

**BAKER UNIVERSITY**

**EMPLOYMENT POLICIES HANDBOOK  
FOR ADMINISTRATIVE AND SUPPORT STAFF**

Revised July 2008

Welcome to Baker University.

As a new member of the Baker family myself, I have been most impressed with the dedication and commitment of our faculty and staff. You will be working alongside individuals who care about student success, are committed to quality and are concerned about the welfare of their co-workers and colleagues. We trust your becoming part of our family will only advance our ability to offer an outstanding educational experience for our students and preserve the first rate reputation of our institution.

The Employment Handbook is published to provide you with timely information about Baker and your work environment. Please take some time to read the information in this Handbook. If you have questions, contact your supervisor or the Director of Human Resources.

I look forward to meeting you and hearing about your experience.

Let's move forward together.

Sincerely,

Patricia N. Long

# INTRODUCTION

## History

Founded in 1858, three years prior to establishment of Kansas' statehood, Baker University is the state's oldest university. It is named for a distinguished scholar and bishop, Osmon Cleander Baker, who presided over the first conference convened in this new region by the Methodist Episcopal Church.

Weathering the strains of both the Great Depression and World War II, Baker has maintained a record of unbroken service for over 140 years. Its rich academic tradition includes four Rhodes Scholars and two Pulitzer Prize winners. During the past decade, Baker has renovated its older structures and continued to increase its endowment through the establishment of endowed chairs and professorships and expanded student scholarship funds.

In recent years, the University has been named the top private college in Kansas by *The Gourman Report* based on the quality of its faculty and facilities, ranked among the top 100 private schools in the nation in *Money Magazine's Money Guide to America's Best Buys in College Education*. The University's reputation for high academic achievement was reiterated when it was ranked second among Kansas colleges for the percentage of its students accepted to graduate schools.

New programs to serve the changing needs of new student groups have been introduced throughout the University's history. In 1975 Baker expanded horizons by developing a Master of Liberal Arts degree program for adult students in Kansas City. In 1988 this program was incorporated into the School of Professional and Graduate Studies, which offers graduate and undergraduate degree programs for adult students.

In August 1991, the School of Nursing was established in the Pozez Education Center at Stormont-Vail Regional Health Center which serves as Baker University's Topeka Campus. The school provides professional nursing education to meet the growing needs of the state and nation.

## The Vision

Baker University will be nationally recognized for fostering learning communities that integrate liberal arts, professional programs, and experiential learning in ways that develop the whole person and shape successful, responsible citizens for our global society.

## Core Values

### ***Student Learning, Development and Success***

We are passionate about student learning, development and success, and we will build a living and learning environment that will ignite in our students a passion for life-long learning. We will provide a challenging, yet supportive, learning-centered educational experience that reflect a concern for academic excellence and sensitivity to changing and emerging requirements for students and other stakeholders.

### ***Community***

Our commitment to community represents the essence of our organizational culture. We will adopt policies, procedures, and practices that promote attention to individual needs and aspirations, as well as those that strengthen our organization and the broader community we serve. We value diverse perspectives and promote actions that demonstrate mutual respect.

We seek ways to partner with our communities to promote mutual enrichment, professional progress, and the greater good.

***Character***

We understand that character development is a life-long pursuit and we will seek and develop faculty and staff who will model ethical behavior, principled decision-making, and personal integrity in ways that will inspire these characteristics in our students. We will adopt an ethos of character development in our approach to academic programs, athletics, co-curricular activities, student discipline, and employee relations.

***Civic and Social Responsibility***

We are committed to the traditional United Methodist concerns for social justice and service to others and we will seek faculty, staff, and students who share these concerns, regardless of their faith tradition. We will encourage social responsibility, service to others, leadership development, and a life-long commitment to civic and social engagement.

## **SECTION 1**

### **GENERAL EMPLOYMENT MATTERS**

#### **1.01 EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of Baker University to afford equal opportunity for all persons without distinction or discrimination because of an individual's race, color, creed, sex, religion, age, national origin, handicap or disability, veteran status, sexual orientation, or other status protected by law, while making every reasonable effort to comply with the discipline of the United Methodist Church.

Equal employment opportunity applies to all aspects of the employment relationship including, but not limited to, recruitment, hiring, promotion, transfer, training, compensation and benefits, and discharge and discipline.

The University encourages reporting of all perceived incidents of discrimination regardless of the offender's identity or position. If you feel that you have a complaint or problem relating to equal employment opportunity, you are encouraged to use the Informal Procedure for Resolution of Complaints of Equal Employment Opportunity, Sexual Harassment, Other Harassment and Reasonable Accommodation. If you feel that you cannot bring your complaint through the Informal Procedure or if you are not satisfied with resolution through the Informal Procedure, you may bring your complaint under the Complaint Resolution and Open Door policy in this handbook. If for some reason you feel you cannot bring your complaint of equal employment opportunity under these policies, you may bring your complaint to the Director of Human Resources, the Vice President for Financial Services or any member of the University administration with whom you feel you can discuss the situation.

No employee will receive unfavorable treatment for bringing a complaint of equal employment opportunity. All complaints will be considered confidential. Only those individuals involved in the complaint, including its investigation and resolution, will have information concerning the complaint.

#### **1.02 SEXUAL HARASSMENT**

Sexual harassment at Baker University is unacceptable conduct and will not be tolerated. The harasser can be male or female, co-employee, administrator, faculty, student or prospective student, relative of a student or prospective student, visitor or guest, vendor, consultant, or any other person doing business with the University or any person with whom the employee comes into contact in the performance of his or her work.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature including, but not limited to, the following: sexual jokes or innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; pressure for sexual favors; sexual or obscene comments or gestures; derogatory or stereotypical comments about members of a particular gender; display in the workplace of sexually suggestive objects or pictures; and other physical or verbal conduct of a sexual nature.

Sexual harassment will be regarded as a violation of this policy when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The University encourages reporting of all perceived incidents of sexual harassment, regardless of the offender's identity or position. If you feel that you have a complaint of sexual harassment, you are encouraged to use the University's Informal Procedure for Resolution of Complaints of Equal Employment Opportunity, Sexual Harassment, Other Harassment and Reasonable Accommodation. If you feel that you cannot bring your complaint through the Informal Procedure or if you are not satisfied with the resolution through the Informal Procedure, you may bring your complaint under the Complaint Resolution and Open Door policy in this handbook. If for some reason you feel you cannot bring your complaint of sexual harassment under these policies, you may bring your complaint to the Director of Human Resources, the Vice President for Financial Services or any member of the University administration with whom you feel you can discuss the situation.

No employee will receive unfavorable treatment for bringing a complaint of sexual harassment. All complaints will be considered confidential. Only those individuals involved in the complaint, including its investigation and resolution, will have information concerning the complaint.

### **1.03 OTHER HARASSMENT**

Harassment on the basis of a person's race or color, religion or creed, national origin or ancestry, age, disability, veteran's status, sexual preference, or citizenship or intending citizenship status is unacceptable conduct and will not be tolerated. The harasser can be any employee, administrator, faculty, student or prospective student, relative of a student or prospective student, visitor or guest, vendor, consultant, or any other person doing business with the University or any person with whom the employee comes into contact in the performance of his or her work.

Harassment prohibited by this policy includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

If you feel you have a complaint of harassment, you are encouraged to use the University's Informal Procedure for Resolution of Complaints of Equal Employment Opportunity, Sexual Harassment, Other Harassment and Reasonable Accommodation. If you feel that you cannot bring your complaint through the Informal Procedure or if you are not satisfied with resolution through the Informal Procedure, you may bring your complaint under the Complaint Resolution and Open Door policy in this handbook. If for some reason you feel that you cannot bring your complaint of harassment under these policies, you may bring your complaint to the Director of Human Resources, the Vice President for Financial Services or any member of the University administration with whom you feel you can discuss the situation.

No employee will receive unfavorable treatment for bringing a complaint of harassment. All complaints will be considered confidential. Only those individuals involved in the complaint, including its investigation and resolution, will have information concerning the complaint.

#### **1.04 REASONABLE ACCOMMODATION**

The University will reasonably accommodate an employee's known disability. Any employee may request a reasonable accommodation from his or her supervisor or the Director of Human Resources. All requests for reasonable accommodation will be kept confidential except that supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations, first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment, and government officials investigating compliance with applicable law shall be provided relevant information on request.

Contact the Human Resources department for additional information.

If you feel you have a complaint related to reasonable accommodation, you are encouraged to use the University's Informal Procedure for Resolution of Complaints of Equal Employment Opportunity, Sexual Harassment, Other Harassment and Reasonable Accommodation. If you feel that you cannot bring your complaint through the Informal Procedure or if you are not satisfied with resolution through the Informal Procedure, you may bring your complaint under the Complaint Resolution and Open Door policy in this handbook. If for some reason you feel that you cannot bring your complaint related to reasonable accommodation under these policies, you may bring your complaint to the Director of Human Resources, the Vice President for Financial Services or any member of the University administration to whom you feel you can discuss the situation.

#### **1.05 INFORMAL PROCEDURE FOR RESOLUTION OF COMPLAINTS OF EQUAL EMPLOYMENT OPPORTUNITY, SEXUAL HARASSMENT, OTHER HARASSMENT AND REASONABLE ACCOMMODATION**

This informal procedure for resolution of complaints of equal employment opportunity, sexual harassment, other harassment and reasonable accommodation is available to any member of the administrative or support staff who has a complaint of equal employment opportunity, sexual harassment, other harassment or failure of reasonable accommodation ("Complainant"). This informal procedure should be used before bringing a complaint under the Complaint Resolution and Open Door policy.

Informal Complaint Resolution Procedure:

(a) Any administrative or support staff who has a complaint of equal employment opportunity, sexual harassment, harassment or reasonable accommodation should bring their complaint to the Director of Human Resources or to his or her supervisor. If you bring an informal complaint to your supervisor, your supervisor will direct the complaint to the Director of Human Resources. The Director of Human Resources will try to effect an informal resolution of the complaint.

(b) The complaint should be presented as promptly as possible after the alleged incident occurs and, whenever possible, within 15 working days of the events giving rise to the complaint.

(c) The initial discussion between the Complainant and the Director of Human Resources is kept confidential.

(d) If after an initial meeting with the Director of Human Resources the Complainant decides to proceed, then the Complainant submits a written statement to the Director of Human Resources. On request, the Director of Human Resources will help you write the complaint.

(e) After a written statement is submitted, the Director of Human Resources takes whatever steps deemed appropriate to effect an informal resolution of the complaint, including investigating the allegations of the complaint, informing the alleged harasser of the details of the complaint and the identity of the Complainant and proposing a specific course of action.

(f) If dissatisfied with informal resolution proposed by the Director of Human Resources, the Complainant may proceed under the Open Door and Complaint Resolution policy.

(g) Only those persons involved in the investigation of the complaint or its resolution will be provided information regarding the complaint and all who receive information regarding the complaint are requested to maintain the complaint in confidence.

## **1.06 COMPLAINT RESOLUTION AND OPEN DOOR**

The University encourages all employees to bring to its attention any problem, concern or question they may have about work. The University has an open door policy and any employee may speak with the Director of Human Resources, the Vice President for Financial Services or any member of the University administration about any job-related interest, problems or concern he or she may have at any time. The University is interested in what you have to say and will make arrangements to speak with you on request.

