independent counseling of those involved, or by bringing the complainant and respondent together and discussing the problem. The supervisor has the discretion to choose a method for resolution. If a satisfactory resolution is reached, a written agreement shall be prepared, and this document shall be signed and dated by each party. The agreement shall be transmitted to the appropriate vice president. At that time, the informal mediation process shall be closed. The supervisor shall maintain a copy of the written record of the events. Any documents relating to the sexual harassment complaint shall be removed from the respondent's file one calendar year from the date of the resolution if no additional complaint of sexual harassment is made.
8. If not resolved, the supervisor shall respond by writing an analysis of the situation and recommendation for resolution with a copy sent to the complainant and respondent. The supervisor shall forward the analysis and recommendation for resolution and the complete grievance file to the appropriate Vice President within five working days of the meeting.
9. Within five working days of receipt of the grievance records from the supervisor, the Vice President may attempt to resolve the complaint, either by independent counseling of those involved, or by bringing the complainant and respondent together and discussing the problem. The Vice President has the discretion to choose a method for resolution. If a resolution satisfactory to the Vice President and the complainant and respondent is reached, the Vice President shall prepare a written agreement, which shall be signed and dated by each party and the Vice President. At that time, the informal mediation process shall be closed. Any documents relating to the sexual harassment complaint shall be removed from the respondent's file one calendar year from the date of the resolution if no additional complaint of sexual harassment is made. The Vice President shall maintain the written record of the grievance in accordance with the Confidentiality of Proceedings and Maintenance of Records section of this policy.
10. If mediation efforts are unsuccessful, as certified by the Vice President and forwarded to the complainant and respondent, then the formal process may begin.

### C. FORMAL GRIEVANCE PROCEDURE:

1. **Filing of Complaint:** The complainant or the respondent may initiate the formal grievance process by submitting a written complaint to the Personnel Office, (580)332-8000, ext. 260.
2. **Timing of Complaint:** Complaints must be filed with the Affirmative Action Officer within fifteen (15) calendar days of receipt of notice from the Vice President that the mediation efforts were unsuccessful.
3. **Confidentiality of Proceedings and Maintenance of Records:** All records made or maintained as part of the informal mediation or the formal grievance process shall be kept confidential. Any employee or student who discloses such confidential information shall be subject to severe disciplinary measures in accordance with established policy. The formal hearing shall be recorded. A copy of the recording shall be supplied to the complainant or the respondent upon request. Both the complainant and respondent shall have the right to the active support of legal counsel at the hearing.

A record of the complaint and all informal and formal proceedings shall be maintained for a period of five years from the date of final resolution.

4. **Proceedings:** Upon receipt of a complaint of sexual harassment, the Affirmative Action Officer is empowered to conduct an investigation. The investigation may involve interviewing the parties involved and gathering evidence. The investigation shall be completed as soon as possible after receipt of the complaint.

Upon a clear showing at any stage of the investigation that immediate harm to either party is threatened by the continued performance of either party's regular duties or University responsibilities, the proper executive officer may suspend or reassign either of the party's duties or responsibilities pending the completion of the investigation.

Upon completion of the investigation, the Affirmative Action Officer is authorized to take any one of the following actions:

- (a) **Satisfactory Resolution:** Resolve the matter to the satisfaction of the University and both parties. If a resolution satisfactory to the University and both parties is reached through the efforts of the Affirmative Action Officer, a written agreement shall be prepared and shall be signed and dated by each party and the Affirmative Action Officer. At that time the investigation shall be closed.
- (b) **No Resolution:** render a "no resolution" decision which automatically refers the complaint to the Advisory Council. Written notice of such finding shall be given to the complainant and respondent.

- (c) Dismissal: Find that no violation of the University’s sexual harassment policy has occurred and dismiss the complaint, giving written notice of said dismissal to the complainant and respondent. The complainant may appeal the dismissal. The appeal is made by written request to the Affirmative Officer for a formal hearing. The appeal request must be made within fifteen (15) calendar days of the date of the notice of dismissal. If no appeal is filed within the fifteen (15) calendar day period, the matter is considered closed. The Affirmative Action Officer shall notify the appropriate Vice President of the appeal request. The Vice President shall initiate the process for a formal hearing.
- (d) Determination of possible violation of Sexual Harassment Policy: Make a finding of possible impropriety and notify the parties that a formal hearing will be required. Disciplinary action shall be in accordance with established policy.

5. FORMAL HEARING: A hearing may be conducted when a complainant appeals a dismissal or when an investigation of the complaint results in the determination of a possible violation of the Sexual Harassment Policy.