Any problem, concern or complaint should be addressed as soon after it arises as is practicable and the University will make every effort to discuss the problem with you as soon as practicable. Problems requiring immediate attention should be addressed when they occur. Other problems are better discussed privately and when time permits and can be resolved by following the complaint resolution steps which are set out below. The University encourages you to use this procedure when possible.

**Step 1.** Within three (3) working days of the event(s) giving rise to the problem or complaint, discuss the problem or complaint with your immediate supervisor who will consider the matter and respond within three (3) working days.

**Step 2.** If you feel the decision of your immediate supervisor does not satisfactorily resolve the matter, you may appeal the decision to your immediate supervisor's supervisor. State your problem or complaint and the attempts you have made to resolve it in writing within five (5) working days of the decision of your immediate supervisor. You may write your complaint on a Complaint Resolution Form available from the Human Resources department. You must sign and submit your written complaint to the Human Resources Office. You may request a meeting with your immediate supervisor's supervisor. On request the Director of Human Resources will help you write the complaint. The immediate supervisor's supervisor will respond within five (5) working days of receipt of your signed written complaint or your meeting with the supervisor of your immediate supervisor whichever is later.

**Step 3.** If you feel the decision of your supervisor's supervisor does not satisfactorily resolve the matter, you may appeal the decision in writing to the Director of Human Resources. State your problem or complaint and the attempts you have made to resolve it in writing within

five (5) working days of the decision of the supervisor of your immediate supervisor. You may use a Complaint Resolution Form which is available at the Human Resources Office. You may request a meeting with the Director of Human Resources. You must sign and submit your written complaint to the Director of Human Resources within five (5) working days of the decision of the supervisor of your immediate supervisor. On request the Director of Human Resources will help you write the complaint. The Director of Human Resources will respond within five (5) working days of receipt of your signed written complaint or your meeting with the Director of Human Resources whichever is later.

**Step 4.** If you feel the decision of the Director of Human Resources does not satisfactorily resolve the matter, you may appeal the decision in writing to the Vice President for Financial Services. State your problem or complaint and the attempts you have made to resolve it in writing within five (5) working days of the decision of the Director of Human Resources. You may use a Complaint Resolution Form which is available at the Human Resources Office. You may request a meeting with the Vice President for Financial Services. You must sign and submit your written complaint to the Vice President for Financial Services within five (5) working days of the decision of the Director of Human Resources. The Vice President for Financial Services will respond within seven (7) working days of receipt of your signed written complaint or your meeting with the Vice President of Financial Services. The decision of the Vice President for Financial Services is final.

At each step of the procedure, you may present any document you feel would be helpful in providing information necessary to resolve the problem. The university reserves the right to deviate from the time frames set forth in the steps to the extent circumstances necessitate such deviation.

All complaints will be considered confidential. Only those individuals involved in the complaint, including its investigation and resolution, will have information concerning the complaint.

## SECTION 2

### EMPLOYMENT PRACTICES

#### 2.01 EMPLOYEE STATUS

**(a) Exempt and Non-Exempt Employees** You will be advised before starting work if you are exempt or non-exempt and if you will be paid on a salary or hourly basis and the amount of your pay. Non-exempt employees will receive overtime pay at the rate of one and one-half (1 ½) times their regular rate of pay for all hours worked in excess of 40 in any one work week. Exempt employees paid on a salary basis are not eligible for overtime compensation.

**(b) Full-Time, Part-Time and Non-Regular Employees** - You are also either a full-time, part-time or non-regular employee. When you are hired, you will be advised whether you are a full-time, part-time or non-regular employee.

**(1) Regular Full-Time Employees** - Employees who are regularly scheduled to work at least an average of 32 hours per week throughout a 12-month period or an annual equivalent thereof. Regular full-time employees are generally eligible for all University benefits available to administrative and support staff provided the employee is otherwise eligible and qualified under the terms of the benefit.

**(2) Regular Part-Time Employees** - Employees who are regularly scheduled to work an average of 20 but no more than 32 hours per week on a regular basis or an annual equivalent thereof. Regular part-time employees are eligible for certain University benefits provided they are otherwise eligible and qualified under the terms of the benefit.

**(3) Non-Regular Employees** - Employees hired to work for the University for a set period of time or for a specific job assignment. Non-regular employees may be either full-time or part-time. Non-regular employees are not eligible to participate in University benefits.

**(c) Mixed Positions** Some University employees hold positions with mixed faculty and administrative and support staff duties or perform duties subject to individual employment agreements. When the position of an employee with mixed duties is not specifically subject to an individual employment agreement, the position is subject to the policies set forth in this handbook for administrative and support staff.

#### 2.02 ORIENTATION PERIOD

The orientation period for new employees is generally 90 days from date of hire. During this orientation period the University will teach you your job duties. At the end of your orientation period, or at any time before, you and the University will evaluate your suitability in your position and your continued employment.

Any significant absence during the first 90 days of employment will automatically extend an orientation period by the length of the absence. If you or the University determines that the orientation period does not allow sufficient time to thoroughly evaluate and make a fair assessment of your performance, the orientation period may be extended. Your supervisor will

advise you if you will be considered a new employee in your orientation period for longer than 90 days and for how much longer your orientation period will last.

Participation in some benefits may be restricted during the orientation period. Employees should read the information for each specific benefit for details. During the orientation period, employees shall not be eligible for paid absences except for designated holidays, jury duty and bereavement leave. In the event an employee transfers or otherwise changes positions, he or she will be considered in the orientation period for the first 90 days in the new position. Benefits, however, will not be affected.

The University will provide other orientation and training programs frequently to familiarize employees with University operations or specific job duties. Some employees may participate in continuing education and training programs when such instruction is considered necessary for satisfactory job performance. In some cases, employees may be required to enroll in and satisfactorily complete such programs.

### **2.03 PERSONNEL RECORDS**

A personnel file is maintained for each employee by the Office of Human Resources. It is the responsibility of each employee to timely notify the Human Resources staff of the following, including any change within one week of the change:

- (1) Name;
- (2) Home address;
- (3) Home telephone number;
- (4) Identity of individual, including phone number, to contact in case of an emergency;
- (5) Beneficiary of group life insurance;
- (6) Highest level of education completed;
- (7) Social security number; and
- (8) Change in W-4 withholding.

Personnel files are the property of the University and access to the information they contain is restricted. Generally only the employee's supervisor and other University personnel with a legitimate reason to review information in a personnel file are allowed to do so. Further, the University will cooperate with federal, state or local government law enforcement investigations. Employees who wish to review their own personnel files should contact the Director of Human Resources.

### **2.04 REFERENCES**

All requests for references on current or past employees are to be referred to the Office of Human Resources. In responding to requests from an employee's past or prospective employer, the University will verify only dates of employment and position held. A quoted salary will be verified as to its accuracy only upon written authorization provided by the employee to the University.

## **2.05 ADVANCEMENT**

Although the University prefers to advance or promote from within and will consider current employees with the necessary qualifications and skills for vacancies, the University will hire the individual who best meets its needs. All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor. Where outside recruitment is in the University's best interest, however, the University will not consider internal applicants. To be considered for advancement or promotion, the employee must have held his or her current position for at least six (6) months and have both a satisfactory performance record and no discipline during the same period. A copy of the Internal Hiring procedures is available upon request from the Office of Human Resources.

## **2.06 TRANSFER**

An employee may request or the University may transfer employees from one job to another or from one location to another. Transfer may occur because of fluctuations in work loads, better utilization of personnel, increased career opportunities or other business reasons. An employee's eligibility for transfer will be determined by the requirements of the new job and the needs of the University. To be eligible for transfer, the employee must have held his or her current position for at least six (6) months and have both a satisfactory performance record and no adverse disciplinary actions during the preceding six (6) months. A copy of the Internal Hiring procedures is available upon request from the Office of Human Resources.

## **2.07 FORMER EMPLOYEES**

A former employee who returns to employment with the University within thirty (30) days from the date of his or her separation will retain his or her most recent hire date. A former employee who returns to employment with the University more than thirty (30) days from the date of his or her separation will be considered a new employee from the date of re-employment except as otherwise stated in this handbook. Benefit eligibility will commence with the re-employment date unless permitted otherwise by the individual benefit plan document and/or required by applicable law.

## **2.08 EMPLOYMENT OF RELATIVES AND PERSONS IN CLOSE PERSONAL RELATIONSHIPS**

Employees who are married, are relatives, have established close personal relationships or live in the same household may not work in the same department under the direct or indirect supervision of each other, may not occupy a position over which one has influence over the other's employment including such things as job duties or assignments, salary adjustment, advancement or promotion or discipline and discharge, or may not occupy a position which creates the potential for unfair treatment of any other employee, a conflict of interest or undue influence of one over the other. This policy applies to all employees including direct supervisory relationships between faculty members and student employees. Requests for exceptions to this policy are made to the Director of Human Resources. Any relative or person in a close personal relationship hired by the University must meet normal selection qualifications.

## **2.09 ON LEAVING EMPLOYMENT**

The University recognizes that situations will arise when it becomes necessary to separate employment. The employment relationship can be terminated by resignation, mutual agreement or involuntarily.

Resignation is a voluntary act initiated by the employee to terminate employment. Although advance notice is not required, the University requests that any administrative or support staff who resigns give at least two (2) weeks written notice to permit an orderly transition. The notice must be given to the employee's immediate supervisor or other individual in the employee's chain of command with a copy to the Office of Human Resources.

The University may discharge employees involuntarily with or without cause and provide notice either verbally or in writing. The University may state a cause or reason for the discharge in the notice although it is not required to do so.

Upon the separation from employment, the employee shall return to the University all University property including such things as any and all records, files and other documents, keys, credit cards, equipment or any other property which the employee received in the course of his or her employment or produced for the University in the course of his or her employment.

Eligibility for all University benefits will cease on an employee's last day of employment unless otherwise stated in the specific benefit policy. Employees should read the information for each specific benefit policy for the details on continuation requirements, if any.

The Office of Human Resources schedules exit interviews in connection with separation. Exit interviews provide an opportunity for an exchange of information between the employee and the University and an explanation of continuing benefits, conversion of benefits and return of University property.

## **2.10 PERFORMANCE EVALUATIONS**

Performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job responsibilities, identify and correct weaknesses, encourage and recognize strengths, establish job goals and objectives and discuss positive, purposeful approaches to meeting goals and objectives. Supervisors and employees are strongly encouraged to discuss job performance and goals from time to time on an informal basis.

Written performance evaluations are given at any time during or at the conclusion of an orientation period and annually thereafter. You may receive a wage or salary adjustment at any performance review. However a performance evaluation does not insure a wage or salary adjustment. An evaluation may be given at other times when deemed appropriate by the University. If you are to be evaluated more frequently than annually, the University will advise you.

Generally, evaluations are performed using an appraisal form prepared by the University. The employee's supervisor or other appropriate person completes the designated portions of the appraisal form. Completed appraisal forms are then reviewed by the employee and the supervisor or appropriate person together. The appraisal form is signed and dated by both individuals and maintained in the employee's personnel file. The employee's signature on the appraisal form does not necessarily mean that the employee agrees with the evaluation,

only that the employee has read the evaluation. The employee may respond to the evaluation either verbally or in writing and any written response will be attached to and maintained with the appraisal form.

## **2.11 OUTSIDE EMPLOYMENT**

Outside employment for regular full time employees is not encouraged, and the prior approval from the Administrative Officer responsible for the area in which the employee is employed must be obtained before any outside employment or work activity is undertaken.

## SECTION 3

### WORKING HOURS AND WAGE PRACTICES

#### 3.01 WORKWEEK AND HOURS OF WORK

The University establishes the time and schedule of working hours as required by work demands and other needs of the University.

The University workweek begins on Sunday and ends at 12 midnight the following Saturday.

In general the College of Arts and Sciences campus observes office hours from 8:00 a.m. to 4:30 p.m. Monday through Friday. In general the workweek for non-exempt employees at the College of Arts and Sciences campus is 37.5 hours and the work day is one (1) eight and a half (8 ½ ) hour shift consisting of seven and one-half (7½ ) hours of work and one (1) hour unpaid lunch period.

In general the School of Professional and Graduate Studies (SPGS) campuses observe office hours from 9:00 a.m. to 6:00 p.m. Monday through Thursday and from 8:00 a.m. to 5:00 p.m. on Friday. In general the workweek for non-exempt employees at SPGS campuses is 40 hours and the work day is one (1) nine (9) hour shift consisting of eight (8) hours of work and one (1) hour unpaid lunch period.

When you are hired, your supervisor will advise you of your schedule and thereafter of any changes in your schedule.

#### 3.02 LUNCH PERIODS/WORK BREAKS

**(a) Lunch Periods** The employee's supervisor schedules lunch periods. Uninterrupted lunch periods of at least 1 hour are unpaid except when the employee's supervisor restricts the use of that time or otherwise requires the employee to be available to begin work prior to the end of the lunch period.

**(b) Work Breaks** Work breaks are scheduled at the discretion of the supervisor. Work breaks are paid time and may be restricted in any manner by the employee's supervisor depending on the needs of the University. Unless operations require otherwise, employees receive one (1) 15 minute break for each consecutive four (4) hour period worked in a single day.

#### 3.03 TIME AND ATTENDANCE

To maintain a productive work environment, the University expects employees to begin work on time as scheduled and work through their shift. Absent special circumstances, the time and attendance guidelines are applied uniformly in the interests of consistency and fairness to all employees.

**(a) Definitions** Absence includes actual absence from work, arriving late at the start of your schedule or following lunch or other break, leaving work early for lunch, break or before the end of your schedule or unexplained absence from your work area during your schedule. Absent mitigating circumstances, absences can and will lead to discipline and discharge.

**(b) Reporting Absences** If you are going to be absent or late, you must personally notify your supervisor at least one (1) hour in advance of your schedule. If you will be at work for only part of your schedule, you must personally notify your supervisor as soon as you are aware that you will not be at work for your entire schedule. If your supervisor is not personally available, you may leave a message on your supervisor's voicemail. Failure to report an absence as described in this policy can lead to discipline up to and including discharge.

**(c) Medical Verification** For absence due to illness or injury, the University may request verification of your illness or injury and the length of your anticipated absence from a health care provider satisfactory to the University.

**(d) No Call No Show** Absence from work for three (3) consecutive work days without calling in as described in this policy will be considered a voluntary resignation.

### **3.04 TIME RECORDS**

The University maintains a system for recording time. All non-exempt employees are required to complete an individual time record on a daily basis showing all hours worked. Failure to record your working time may result in discipline up to and including discharge.

#### **(a) Non-Exempt Employees**

**(1) Start/Leave Times** Non-exempt employees must record their start time, time out for lunch, time in after lunch and ending time for each day worked. If you will be absent for a part of the day, for example because of use of personal and sick leave, you must record the time you leave and the time you return.

**(2) Review of Time Records** Employee time records are checked and signed by the employee's supervisor. Non-working time for which an employee receives pay, for example holidays, vacation or personal and sick leave, must be approved by the supervisor and recorded on an individual's time record.

**(3) Inclement Weather** In case of inclement weather, the University may allow a reasonable grace period for arrival at work and leaving work at the end of the work day. Non-exempt employees who are allowed a grace period will be paid for their scheduled day of work without reduction for the grace period. The length of any grace period is left to the discretion of the University. In the event an employee cannot report to work due to hazardous weather conditions, the employee may use accrued and unused personal and sick leave, earned and unused vacation or take the time off without pay.

**(4) Absent Employee's Time Records** Only authorized supervisors may complete time records for an absent employee.

**(5) Accuracy of Time Records** Employees are responsible for the accuracy and timely submission of their time records. Payment for any error in recording, including error caused by failure to record all hours worked, will be corrected on the employee's paycheck on the next regularly scheduled payday. Altering, falsifying or tampering with any time record or recording time on another employee's time record may result in discipline up to and including discharge.

**(b) Exempt Employees** Exempt employees are required to report their use of personal and sick leave and vacation each month on the appropriate form.

### 3.05 PAYROLL

**(a) Pay Period and Pay Date** The pay period is the 21st day of each month through the 20<sup>th</sup> day of the following month for non-exempt (hourly) employees. The pay period is the first day through the last day of each month for exempt (salaried) employees. All employees are paid on the last working day of the month.

**(b) Payroll Deductions** Each pay period certain amounts will be withheld from an employee's paycheck by payroll deduction. Payroll deductions will be made for such things as Federal and State Income Tax, FICA (Social Security and Medicare), Group Insurance and other deductions authorized by the employee or required by law. Payroll deductions are itemized on the paycheck stub or, if pay is directly deposited, on a payroll voucher.

**(c) Changes in Deductions or Questions** Employees must file an Employee's Withholding Certificate, IRS Form W-4, with the Office of Human Resources at the beginning of employment, when a change in withholding occurs or when otherwise requested by the University or required by law. Questions or problems regarding pay should be discussed with the employee's supervisor, the Director of Human Resources or the Payroll Coordinator as soon as a question or problem arises.

**(d) Direct Deposit** The University provides an automated payroll deposit system ("direct deposit") for the employee's convenience. In this system, your salary is automatically deposited into your designated checking or savings accounts on payday. You may enroll in or change your direct deposit account information by completing the appropriate form in the Office of Human Resources at any time. Upon any change in the direct deposit account, you will receive a manual check on the first payday after the change and thereafter a payroll voucher detailing earnings and deductions.

**(e) Authorization for Deductions** Employees may authorize a payroll deduction to cover and pay to the University any amount owed by the employee to the University, including without limitation, for money, damage to, theft of, disposal of or failure to return any University property. The University will comply with all applicable law in making deductions, including authorizing deductions, from an employee's pay.

### 3.06 SAFE HARBOR

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must record correctly all work time and review your paychecks to identify and to report all errors.

**(a) Review Your Pay Stub** We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we will promptly make any corrections necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below.

**(b) Non-exempt Employees** If you are classified as a non-exempt employee, you must maintain a record of the total hours you work each day. These hours must be accurately recorded on a time card or time sheet that will be provided to you by the Office of Human Resources. Each employee must sign his or her time record to verify that the hours reported are complete and accurate. Your time record must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. At the end of each pay period, you should submit your completed time record to your supervisor for verification and approval. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked that pay period.

Unless you are authorized by your supervisor, you should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless you are authorized to do so and that time is recorded on your time record. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you perform but fail to report on your time record. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

It is a violation of the University's policy for any employee to falsify a time record, or to alter another employee's time record. It is also a serious violation of University policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time record to under- or over-report hours worked. If any manager or employee instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the Office of Human Resources.

**(c) Exempt Employees** If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours you may work for the University. In establishing your salary, it is contemplated your hours of work may fluctuate from week to week. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

Under federal and state law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons:

Full day absences for personal reasons (when an employee has exhausted all vacation and /or personal and sick leave)

Full day absences for sickness or disability (when an employee has exhausted all vacation, personal and sick leave and/or disability benefits)

Family and Medical Leave absences (either full or partial day absences when an employee has exhausted all vacation, personal and sick leave and/or disability benefits)

The first or last week of employment in the event you work less than a full week.

Your salary may also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 403(b) plan. In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

Partial day absences for personal reasons, sickness or disability other than FMLA absences.

Absences caused by the University or caused by the University's facilities being closed.

Absences for jury duty, attendance as a witness, or temporary military leave.

Any other deductions prohibited by state or federal law.

It is not an improper deduction to reduce an employee's accrued vacation, sick and personal leave or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

**(d) To Report Concerns or Obtain More Information** If you have questions about deductions from your pay, please immediately contact the Office of Human Resources. If you believe you have been subjected to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to your supervisor. If your supervisor is unavailable or if you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully acceptable reply), you should immediately contact the Director of Human Resources, the Payroll Coordinator, or any Administrative Officer in the University with whom you feel comfortable. If you are unsure of whom to contact if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the Vice President for Financial Services.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the University will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the University's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

### **3.07 LOANS AND SALARY ADVANCES**

The University does not make personal loans or advances against unearned pay to employees.

### **3.08 OVERTIME PAY**

**(a) Overtime Pay** Non-exempt employees will receive overtime pay at the rate of time and one-half (1 ½) the employee's regular rate of pay for all hours worked in excess of 40 in any one workweek or in excess of 10 hours per workday. All overtime must be identified and approved by the employee's supervisor prior to the work being performed.

**(b) Compensatory Time** Compensatory time is not allowed in lieu of overtime pay.

### **3.09 TRAVEL TIME**

The FLSA has established guidelines for time spent commuting by non-exempt employees for business travel. Please contact the Director of Human Resources for reporting requirements and additional information on this subject.

## SECTION 4

### EMPLOYEE BENEFITS

#### 4.01 SUMMARY OF BENEFITS

The University provides various benefits to administrative and support staff. These benefits include health and welfare, leaves of absence, paid holidays, paid vacations and tuition waivers and remission.

The University health and welfare benefits, including health and dental insurance, life insurance, short-term disability, long-term disability, retirement and deferred compensation plans, are available to employees who are otherwise eligible and qualified to participate under the terms of the specific benefit plan. Summary plan descriptions explaining these benefit plans are available from the Office of Human Resources upon request. Any questions concerning eligibility, qualification, cost or enrollment for a benefit plan should be directed to the Office of Human Resources. Other benefits are described in this handbook.

#### 4.02 HOLIDAYS

**(a) Eligibility** Regular full-time employees receive time off with pay at the employee's base rate of pay for each holiday designated by the University. Regular part-time employees receive holiday pay at the employee's base rate of pay for four (4) hours for each designated holiday and will be given the designated holiday off. Employees on a leave of absence are not eligible to receive holiday pay unless the normal workdays preceding and following the holiday are paid by accrued personal and sick leave or earned vacation.

**(b) Designated Holidays** The University generally designates the following holidays: New Year's Day, Martin Luther King, Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, ½ the day before Thanksgiving Day, Thanksgiving Day, the day after Thanksgiving, ½ the day before December 24<sup>th</sup>, all week days between and including December 24<sup>th</sup> and December 31<sup>st</sup>, and the employee's birthday. The University publishes a schedule of designated holidays to be observed during each calendar year. The birthday holiday must be approved by the employee's supervisor and observed within five (5) working days of the actual birthday or as soon thereafter as possible.

**(c) Pay for Hours Worked on Holiday** An employee may request or the University may require a non-exempt employee to work on a designated holiday. A non-exempt employee who works on a designated holiday receives pay at his or her regular rate for all hours worked in addition to holiday pay.

**(d) Holiday During Leave of Absence** Employees on a leave of absence are not eligible to receive holiday pay unless the normal workdays preceding and following the holiday are paid by accrued personal and sick leave or earned vacation.