- (a) Selection of an Advisory Council: The Vice President shall appoint an Advisory Council comprised of five (5) members, any three (3) of which constitute a quorum for any purpose. The Council shall be composed of employees of the Administrative staff and at the initial meeting elect a chair.
- (b) The vice president should provide each member appointed to the Advisory Council information prior to beginning his/her duties on the Council, to include:
  - i. General grievance handling skills;
  - ii. Reviewing and clarifying, the procedures to be followed on all sexual harassment complaints;
  - iii. Ensuring that the preponderance of the evidence standard is used;
  - iv. Discussion of the principles of fairness and due process;
  - v. When a student is the complainant, an explanation of the requirements of Title IX of the Education Amendments of 1972 and “Sexual Harassment Guidance: Harassment of Students by School Employees” issued by the Office of Civil Rights of the federal Department of Education.
- (c) Hearing Guidelines: It shall be the function of the Council to conduct a complete, fair, and impartial hearing and to present its recommendations for disposition of the case including findings of fact and conclusions of law to the Vice President. The Council will not have the power to make a decision or agreement that is

binding upon the University.

Members of the Advisory Council should meet to discuss the complaint. Unless the Council concludes that the complaint is without merit, the complainant and respondent should be invited to appear before the Council and to confront any adverse witnesses. The complainant and respondent shall be entitled to observe the hearing, but they shall not be present in the Council's closed session at the conclusion of the hearing. The Council may conduct its own hearing, call witnesses, and gather whatever information it deems necessary to assist it in reaching a determination as to the merits of the allegations.

In arriving at a determination of the existence of sexual harassment, the evidence as whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The Council may take into consideration the history of complaints that have been filed by the complainant, and any history of formal findings of unprofessional conduct or patterns of informally settled complaints against either the complainant or the respondent. However, previous allegations that were dismissed for lack of cause at the informal stage without appeal or that resulted in no findings of sexual harassment or unprofessional conduct shall not be taken into consideration.

All respondent employees of East Central University are prohibited from using East Central University stationery or letterhead to present testimony or solicit support for himself/herself during informal or formal proceedings.

- (d) Satisfactory Resolution Prior to Hearing Completion: In the event the matter is resolved to the satisfaction of all parties at any time prior to the completion of the formal proceedings of the Council, a written statement shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the Chairperson of the Council. The matter shall then be closed.
- (e) Advisory Council's Findings and Recommendations: At the conclusion of the hearing, the Council shall deliberate in closed session and make a recommendation to the Vice President. In addition to making a determination of the existence of sexual harassment or misconduct in accordance with established policy, the Council may recommend disciplinary action against the respondent and/or the complainant if the Council determines that discipline is warranted. The Council's recommendation shall be prepared and transmitted to the Vice President within fifteen (15) calendar days after conclusion of the hearing. The Council shall also transmit the grievant file, the recording of the hearing, and all material submitted by the complainant or respondent or witnesses

to the Vice President. Any disciplinary action recommended against a student shall also be prepared and transmitted to the Vice President for Student Services within fifteen (15) calendar days after the conclusion of the hearing. The recommendation of the Council is not binding upon the University.

Any disciplinary action recommendations shall be in accordance with established policy. Appropriate disciplinary action may include a range of actions up to and including dismissal.

- (f) Vice President's Decision: Within fifteen (15) days after receipt of the Council's recommendations and accompanying records, the Vice President shall render a decision in the matter of the sexual harassment complaint and inform the complainant and respondent of the decision. A copy of the decision shall be transmitted to the complainant, the respondent, the Chair of the Council, and the Affirmative Action Officer.
- (g) Appeal: Either party has the right to appeal this determination. The appeal is made by a written request to the President of the University for review of the Vice President's decision and must be made within fifteen (15) calendar days of the date of the decision. If no appeal is delivered to the President within the fifteen (15) calendar day period, the case is deemed closed.

Within sixty (60) days after receipt of a timely written request for review, the President shall render a decision in the matter of the sexual harassment complaint and inform the complainant and respondent of the decision. A copy of the decision shall also be transmitted to the Vice President, the Chair of the Advisory Council and the Affirmative Action Officer. The decision of the President shall be considered final and binding.

In the event a lawsuit is brought against an employee by reason of any act done or omitted in good faith in the course of his/her employment, it is the duty of the Attorney General or staff attorney of such person's agency where the agency is authorized by law to be represented in court by a member of its own permanent legal staff, when requested by such employee to appear and defend the action or proceeding in his/her behalf. Such written request shall be made within fifteen (15) days after service of summons on the employee and a copy of the request shall be transmitted by the employee to the head of his/her agency and the Attorney General. See section 20f of Title 74 of the Oklahoma Statutes.

- (h) Procedure For Monitoring Final Resolution: The Vice President shall monitor the processing of both the informal mediation and the formal grievance procedure. The Vice President is to be notified by the Affirmative Action Officer or the Advisory Council of any

problems or concerns either has with the progress of the grievance. The Vice President shall be responsible for identifying and initiating modification to any sexual harassment policy, procedure, or practice which is not in compliance with the law.

- (i) Retaliation: Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of sexual harassment will be treated as a separate and distinct violation of the policy.

**DRUG FREE WORKPLACE POLICY STATEMENT**  
**East Central University**

**NOTICE TO ALL EMPLOYEES**

East Central University, in compliance with the Drug Free Work Place Act of 1988, hereby gives notice to all University employees that it is the formal policy of the Board of Regents of Oklahoma Colleges and East Central University that it is in the best interest of both the University and its employees to provide education, awareness and assistance where appropriate relative to the dangers inherent in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace. The special consequences of drug abuse in the workplace includes the threatened safety to co-workers by those who are impaired by drugs, the increased danger of defective or substandard services being provided to the public and diminished productivity.