**(e) Holiday During Vacations** If a holiday falls during an employee's vacation, the holiday will be counted as a holiday and will not be counted as a day of vacation.

**(f) Early Dismissal** At its discretion, the University may close the offices early on the day preceding a designated holiday. Non-exempt employees otherwise scheduled to work during an early closing time will be paid at their regular rate of pay for their full schedule for that

day. Employees not scheduled to work during the early closing time will not be paid for the early closing. Employees on scheduled personal and sick leave or vacation will be charged the pre-approved personal or sick leave or vacation for that day and not only for the hours prior to the announced early dismissal.

**(g) Overtime** Holiday pay for hours not worked and pay for hours not worked because of early dismissal on days preceding a designated holiday will be counted as hours worked for purposes of overtime in determining the number of hours worked in a given week.

#### 4.03 VACATIONS

Vacation benefits are designed to provide eligible employees with the opportunity for rest, relaxation and personal pursuits.

**(a) Schedule of Earning** Vacation is earned on a monthly basis during each fiscal year (July 1 through June 30) according to the following schedule:

Schedule of Earning Vacation			
Fiscal Year of Continuous Employment	Employment status	Rate of Earning	Maximum Earnings per Fiscal Year
0 – 10 years	Regular Full-Time NonExempt	1 day per month	12 days
0 – 10 years	Regular Part-Time NonExempt	.5 days per month	12 half days
10 – 20 years	Regular Full-Time NonExempt	1.42 days per month	17 days
10 – 20 years	Regular Part-Time NonExempt	.71 days per month	17 half days
20 years or more	Regular Full-Time NonExempt	1.83 days per month	22 days
20 years or more	Regular Part-Time NonExempt	.92 days per month	22 half days
0 – 20 years	Regular Full-Time Exempt	1.42 days per month	17 days
0 – 20 years	Regular Part-Time Exempt	.71 days per month	17 half days
20 year or more	Regular Full-Time Exempt	1.83 days per month	22 days
20 years or more	Regular Part-Time Exempt	.92 days per month	22 half days

New employees who begin work after the 15th day of the month do not earn vacation for that month. New employees do not earn vacation during their orientation period. Upon

satisfactory completion of the orientation period, vacation otherwise earned is retroactive to the employee's first day of work. Employees who work less than one-half (1/2) their normal schedule in any given month, excluding vacation, will not earn vacation for that month.

**(b) Use of Vacation Earned** Vacation is available for use at the time after it is earned. All vacation earned during any fiscal year must be taken before June-20<sup>th</sup> of the following fiscal year. An employee's failure to use accrued vacation will result in forfeiture of that vacation time. There will be no pay for unused and forfeited vacation time. No employee will lose vacation time without first receiving written notification from the Human Resources Office that vacation time needs to be used.

Employees are encouraged to use vacation time in minimum increments of one-half (1/2) day.

**(c) Request for Vacation Period** Vacations must be scheduled with the employee's immediate supervisor. To meet employee preferences and the needs of the department, employees should discuss their vacation plans well in advance with their supervisor. Requests for vacation will be reviewed based on a number of factors, including business needs and staffing requirements.

**(d) Pay** Vacation is paid at the employee's base pay rate at the time of vacation. There is no pay for earned and unused vacation except on separation.

**(e) Overtime** Pay for vacation will not be counted as hours worked for purposes of determining overtime pay.

**(f) Carry Over** Carry over of earned and unused vacation days is permitted only in exceptional circumstances or as requested by the University. An employee must receive written authorization signed by an officer of the University to carry over earned and unused vacation from one fiscal year to the next. The authorization will state the number of days of earned and unused vacation permitted to be carried over and an expiration date of the exception.

**(g) Leave of Absence** An employee on a leave of absence without pay does not earn vacation.

**(h) Separating Employees** Upon separation, an employee is paid for all of his or her earned and unused vacation up to a maximum of one year's accrual. Separating employees may not use earned and unused vacation to extend their employment beyond the last day worked.

#### **4.04 PERSONAL AND SICK LEAVE**

The University maintains a program of personal and sick leave designed to provide all regular full-time and part-time employees time off with pay for necessary absences caused by illness or emergencies not otherwise covered in this handbook.

Personal and sick leave is not to be used in lieu of vacation or for the purpose of routine personal matters. Employees are not permitted to use personal and sick leave for extended periods of absence without cause.

**(a) Eligibility and Rate of Accrual** Regular full-time and part-time employees are eligible to accrue personal sick and leave. Regular full-time employees accrue personal and sick leave at the rate of one-half (1/2) day per month worked. Regular part-time employees accrue personal and sick leave at a rate of one-fourth (1/4) day per month worked. A regular full-time employee must work at least 75 hours and a regular part-time employee must work at least 37 hours to accrue personal and sick leave during any given month. Vacation and holidays shall be counted as hours worked for purposes of calculating eligibility for personal and sick leave accrual. Employees on a leave of absence do not accrue personal and sick leave during the leave of absence.

**(b) Maximum Accrual** An employee may accrue up to 90 personal and sick days. When an employee accrues the maximum number of personal and sick leave days, the employee will cease accruing personal and sick leave until the number of accrued and unused personal and sick days falls below 90. Accrued and unused personal and sick days are carried over from year to year.

**(c) Use of Personal and Sick Leave** Examples of appropriate use of personal and sick leave are listed below. These examples are not all-inclusive and are intended to serve as a guide for employees when requesting personal and sick leave and for supervisors when considering an employee's request for personal and sick leave.

**(1) Illness:** Personal illness or illness of an immediate family member. "Immediate family member" includes a spouse or child living in the same household as the employee and, parents.

**(2) Medical or Dental Appointments:** Appointments that cannot be scheduled outside the employee's scheduled work hours.

**(3) Family Emergencies:** Time off to assist with the illness, accident or hospitalization of a member of the employee's immediate family.

**(4) Funerals:** Time off to attend the funeral of a non-immediate family member or where leave under the Bereavement Leave policy is not otherwise available.

**(5) Natural Disasters:** Conditions requiring time off as a result of severe weather or where an Act of God prevents the employee from reporting to work.

**(d) Duty to Notify** An employee requesting personal and sick leave must personally notify his or her supervisor as soon as the need for personal and sick leave becomes apparent and in any event at least one (1) hour in advance of the scheduled time to work. If the employee's supervisor is not personally available, the employee may leave a message on the supervisor's voicemail. The supervisor should be informed of the reason for the request, the length of time needed and the anticipated date of return to work. An employee on personal and sick leave is required to call in each day of absence and personally speak with his or her supervisor unless otherwise advised. Failure of the employee to notify the supervisor as described in this policy may result in discipline up to and including discharge.

**(e) Medical Verification** The University may request a statement from a health care provider acceptable to the University verifying any illness or the ability of the employee to perform the essential functions of the position prior to the employee being allowed to return to work. The University may also require the employee to be examined by a health care provider

satisfactory to the University to verify the illness or the employee's ability to return to work and perform the essential functions of his or her position.

**(f) Part-day Use** Personal and sick leave may be used in minimum increments of one (1) hour. Absence of less than one (1) hour may be made up with prior approval of the employee's supervisor provided all time that is made up is worked in the same workweek of the absence occasioned by the use of personal and sick leave of under one (1) hour.

**(g) Abuse of Personal and Sick Leave** Abuse of personal and sick leave may result in discipline up to and including discharge.

**(h) Other Pay** Paid time off under this personal and sick leave policy is not permitted when the employee is receiving any other form of payment due to illness or injury or other pay to compensate for lost wages due to illness or injury where such payment is funded directly or indirectly by the University. However, it may be used to make up the difference between compensation for lost wages and base pay.

**(i) Overtime Pay** Pay for hours not worked under this personal and sick leave policy are not counted as hours worked for the purpose of overtime pay.

**(j) Separating Employees** There is no pay for accrued and unused personal and sick time on separation of employment. Separating employees may not use personal and sick leave to extend their employment beyond the last day worked.

**(k) Substitution of Personal and Sick Leave** In the event an employee has depleted their accrued sick and personal leave, additional time off will be charged to the employee's earned vacation prior to taking leave without pay.

**(l) Extended Use of Personal and Sick Leave** Employees who are absent for more than three days will be required to complete the appropriate application forms for a Leave of Absence.

#### **4.05 MEDICAL EMERGENCY**

Regular full time employees may be granted a paid leave of absence subject to approval of the University, for the employee to be present at a medical facility, in a medical emergency, involving an immediate household member, parent or employee's child. A medical emergency shall be an event where an individual's life is in serious jeopardy or involves major surgery requiring hospitalization. The length of the leave will be in the discretion of the University based upon the individual circumstances. The University may request verification from the physician, or of the circumstances. The provisions of the FMLA policy shall control if the leave is covered by the FMLA.

#### **4.06 BEREAVEMENT LEAVE**

Regular full-time employees may be granted paid bereavement time off up to a maximum of three (3) working days in the event of a death in the employee's immediate family in order to handle family affairs and attend the funeral. For purposes of bereavement leave, immediate family members include the employee's spouse, child including natural, adopted, foster or stepchild, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, grandchild, daughter-in-law and son-in-law. Immediate family does not

include any "in-law" of a former spouse or of a spouse from whom you are separated in law or in fact. The length of the leave will be at the discretion of the University based on individual circumstances and in no event shall exceed three (3) days. The University may require proof of the death and of the employee's relationship to the deceased.

Supervisors may excuse regular full-time employees from work with pay for one-half (1/2) day or less to attend a funeral for a person not defined as immediate family.

Leave of more than three (3) days to attend a funeral and handle family affairs may, upon the approval of the employee's supervisor, be charged against accrued and unused personal and sick leave.

#### **4.07 MILITARY LEAVE**

The University provides leaves of absence and re-employment rights to eligible employees who are members of or who enlist in the armed forces, including the National Guard, under applicable federal and state law.

If you receive military orders which will prevent you from reporting to work or if you intend to enlist, notify Human Resources of the orders or enlistment as soon as practicable in order to obtain information on how to comply with required leave procedures to be eligible to participate in benefits associated with military leave.

#### **4.08 JURY DUTY AND OTHER COURT COMMITMENTS**

The University regards certain court commitments as an important civic responsibility.

An employee called to court to serve as a juror or to give trial or deposition testimony when the employee is not a party to the action, for example as a plaintiff or defendant, or as a retained expert, is allowed the necessary time off required for this purpose. The University will treat court commitments as approved leave with pay provided the employee supplies the Office of Human Resources with a copy of the notice to appear and proof of his or her appearance for jury or other service. The employee shall notify his or her supervisor within 48 hours of his or her receipt of notice to report for court and furnish the supervisor with a copy of the notice. If the court commitment does not occupy an employee's entire work schedule, the employee will be expected to work for as much of his or her regularly scheduled shift as the court commitment permits. Time paid under this policy for hours not worked is not counted as time worked for purposes of overtime pay.

#### **4.09 VOTING**

The University permits all employees who are eligible to vote sufficient time off from work to vote at an election conducted by a county election officer in the State of Kansas or Missouri, whichever is applicable to the employee's residence, provided that an employee does not have sufficient time to vote outside of working hours. In such circumstances, employees are permitted time off with pay not to exceed two (2) consecutive hours in Kansas and three (3) consecutive hours in Missouri to vote between the opening and the closing of the polls. When possible, give your supervisor at least two (2) working days notice of your intent to take voting time off to allow your supervisor sufficient time to adjust scheduling. Your supervisor will schedule the time when you will be permitted to leave to vote.

#### 4.10 LEAVE OF ABSENCE WITHOUT PAY

A leave of absence without pay is defined as approved time off work without pay for 14 days or more. A leave of absence without pay may be requested for medical or personal reasons. A request for leave under this policy is made in writing to the employee's immediate supervisor or designated official stating the beginning and ending dates and the reason for the requested leave. Requests are subject to the approval of the University. In reviewing a request for a Leave of Absence Without Pay, the University will consider departmental workloads, length of leave requested, reasons for the requested leave, the employee's work performance, the effect of the leave on other employees and the needs of the University. The provisions of the FMLA policy shall control if the leave is covered by the FMLA.

**(a) Eligibility and Duration** Regular full-time or part-time employees are eligible for a leave of absence without pay for personal reasons where leave is not otherwise available under another leave of absence policy. A leave of absence without pay should not exceed six (6) weeks. For compelling reasons, however, an employee may request and the University may grant a leave or extend a granted leave in excess of six (6) weeks. Approved leaves of absence do not cause a break-in-service. An eligible employee must use accrued and unused personal and sick leave and earned and unused vacation prior to a leave of absence without pay.

An employee returning from a leave of absence without pay will be reinstated to the same position, if available, or another position provided the employee is qualified and can perform the essential functions of the position.

**(b) Medical Verification of Ability to Work** If the granted leave of absence is because of an employee's health-related reasons, the University will require certification of the employee's ability to return to work and perform the essential functions of the job prior to the employee's return to work by a health care provider satisfactory to the University.

**(c) Continuation of Benefits** During a leave of absence without pay, an employee may continue to participate in University insurance benefits; however, the employee must make arrangements satisfactory to the University to pay for all or a portion of the monthly premium payments. If the employee does not return to work from the leave, the University may recover from the employee any portion of the premium paid by the University during the leave.

**(d) Holidays, Personal and Sick Leave, and Vacation** During a leave of absence without pay, the employee will not receive pay for designated holidays falling within the leave period and will not accrue personal and sick leave or earn vacation.

#### 4.11 FAMILY AND MEDICAL LEAVE

Eligible employees are entitled to up to 12 weeks of leave under the Family and Medical Leave Act ("FMLA") for: 1) the birth of a child, or placement of a child with you for adoption or foster care; 2) a serious health condition that makes you unable to perform the essential functions of your job; or 3) to care for your spouse, child or parent with a serious health condition.

Eligible employees must have worked for the University for at least 12 months and must have worked at least 1,250 hours during the 12 months preceding the leave. If you are an eligible employee and want to take a leave of absence for any of the three (3) reasons described in this policy, notify your supervisor or the Director of Human Resources as soon as

the need for leave becomes known. You will need to help the Director of Human Resources complete the "Employer Response to Employee Request for Family or Medical Leave." Leave taken under this policy will not result in a break-in-service.

If you are an eligible employee and have earned and unused vacation or accrued and unused personal and sick leave, the University will require you to use substitution of accrued and unused vacation and accrued and unused personal and sick leave prior to unpaid Family and Medical Leave.

If you have any questions about Family and Medical Leave Act leave, contact the Director of Human Resources.

The University understands the importance of family issues to today's work force and recognizes that many of its employees face conflicting demands of family obligations and work. Because employees may find it necessary to take leave from their jobs for a temporary period to address certain family responsibilities or their own serious health conditions, and in order to comply with the Family and Medical Leave Act of 1993 (FMLA), the University hereby establishes its parental leave and family and medical leave policy.

**(a) GENERAL**

**(1) Covered Leave** The University will grant an eligible employee unpaid leave for up to 12 work weeks during a 12-month period, if the procedures in this policy are followed and leave is requested for any of the following reasons:

- (a) The birth or adoption of a child, or the foster care placement of a child (including paternity leave);
- (b) To care for a "family member" of the employee if that individual has a serious health condition; or
- (c) A serious health condition of the employee that renders the employee unable to perform his or her job functions.

The FMLA Policy allows eligible employees to receive a maximum of 12 weeks of unpaid leave, unless certain benefits allowing for paid time off would apply to the leave e.g., an employee cannot take 12 weeks of parental leave and 12 weeks of sick leave during the same 12-month period. If the leave is for birth, adoption, or foster care placement, the leave must be completed within 12 months of the date of birth or placement and must be taken all at one time.

**(2) The 12-Month Period** Available leave will be calculated by determining the amount of leave used by an employee for the 12 months prior to each day for which leave is requested and subtracting that number from the total of days equal to 12 work weeks. This is referred to as the "rolling" method of calculation. Employees will be advised when requesting leave of the amount of FMLA leave they have available.

**(3) Spousal Exception** If a husband and wife both work for the University and are eligible for leave, they are only entitled to a combined 12 work weeks of leave taken for birth, adoption, foster care, or to care for a family member. The 12 weeks will be calculated in the same manner as leave for an individual employee.

**(4) Intermittent Leave** An employee taking leave for personal illness or to care for a sick family member need not take such leave continuously and may take it on an intermittent basis, or by reducing the employee's scheduled work hours, if the employee provides certification from the health care provider caring for the employee and/or family member that leave must be taken in that manner. If leave is not taken continuously, it will be deducted from the employee's entitlement to leave, i.e., 12 weeks during a 12-month period, in increments of one hour.

**(b) DEFINITIONS**

**(1) Family member** "Family member" is defined in FMLA and the policy to include the employee's spouse, son, daughter or parent (but not a parent "in-law"). A "son" or "daughter" is any child under 18 who is the biological child of the employee, who is adopted by the employee, or whom the employee supervises on a day to day basis and for whom the employee is financially responsible. A "son" or "daughter" is also a child over 18 who is incapable of self-care because of a mental or physical disability. A parent is any individual who assumed day to day and financial responsibility for the employee when the employee was a child.

The University will consider requests for leave to care for other family members or individuals on a case-by-case basis.

**(2) Serious Health Condition** "Serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves a period of incapacity or treatment following in-patient care in a hospital, hospice, or residential medical care facility; a period of incapacity requiring more than three days' absence from work and continuing treatment by a health care provider; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated would likely result in incapacity of more than three days; or continuing treatment by or under the supervision of a health care provider of a chronic or long-term condition or disability that is incurable; or pre-natal care.

**(3) Health Care Provider** A "health care provider" is any doctor of medicine or osteopathy, podiatrist, optometrist, nurse practitioner, or nurse midwife performing within the scope of their practice as defined under state law. Christian Science practitioners and chiropractors are health care providers to the extent defined under regulations issued by the U.S. Department of Labor.

**(c) ELIGIBILITY**

**(1) Minimum Eligibility Requirements**

- (a) An employee is eligible if the employee has been employed for at least 12 months (or 52 weeks) by the University, and has worked at least 1,250 hours during the 12-month period prior to the time leave would begin under this policy. The University will make the determination at the time of the leave request.
- (b) Hours are calculated based upon actual hours that the employee worked, including hours actually worked in over-time.

The University will use its records of hours worked for all hourly employees. In the case of exempt employees, the University will assume that any employee employed full-time for seven and one-half months meets the 1,250-hours requirement. Exempt employees who have 12 months prior service, but less than seven and one-half months full-time continuous service at the time leave is requested, should include documentation of hours worked with their request.

**(2) Work Site Rules.** The University will attempt to accommodate all leave requests, regardless of the number of employees at a particular work site. Employees must realize that they are not protected under FMLA if there are fewer than 50 employees within 75 miles of the employee's work site. Therefore, the University reserves the right to deny a leave request from an employee at a work site that does not meet this 50-employees-within-75-miles test, if the University concludes that granting the leave would adversely affect the operations of that site.

**(3) Leave for Serious Health Conditions.** Employees should recognize that this policy and FMLA are only intended to cover serious health conditions--generally those which involve more than three days of incapacity from work or school, or chronic, long-term, incurable conditions. Employees who wish to take leave to care for family members with non-serious health conditions are not covered by this policy. Employees can use their vacation or sick leave for non-serious health conditions, subject to all restrictions in those policies, including scheduling and increments of leave. The granting of unpaid leave for non-serious health conditions is within the exclusive discretion of the employee's supervisor.

**(d) PROCEDURES FOR REQUESTING LEAVE**

**(1) Requests For Leave**

**(a) Procedure**

All requests for family or medical leave should ordinarily be initiated by contacting your immediate supervisor and Human Resources. This will assist the University in working out appropriate schedules. If for any reason, you do not wish to inform your supervisor of the reason for the leave, or if you have any questions about your supervisor's response, please contact Human Resources.

**(b) Foreseeable Leaves.**

If the need for family or medical leave is foreseeable, the employee must provide notice to the University of not less than 30 days. Leave will be denied unless there is a reasonable excuse for the delay. If leave is denied for lack of notice, the employee may designate leave to start 30 days after notice is given.

Failure to report to work when FMLA leave has been denied will be treated as an unexcused absence under the University's attendance policy. Employees will not be paid for any missed days or permitted to substitute paid leave, and will be subject to discipline.

**(c) Scheduling**

If the leave is for the planned medical treatment of the employee or a family member, or requires intermittent or reduced schedule leave, employees may be required by their supervisor to arrange a particular

schedule or to reschedule appointments or treatments, subject to the consent of the health care provider.

- (d) **Unforeseeable Leaves.**  
If the need for family or medical leave is not foreseeable, notice must be given by the employee as soon as possible and practicable. Employees are expected to promptly notify their supervisor and/or Human Resources as soon as they learn of the need for leave. Notice should be provided as soon as practical, 'typically within one to two business days.'
- (e) **Additional Information**  
After receiving a request for leave, the University will provide additional information regarding the procedures for obtaining leave, including any additional documents that may be required.

**(2) Proof.**

- (a) **Medical Certification**  
The University may require proof of necessity for family or medical leave by a health care provider on forms provided by the University. The information required shall include:
  - \* the date on which the serious health condition commenced;
  - \* the probable duration of the condition;
  - \* appropriate, sufficient, medical facts within the knowledge of the health care provider that would entitle the employee to take family or medical leave;
  - \* an estimate of the amount of time that the employee is needed to care for a family member, or a statement that the employee is unable to perform the functions of the position of the employee; and
  - \* in cases of medical leave, an explanation of the extent to which the employee is unable to perform the function of the employee's position.

Certifications must be submitted within 15 days of the date requested by the University or prior to returning to work if the leave is less than fifteen days.

- (b) **Second Opinions.**  
The University has the option of requiring the employee to get a second opinion from an independent medical provider selected by the University. The University will pay for the second opinion. If the two opinions conflict, the conflict may be resolved by a third opinion by a provider agreed to by the University and the employee which shall be considered final and binding. The University will pay for the third opinion.

**(3) Leave is Contingent on Eligibility.** All employee requests for FMLA leave are contingent upon a determination by the University that the employee is eligible for FMLA leave. This includes a determination of eligibility and provision of medical certification. Leave is also contingent on any second or third opinions that may be required. Because these procedures may take time, it is possible that a final determination may not be made until after the employee is on leave.

**(4) Transfer to Alternative Position.** In all cases of intermittent and reduced schedule leaves, including part-time work after birth or adoption, the University reserves the right to require the employee to transfer to another position that better accommodates the employee's need for leave and/or the University's operations. This decision is in the sole discretion of the University.