In order to combat this problem area, the University will provide to all employees ongoing materials and information concerning these dangers and available avenues of assistance. The University further gives notice:

1. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in any University work area is prohibited.
2. As a condition of employment, employees must abide by the terms of this policy.
3. Any University employee who is convicted of any state or federal criminal drug statute for drug-related misconduct in the workplace must report the conviction within five (5) days thereafter to the Personnel Office at the University.
4. Violations of this prohibition will result in administrative sanctions, ranging in severity from formal counseling to termination from employment, immediately or within 30 days, whether or not the violation results in conviction under state or federal criminal drug statutes for misconduct in the workplace. Satisfactory participation in a university approved drug abuse assistance or rehabilitation program may be required as a condition of continued employment by the University of all employees who violate this prohibition and are not terminated from employment.
5. Information about the dangers of drug abuse in the workplace and the availability of drug abuse assistance and rehabilitation programs may be obtained from the Personnel Office at the University.
6. Where necessary because of conviction and incarceration, decisions relative to suspension of termination or the granting leave for treatment will be determined individually.
7. All University employees are required to acknowledge by written signature that they have been made aware of this policy, understand same, will abide by the policy, and to return a signed copy of this policy to the Personnel Office.

**FORM 2**

SEND COPIES TO:  
1-Worker's Compensation Court  
1-Insurance Carrier

WORKERS' COMPENSATION COURT  
1915 North Stiles  
Oklahoma City, Oklahoma 73105-4918

**Please type or print. Enter all dates in MM/DD/YY format.**

Full Name of Claimant (Injured Employee)-LAST, FIRST, MIDDLE			
Complete Address		City	State Zip
Telephone Number		Social Security Number	
Date of Birth	Sex	Length of Employment Years _____ Months _____	
Average Weekly Wage	Occupation (Job description)	Was employment agreement made in Oklahoma YES _____ NO _____	

**NOTE: A voluntary Mediation Program to address certain workers' compensation disputes is available through the Workers' Compensation Court. For information cal (405)522-8760 or (800)522-8210.**

Date of accident or last exposure	Time of accident or exposure _____o'clock__AM__PM	Date Employer notified	Time workday began _____o'clock __AM__PM
Last date employee worked	Has employee returned to work YES _____ NO _____ If yes, on what date _____	Did the employee die YES _____ NO _____ If yes, on what date _____	

Place of Accident or Occurrence		
City:	County:	State
Injury Resulted From: Single Incident _____ Cumulative Trauma _____ Is this accident/injury in question? YES _____ NO _____		

Nature of Injury or Illness
Describe activities when injury occurred with details of how event occurred. Include object or substance which directly injured the employee.
Identify part(s) of body involved in injury or illness
Full name and address of treating physician (please be complete)

Employer's Insurance Carrier or Own Risk Group C.A.L.M. COMPENSATION PLAN Policy/Self-Insured Number: SIF		
Name CONSOLIDATED BENEFITS RESOURCES, L.L.C.	Phone (918)594-5170	Entity#: _____
Address 907 SOUTH DETROIT AVE., STE. 1320, TULSA, OK 74120 FAX (918)594-5171		
Policy Period - from _____ to _____		
Employer's Name and Complete Address:		Federal ID#:
Name:		Phone:
Address:	City:	State Zip:
Type of Business (Example: manufacturing, food service, construction) COLLEGE/UNIVERSITY	SIC Number	
Type of Ownership: Private _____ State Govt. _____ County Govt. _____ Local Govt. _____		

Upon filing this Notice of Injury, permission is given to the Administrator of the Workers' Compensation Court, the Insurance Commissioner, the Attorney General, District Attorney or his/her designees to examine all records relating to the notice, any matter contained in the notice, and any matter relating to the notice.

Any person receiving temporary disability benefits from an employer or the employer's insurance carrier shall promptly report in writing to the employer or insurance carrier any change in a material fact or the amount of income he is receiving or any change in his employment status, occurring during the period of receipt of such benefits.

I hereby declare under penalty of perjury that I have examined this notice, and all statements contained herein, and to the best of my knowledge and belief, they are true, correct and complete. Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ I HEREBY CERTIFY THAT A COPY HAS BEEN SENT TO THE WORKER'S COMPENSATION COURT ON THE DATE DESCRIBED BELOW:

PREPARED BY \_\_\_\_\_

TITLE: \_\_\_\_\_ 20\_\_\_\_

Submission of This Form is Not an Admission of Liability

A Form 2 must be sent to the Worker's Compensation Court and to the Employer's Workers' Compensation Insurance Carrier within 10 days, or a reasonable thereafter of learning that an employee has suffered an accidental injury requiring medical attention away from the work site or resulting on lost time beyond the shift.

A copy has been faxed to CBR YES \_\_\_\_\_ NO \_\_\_\_\_ Date faxed \_\_\_\_\_

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