**(5) Confidentiality** The University will keep confidential all information relating to requests for family or medical leave. This information will be used only to make decisions in regard to the provisions of this policy. Supervisors must submit all records to Human Resources and should not retain any copies in their files.

**(e) SUBSTITUTION OF SICK LEAVE AND VACATION TIME**

**(1) Substitution Options.** Employees are required to substitute any accrued, earned vacation or sick leave for any part of leave taken under this policy. The period of paid leave will be deducted from the amount of unpaid leave time available under this policy. Use of paid leave is subject to all restrictions of those policies.

If the purpose of the leave is an employee's illness, employees will be required to substitute any accrued, earned sick leave. This means that employees must exhaust all vacation, sick leave, and disability leave (if available) before taking unpaid leave under this policy.

In determining whether leave has been accrued or earned, the University will apply the provisions of the respective policies, including any restrictions.

**(2) Unpaid Leave.** Unless an employee substitutes leave, leave will be unpaid, except as provided in this section. Exempt employees will have their pay docked on a pro-rata basis if they take FMLA-qualifying leave and the total number of hours worked is less than the average number of hours worked the prior 20 weeks.

**(f) BENEFITS**

**(1) Health Benefits.** During the leave, the University will maintain the employee's coverage for health benefits as follows. The employee is required to continue to pay employee's portion of any health insurance premiums normally deducted from employee's paycheck and shall pay such amounts at the time contributions are normally deducted (i.e., monthly) by tendering a check payable to Baker University and delivering it to Human Resources.

**(2) Other Benefits.** Other benefits normally provided to an employee shall be provided to the employee only if permitted by the plan document governing the provision of benefits, in accordance with the provisions of the written document, and the employee makes any required co-payments. In accordance with existing University policies on unpaid leave,

employees will not earn any vacation pay or sick leave while on unpaid FMLA leave. Employees on an intermittent or reduced-schedule leave will earn vacation or other leave at the same rate as part-time employees working similar schedules.

**(3) Seniority** The employee shall not accrue any seniority, if applicable to the position, during leave provided under this policy.

**(4) Reinstatement** The University has the right, upon the employee's return from leave, to refuse to reinstate any benefit or condition of employment that has been discontinued for the University's employees.

**(g) REINSTATEMENT**

**(1) General** An employee taking leave under this policy will be returned to the employee's same position or to an equivalent position, at the election of the University unless the employee would have been terminated in the absence of any leave (i.e., layoff, downsizing, or termination of a temporary job). Taking of leave will not result in any loss of benefits or conditions of employment accrued prior to the beginning of the leave period. To the extent a female employee is on leave for maternity reasons, reinstatement will also be consistent with Kansas law if that law provides for a greater benefit regarding return to work.

**(2) Fitness-For-Duty Examinations** The University will require a fitness-for-duty certification prior to restoration for all employees taking leave for a serious health condition.

**(3) Key Employee Exception.** If an employee has gross income that is within the top 10% of the University's employees within 75 miles of the employee's work site during the calendar year in which leave is taken, the University reserves the right not to restore the employee to his or her prior position with the University if the University will suffer substantial and grievous harm because of the restoration. At the time that leave is granted under this policy, the University will inform the employee that the employee is within the top 10% and also explain the possible consequence that restoration may be denied.

If the University determines during the employee's leave that the employee is not to be restored to employment, the employee will be notified immediately and given the opportunity to return from leave and be restored to his or her position. If the employee does not return from leave, the employee can petition for reinstatement at the end of the leave period and will be notified, by certified mail, whether the employee will not be restored because doing so would cause the University substantial and grievous harm.

**(4) Recertification** During leave, the University also may require that an employee recertify the medical condition that caused the employee to take leave when the University obtains information that casts doubt on the continuing validity of the employee's original certification, when the employee requests an extension of leave or when circumstances have changed.

**(5) COBRA.** When an employee notifies the University that he or she is not returning from leave, the University shall terminate the employee's health benefits and he or she shall no longer have a right to restoration to the same or equivalent position. The employee shall be entitled to continuation of health benefits only in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") and the provisions of the health plan.

**(6) Repayment of Premiums** During the leave, the University will maintain the employee's coverage for health benefits as follows. The employee is required to continue to pay employee's portion of any health insurance premiums normally deducted from employee's paycheck and shall pay such amounts at the time contributions are normally deducted (i.e., monthly) by tendering a check payable to Baker University and delivering it to Human Resources.

Upon receiving notice that the employee is not returning to employment with the University, or should the employee simply fail to return or return to employment with the University for less than 30 days after leave has ended, the employee shall owe the University the cost of any benefits provided during leave, including both the employer and any employee premiums and co-payments for health benefits. No such amount shall be owed if there is a recurrence or onset of a serious health condition, or in the opinion of the University, there is a change of circumstances beyond the employee's control. The benefits of a key employee who is not restored shall not be terminated prior to the end of leave and the employee shall not be responsible to the University for such benefits other than the normal employee contribution.

If an employee does not return to work under circumstances where repayment can be required, the employee must repay all premiums within 60 days after receiving notice from the University of the amount owed.

**(7) Failure to Return to Work.** Employees who fail to return to work after FMLA leave shall be treated as having voluntarily terminated their employment.

#### **(h) GENERAL PROVISIONS**

**(1) Administrator** The University is the sole administrator of this policy and, as such, is the exclusive interpreter of its terms. All provisions of this policy shall be interpreted consistent with the Family and Medical Leave Act of 1993.

**(2) Changes** The University reserves the right to modify or terminate this policy at any time.

**(3) No Employment Rights.** This policy does not create any employment rights to any individual other than specifically stated in the policy.

**(4) Limitations** Except as otherwise stated, this policy is not intended to create any rights greater than that conferred on employees by the Family and Medical Leave Act of 1993.

**(5) State Laws.** If employees are employed in a state with laws that are more generous than FMLA or this policy, the University will comply with those laws. As a result, employees in some states may be entitled to greater leave than is normally available under this policy.

**(6) Rights and Obligations** Employees and employers have various rights and obligations under FMLA. For further information, contact Human Resources.

#### **4.12 SHORT TERM DISABILITY (STD)**

The University offers a Short Term Disability (STD) plan for eligible employees. STD benefits provide a defined level of income for periods when an eligible employee is totally disabled.

**(a) Eligibility** Regular full-time employees who have been employed by the University for at least a continuous period of 12 months preceding the request for STD and who are totally disabled are eligible for STD benefits or leave. For purposes of this policy, "totally disabled" means that you are unable to perform your job because of a physical or mental illness or injury for more than 14 continuous calendar days.

**(b) Benefit** The STD benefit provides up to a maximum of 60% of the employee's regular weekly pay, excluding any overtime, bonus, and other compensation received from the University, subject to the following conditions:

- (1) the employee has no accrued and unused personal and sick leave;
- (2) the employee has no earned and unused vacation;
- (3) the STD benefit amount is reduced by any other monetary benefit received by the employee from the University during the STD leave in the following order: first by any accrued and unused personal and sick leave and second by any earned and unused vacation;
- (4) the STD benefit amount is reduced by any other pay or money received by the employee during the STD leave which is intended to compensate the employee for loss of earnings during the STD leave; and
- (5) the STD benefit amount will replace any holiday benefit pay for holidays occurring during a STD benefit period.

The employee's portion of any insurance premium during the STD leave is deducted from the STD benefit.

Personal and sick leave and vacation do not accrue during a STD benefit period.

**(c) Leave** STD leave begins after the employee's 14th calendar day of continuous total disability and lasts for a maximum of 90 continuous days from the first day of disability during a 12 month period. The availability of accrued personal and sick leave or earned and unused vacation or the availability of Family and Medical Leave Act leave pay shall not change the time limitations for allowable time off under the STD policy, that is accrued and unused personal and sick leave and earned and unused vacation will be taken simultaneously with STD leave and where applicable STD leave runs concurrently with Family and Medical Leave Act leave.

**(d) Request for Short Term Disability** If you are an eligible employee and are interested in applying for STD benefits, contact the Office of Human Resources. The Human Resources staff will explain the policy to you and request certain information including information necessary to process STD payments. Failure to promptly provide any and all information as requested by the University shall disqualify an otherwise eligible employee from receiving STD payments.

#### **4.13 TUITION WAIVERS**

The University, an institution of higher education, provides tuition waivers to eligible and qualified employees and their spouses and dependent children as described in this policy.

**(a) Employees** Upon completion of six (6) months of continuous employment, regular full-time employees who have not been disciplined during the six (6) months preceding anticipated enrollment are eligible to enroll in one (1) course at a time offered by the University for audit or credit during their work schedule, subject to approval of the employee's supervisor. The supervisor will approve the waiver if the employee's class schedule can be arranged so as not to inconvenience or interfere with the performance of duties of that or other employees who report to the supervisor or with the needs of the University. The employee may be eligible for tuition waiver for up to fifteen (15) additional credit hours taken outside the employee's regular work schedule per semester. Tuition waiver for eligible recipients applies to the University College and Schools with the understanding that IPD will waive its share of SPGS tuition and Stormont Vail its share of School of Nursing tuition. The Ed.D. program in the School of Education (SOE) is subject to provision (k).

**(b) Spouses and Dependent Children** Regular full-time employees' spouses and dependent children are eligible for tuition waivers at Baker University for up to eighteen (18) credit hours per semester immediately after the employee commences employment. A dependent child must be under 24 years of age and a legal dependent of the employee as determined by the Free Application for Federal Student Aid (FAFSA) except for Baker's more generous age limitation of under 24. If a dependent child receiving benefits under this policy ceases to meet the FAFSA definition of a dependent, he or she will be ineligible for the tuition waiver benefit at the conclusion of the academic year in which the dependent status ceases. Dependent children are not eligible for waiver of tuition for courses offered through SPGS or graduate courses through SOE. Dependent children must have completed a full year of enrollment at Baker University in order to apply for international exchange tuition waiver.

**(c) Active Employment** Employees and their spouses and dependent children are eligible for tuition waivers only during the time the employee is a regular full-time employee at the University and actively performing work, excluding vacation and personal and sick leave.

**(d) Exclusions and Payments** The tuition waiver benefit is limited to tuition only. Any other education expense, including without limitation, admission fee, overload charge, resource material charge, books, any special program fee or cost such as any fee or cost related to foreign study or music lessons, student activities fees, room and board, or any other fee or cost as determined by the University is not included in the tuition waiver and will not otherwise be waived. Enrollment by eligible employees and their spouses at SPGS and SOE graduate programs are covered by the tuition waiver benefit only where the employee or eligible spouse is not counted for purposes of the minimum enrollment number required for the class. The tuition waiver benefit for an eligible spouse may be a taxable benefit to the employee.

**(e) Work Performance, Student Status** Employees receiving tuition waivers are not to allow their course studies to interfere with the performance of their assigned work duties at the University. Employees enrolled in courses or attending classes at the University are subject to all applicable University policies and procedures applicable to students including policies and procedures of the offices of Admission, Financial Aid, Registrar, and Student Life in addition to all policies and procedures for employees.

**(f) Modification or Revocation of Waiver** Tuition waivers are a privilege unilaterally granted at the discretion of the University and may be modified or revoked at any time without prior notice in relation to all employees or individual employees and to all spouses and dependents of all employees or of individual employees.

**(g) Prior Authorization Required and Academic Standing** In advance of enrollment, participants in the tuition waiver program must apply for the tuition benefit (staff award) at the Human Resources Office. The forms may specify additional instructions, guidelines or conditions for an individual's continued participation in the tuition waiver benefit. Eligible employees and their spouses and dependents must apply annually for the tuition waiver benefit, which will be granted only upon the student's satisfactory academic standing in addition to all other conditions stated in this policy.

**(h) Class Space Availability** Enrollment in SPGS or SOE graduate classes by eligible tuition waiver recipients is limited by the availability of class spaces. Decisions will be made by the SPGS and SOE administration.

**(i) Tuition Exchange** For the tuition exchange programs of CIC and Tuition Exchange, applicants to Baker who are spouses or dependents of employees from other participating colleges must qualify for admission and be certified as eligible for tuition remission by their home institution. Eligibility for tuition exchange includes the College of Arts and Sciences and undergraduate SOE only. The programs of the School for Professional and Graduate Studies, graduate School of Education and School of Nursing are not eligible for importing students from other tuition exchange participants. However, dependents of eligible employees are eligible for exporting their eligible dependents to tuition exchange participants. The tuition remission benefit in the former KCRCHE exchange program is limited to 50%.

**(j) Obligations** College of Arts and Sciences, undergraduate School of Education and School of Nursing employees and their dependents who participate in the tuition waiver benefit as full-time students are required to apply each academic term for all federal and state grants for which they might be eligible as determined by the University's Director of Financial Aid. The tuition waiver benefit will be reduced to allow inclusion of state and external grants or scholarships.

All eligible recipients who pursue degrees through SPGS or SOE graduate programs must complete the appropriate tuition waiver information form and make any necessary payment arrangements with the Baker University Human Resources and Business Office prior to the start of their first class.

Eligible recipients who are enrolled in certain programs at SPGS may be required to purchase a notebook computer of the same model and capabilities as that issued SPGS business students. Notebook computers with appropriate software packages may be purchased for the SPGS invoice price plus sales tax. Resource fee information, payment policies, and text delivery procedures for all SPGS business programs are available from SPGS marketing or accounting personnel.

Eligible recipients who are enrolled in the School of Education's Ed.D. program may be required to purchase a notebook computer of the same model and capabilities as that issued Ed.D. students. Notebook computers with appropriate software packages may be purchased for the SOE invoice price plus sales tax. Ed.D. students must purchase texts at the SOE invoice price plus sales tax.

**(k) EdD program at SOE** Tuition for employees and/or spouses enrolling in the Ed.D. program will be waived at one-half the current costs. Payment for the program will follow the programs payment schedule but at one-half the tuition cost.

#### **4.14 WELLNESS PROGRAM & FACILITIES**

The University's Wellness program hosts many events and programs during the year including Fun and Fitness Day, Wellness luncheons with guest speakers on wellness-related topics, and an annual Health Fair. All employees are welcome to participate.

The Fitness Center is open to all employees. Hours are posted in the Fitness Center.

Collins Center is open to employees when classes and athletic practices are not in session. There is an indoor track, racquetball courts, and basketball courts. The visitor locker rooms may be used.

#### **4.15 WORK RELATED INJURIES**

Baker University complies with the applicable provisions of the Kansas Worker's Compensation law.

Any employee who is injured or involved in an accident or contracts an illness in the course and scope of his or her employment must immediately report such injury, accident or illness to his or her supervisor or other appropriate University official. Where appropriate, employees who request leave because of a work-related injury, accident or illness must report that the injury, accident or illness is work-related.

Supervisors or other persons designated by the University investigate claims of work-related injuries, illnesses and accidents in a timely manner.

## SECTION 5

### REIMBURSED EXPENSES

#### 5.01 TRAVEL EXPENSES

**(a) Reimbursement, Prior Authorization** The University reimburses employees for the reasonable expenses of travel, including the cost of transportation, meals and lodging, provided such travel is pre-approved and performed in the course of conducting University business. It is the responsibility of the employee, prior to travel, to verify with the University what expenses and amounts will be considered reasonable for the proposed trip. Payment of any reimbursement is not a waiver by the University of the employee's responsibility to obtain prior authorization for expenses.

**(b) Use of University or Personal Vehicles for University Business** The University maintains vehicles for the use of employees engaged in certain University business. Employees may use their own vehicles for University business when necessary, unless otherwise directed. A mileage allowance for personal vehicle use for University business is provided.

The University carries Non-Ownership Automobile Liability insurance for employees who use their personal vehicles for University-related business. Non-Ownership Automobile Liability insurance only protects the University against automobile-related liability. Non-Ownership Automobile Liability insurance does not provide the employee with protection for auto damage to the employee's personal vehicle. Employees who use their personal vehicles for any University-related business must provide evidence that they are otherwise carrying insurance satisfactory to the University and must maintain a current, valid driver's license as required by state law. Employees who use their personal vehicles in performance of University-related business must report any and all traffic violations to the Director of Human Resources. Based upon an employee's traffic violation history, the employee may be restricted in use of a personal vehicle for University-related business.

**(c) Procedure** Employees are required to follow any procedure implemented by the University for reimbursement or travel advances and for use of University vehicles. Failure to comply with procedures or to receive prior authorization for specific expenses may result in denial of reimbursement. Current procedures are available from the Business Office.

#### 5.02 PARTICIPATION IN TRADE AND PROFESSIONAL ASSOCIATIONS

**(a) Participation** Employees are encouraged to participate in trade and professional associations endorsed by the University that promote professional development and enhancement.

**(b) Reimbursements** The University may pay for or reimburse employees for dues and membership fees. The University may pay for registration fees and reasonable expenses to attend conferences, seminars and other functions offered by trade or professional associations when approved in advance.

**(c) Official Position or Office** Employees must have the University's advance approval before seeking or accepting any position other than membership in a trade or

professional association. On request and pre-approval, the University determines whether an employee is eligible for compensation for working time lost and reimbursement for expenses incurred in performing official duties associated with a trade or professional association.

### **5.03 TRAINING AND OTHER EDUCATIONAL ASSISTANCE**

Occasionally the University may offer mandatory training sessions in specific topics. The University may also provide training and other educational assistance, including enrollment in a course not to exceed one course at a time, seminar or conference, to employees in accordance with the guidelines stated below. Other educational assistance may be provided only for education not offered at Baker University which is directly related to the employee's present job or which enhances the employee's potential for advancement to a position within the University which the employee has a reasonable expectation of achieving. Under no circumstance is the benefit provided herein in excess of any benefit described in University policies on Tuition Waivers in this handbook. Training and education assistance benefits are subject to the availability of financial resources and budget limitations.

**(a) Eligibility** Regular full-time employees are eligible upon completion of six (6) months of continuous employment, except as otherwise agreed to by management. The employee must meet the educational, professional and other prerequisites established by the educational opportunity to which the employee applies. Written approval must be obtained prior to enrollment from the Administrative Officer responsible for the area in which the employee is employed in consultation with the University President.

**(b) Reimbursement** The written request for educational assistance must be approved prior to enrollment in any course, seminar or conference. Upon completion of the course, a certified transcript, certificate of attendance or other evidence reflecting successful completion and itemized receipts for tuition or attendance fee incurred is to be submitted to the employee's supervisor and the Human Resources Office. Upon receipt of the required documentation, the employee is reimbursed 100% for the cost of tuition to a maximum of one course at a time per enrollment period. No reimbursement is available for textbooks or other fees. Under some circumstances, the tuition reimbursed is taxable to the employee. Employees who take courses or attend seminars or conferences at the specific request of management may be reimbursed for other costs in addition to tuition.

**(c) Work Hours** Class attendance and satisfactory completion of educational assignments are to be accomplished outside of the employee's scheduled hours of work. It is expected that the employee's educational activities will not interfere with the employee's work. Unsatisfactory job performance during enrollment or unsatisfactory educational performance may result in denial of reimbursement by the University or if the University advanced cost prior to completion of the course, seminar or conference, reimbursement by the employee to the University of any expense advanced and discipline up to and including discharge.

**(d) Termination of Employment** An employee who is terminated from employment because of a reduction in the workforce or elimination of the job will be reimbursed for the full amount of the eligible costs incurred up to the date of termination. An employee who voluntarily leaves the University or is terminated for reasons other than those listed above prior to completing a course, seminar or conference will not be reimbursed for any expense associated with the course, seminar or conference.

**(e) Modification or Elimination** The University may modify or eliminate any of the policies concerning educational expense without prior notice.

## SECTION 6

### STANDARDS OF CONDUCT AND DISCIPLINE

#### 6.01 GENERAL STANDARDS OF CONDUCT

The University expects all employees to use their best efforts to perform their work competently and professionally. Employees are expected to carry out their assigned duties and responsibilities and to complete projects and other assigned work in a timely manner. Employees are expected to follow University policy and to contribute to a positive, efficient and effective working environment.

**(a) Personal Conduct** The University's prestige and reputation in the community will be determined by the work we do and by the employees who represent us. We are proud of those who work for us and employees can be proud of the positions of trust they hold. We must continue to earn that trust in everything we do. We expect that employees will maintain the highest degree of integrity and honesty. The community will judge Baker University by the actions of its employees.

**(b) Attire** It is important for all employees to project a professional image of the University. Employees may wear business casual attire to work Monday through Thursday. However there may be times when more customary business attire would be appropriate. The following guidelines will help define acceptable business casual attire Monday through Thursday:

Choose business casual clothing that communicates professionalism;

Keep your workday schedule into account when you are dressing. Casual business attire means clothing that allows employees to feel comfortable at work, yet appropriate for an office environment.

Casual business attire includes, but is not limited to: slacks, khakis, sport shirts, polo and cotton shirts, golf shirts, skirts and dresses, denim skirts, turtlenecks, sweaters, loafers and sandals.

Employees should not wear jeans, shorts, bib overalls, halter tops, beachwear, work-out attire, tank tops, tee-shirts, spandex or other form-fitting pants, or distracting, offensive or revealing clothes. In addition, employees should not wear athletic shoes, thongs or slippers.

Employees in departments requiring uniforms are responsible for maintaining a neat and clean uniform.

The following guidelines will help define acceptable casual attire on **Casual Fridays**:

The same guidelines for business casual attire Monday through Thursday apply on Fridays with the exception that jeans, tee-shirts, sweatshirts and athletic shoes may be worn. Baker-wear is encouraged on Casual Fridays. All clothing should be neat in appearance and without tears or holes.

Keep in mind that tee-shirts and sweatshirts should not contain offensive slogans or pictures.

Business reasons might require employees to wear business attire on Casual Friday.

No guideline can define appropriate attire in its entirety. Therefore, employees are requested to exercise good judgment. If you have any doubts about what to wear, select the more professional alternatives. Should you have any questions about appropriate attire, please contact your supervisor or the Office of Human Resources.

## 6.02 CODE OF CONDUCT

**(a) Statement of General Principles** This code applies to the following members of the University community: 1) Individuals who are paid by the University when they are working for the University, including officers; faculty and staff; 2) consultants, vendors, and contractors When they are doing business with the University; 3) trustees; and 4) individuals who perform services for the University as volunteers. The code of conduct refers to all these persons collectively as "members of the University community" or "community members."

**(b) Integrity and Ethical Conduct** The University is committed to the highest ethical and professional standards of conduct as an integral part of its mission, the promotion of learning. To achieve this goal, the University relies on each community member's ethical behavior, honesty, integrity, and good judgment. Each community member should demonstrate respect for the rights of others. Each community member is accountable for his/her actions.

This code of conduct describes standards to guide us in our daily University activities. We believe that these standards are already being followed. Our goal is to commit them to writing and to ensure that they are understood and followed by the community.

**(c) Compliance with Laws and University Policies** The University and each community member must transact University business in compliance with all laws, regulations, and University policies related to their positions and areas of responsibility. Understanding and following these standards can be complex, such as for example, in the areas of procurement (including limitations on the ability to contractually bind the University) and employment matters. In addition, community members are expected to behave in a manner which respects the freedom of others as well as refraining from interfering with, obstructing or disrupting a normal University activity, even while exercising their own freedom of expression. Managers and supervisors are responsible for teaching and monitoring compliance in their areas.

**(d) Reporting Suspected Violations or Concerns** The University's compliance efforts focus on teaching members of the University community the appropriate compliance standards for the areas in which they work. Nevertheless, violations may occur. In addition, members of the University community may have concerns about matters that they are not sure represent violations. This section describes community members' responsibilities for reporting violations or concerns, and how these responsibilities may be carried out.

Each community member is encouraged to report violations or concerns about violations of this code of conduct that come to his/her attention. Managers have a special duty to adhere to the standards set forth in this code, to recognize violations, and to enforce the standards. Disciplinary actions for proven violations of this code of conduct, or for retaliation against anyone who reports possible violations, will be determined on a case-by-case basis and may include termination of employment. Individuals who violate the code may also be subject to civil and criminal charges in some circumstances.

**(e) How to Report a Violation or Discuss a Concern** You may report violations or concerns to your immediate supervisor or department head, if appropriate. You may also make your report to the Director of Human Resources, the Vice President for Financial Services or any member of the University administration with whom you feel you can discuss the situation.

**(f) Conflicts of Interest** This policy addresses situations where there might be a potential financial or personal conflict, or the appearance of such a conflict, between a particular

outside interest of a member of the University community and the obligation that the community member owes to the University such that the community member's profit or advantage may come, or reasonably appear to come, at the expense of the well-being of the University.

.Members of the University community may not have a direct or indirect interest, financial or otherwise, of any nature that is in conflict with the proper discharge of the community member's duties.

Members of the University community shall adhere to the laws, rules, regulations and policies of applicable governmental and University authorities. The failure to do so may be grounds for disciplinary action, up to and including termination of employment.

No member of the University community shall accept or solicit any gift, favor or service that might reasonably influence the community member in the discharge of his or her duties or that the community member knows or should know is being offered with the intent to influence his or her official conduct.

A member of the University community shall not accept other employment or engage in any business or professional activity that he or she might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of the community member's official position.

No member of the University community shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.

No member of the University community shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent or member, or in which the member of the community owns a substantial interest.

Members of the University community must disclose potential conflicts of interest as soon as possible after they realize that a conflict or potential conflict may have arisen. Disclosure guidelines and procedures may be obtained from administrative officers, department chairs, the office of the Dean or from the Business Office.

If a conflict or potential conflict of interest is reported and allowed to exist under the advice of an officer or the Dean's office, it is required that the conflict or potential conflict be reported to the Vice President of Financial Services and that it be reconsidered annually until it is resolved.

**(g) Confidentiality** The University maintains confidential records for a variety of business needs. Records include detailed information about students, job applicants, employees, finances, and future planning. Many records, such as medical records and student records, must be kept confidential as a matter of federal law. Other information, including social security numbers, must be kept confidential to protect the privacy of individuals doing business with the University.

Members of the University community are expected to protect this information by safeguarding it when in use, storing it properly when not in use, and discussing it only with those who have a legitimate business need to know. Community members who are uncertain about the use of University records and information should contact their supervisors.

**(h) Outside Employment** Outside professional commitments should not interfere with a community member's obligations to the University. No member of the University community shall accept outside employment that actually or potentially results in any conflict of interest with or intrudes upon or detracts from his or her responsibilities to the University, or the programs, policies and objectives of the University.

**(i) Environmental Health and Safety** The University must comply with government rules and regulations that protect the environment and promote workplace safety.

The University must operate its facilities with all of the necessary permits, approvals, and controls, especially with respect to handling and disposal of hazardous and bio hazardous materials and waste.

Anyone working with or around these materials must be familiar with the rules, regulations, and policies that apply to them.

Contact the Director of the Physical Plant for assistance and answers to questions

**(j) Human Resources Matters (including equal employment, harassment, etc.)**

The University is committed to a work: environment free of harassment and disruptive behavior, and to providing an equal opportunity work: environment where every member of the University community is treated with fairness, dignity, and respect. No one shall discriminate against any individual on the grounds of race, color, religion, sex, age, disability, national origin, sexual preference or any other factor prohibited by law.

All members of the University community, especially supervisors, must be familiar with laws, regulations, and policies related to employment matters. Some of the relevant University policies on employment matters include: 1) the policies against sexual harassment, and other harassment, and 2) the policy on Equal Employment Opportunity. Assistance is available from the Office of Human Resources.

**(k) Sponsored Research Grants and Contracts** The University receives grants and contracts from federal and non-federal sources. Faculty and staff who are involved in federally sponsored research must strictly follow federal rules and regulations related to that work. Failure to observe government rules and regulations can result in the loss of funds from grants and contract, and, in some instances, civil fines and criminal penalties. With respect to grants and contracts from non-federal sources, the University expects compliance with their requirements. Compliance support is available from the Vice President and Academic Dean or the University Controller.

**(l) University Documents and Record Retention** Every member of the University community is responsible, within the scope of his/her work, for the integrity and accuracy of the University's documents and records. No one may falsify or improperly alter information on any record or document. University documents and records are retained in accordance with the law and the University's record retention policies.

Additional assistance is available from the University's Business Office.

**(m) Workplace Health and Safety** The University seeks a healthy and safe environment for all members of the University community and for visitors. Every community member is obligated to perform his or her job in a safe manner and to follow all safety rules and procedures. Community members should immediately report any hazardous conditions or job-related illness or injury to their supervisors. Assistance is available from the Office of Human Resources or the Physical Plant Office.

**(n) Drug and Weapon Free Workplace** The unlawful possession of a weapon or the unlawful manufacture, distribution, possession, or use of a controlled substance in or on any premises or property owned or controlled by the University is prohibited. Any member of the community who is found guilty (including a plea of no contest) or has a sentence, fine or other criminal penalty imposed by a court for any offense involving a weapon or a controlled substance that occurred in or on University property shall report such action to his or her supervisor or to the Office of Human Resources within five (5) days.

Any member of the University community who unlawfully manufactures, sells, distributes, possesses or uses a controlled substance on University property, regardless of

whether such activity results in the imposition of a penalty under a criminal statute, will be subject or appropriate disciplinary action, including termination, or will be required to participate satisfactorily in an approved drug assistance or rehabilitation program or both.

### **6.03 CONFIDENTIAL NATURE OF UNIVERSITY INFORMATION**

The business and academic affairs of the University, including its faculty, administrators, students and prospective students, are confidential. The information which you may access, transmit, receive or use in the course of performing your duties belongs to the University and is for work-related purposes only. All University information is considered confidential unless you are otherwise advised by your supervisor. You are to maintain all University information in the strictest confidence and are not to divulge, share or otherwise communicate University confidential information to anyone inside or outside the University for any purpose other than in the performance of your work on a routine basis or unless directed and required to do so in performance of your work by your supervisor. Violations of this policy will result in discipline up to and including discharge.

Nothing contained in this policy is intended to prohibit the disclosure of information about the University that is routinely made available to the public. If you have a question whether any information is confidential, speak with your supervisor, anyone in your chain of command or the Director of Human Resources.

### **6.04 DISCIPLINE**

All employees regardless of length of service are expected to meet and maintain University standards for job performance and conduct as described in this handbook. The University's standards of performance and conduct are for general guidance to all administrative and support staff in order to provide clear communication as to conduct which is acceptable and conduct which is not acceptable.

Discipline is intended to encourage an employee who has demonstrated unacceptable performance or misconduct to bring his or her performance or conduct to an acceptable level. Except for cases of serious misconduct which may result in immediate dismissal, disciplinary action will generally include verbal and written warnings and suspensions. Discipline is not necessarily progressive and an employee may be disciplined at any level for violation of a standard of conduct or University policy. Discipline will also be considered cumulative and an employee may receive greater discipline for different violations of standards of conduct or policy.

### **6.05 VIOLATIONS OF STANDARDS OF CONDUCT AND UNIVERSITY POLICY**

The following listings of violation of standards of conduct and policy for which discipline may be imposed are not all inclusive and any conduct or policy violation deemed inappropriate or not in the best interest of the University may result in discipline or discharge.

**(a) Examples of conduct which may result in immediate discharge include the following:**

- (1) Some violations of the University Equal Employment Opportunity, Sexual Harassment, Other Harassment and Reasonable Accommodation policies.
- (2) Failure to properly notify the University of any absence for three (3) consecutive days and some other violations of the Time and Attendance policy.
- (3) Violence, fighting or threatening any other employee or person with whom the employee may come into contact in performance of work on or off University premises.
- (4) Possession of a firearm or other weapon or any explosive device while on University premises or in performance of work unless prior written authorization has been received from the University.
- (5) Theft or unauthorized possession of University property, the property of another or any other property located on University premises which does not belong to the employee.
- (6) Misusing, vandalizing, damaging or defacing any University property or equipment or other property of any administrator, faculty, other employee, student, prospective student, guest or visitor to the University.
- (7) Falsifying any University record or knowingly submitting inaccurate or untruthful information to the University verbally or in writing.
- (8) Some violations of the Alcohol and Other Drugs policy.
- (9) Refusing to perform a job duty which the employee is specifically directed to perform by his or her supervisor or others in the employee's chain of command and which the employee is capable of performing and some other insubordination.
- (10) Some violations of the Confidential Nature of University Information policy.
- (11) Some instances of sleeping and loafing on the job.

**(b) Examples of conduct which may result in discipline less than immediate discharge include the following:**

- (1) Some violations of the University Equal Employment Opportunity, Sexual Harassment, Other Harassment and Reasonable Accommodation policies.
- (2) Some violations of the Time and Attendance policies.
- (3) Abuse of sick leave.
- (4) Some instances of sleeping and loafing on the job.
- (5) Failure to follow University no smoking guidelines.
- (6) Inappropriate dress or personal grooming.
- (7) Horseplay or interfering with the work of another employee or unnecessarily interfering with other persons with whom you may come into contact in performance of work on or off University premises.
- (8) Neglect of duty, insubordination or unprofessional conduct.
- (9) Personal use of University equipment, supplies or materials.
- (10) Failure to comply with all safety and health requirements whether established by the University or by law or failing to report a work-related accident, injury or illness upon occurrence.
- (11) Violation of the University's No Solicitation No Distribution policy.
- (12) Some violations of the Alcohol and Other Drug Policy.
- (13) Some violations of the Confidential Nature of University Information policy.
- (14) Use of profane, obscene or abusive language.
- (15) Some instances of poor performance.
- (16) Some violations of the Internet policy.

**6.06 ALCOHOL AND OTHER DRUGS**

The standards set forth in this policy are designed to provide an alcohol and drug-free workplace, campus and community. All University employees are expected to make a good faith effort to maintain a drug and alcohol free workplace through carefully following this policy.

**(a) Health Risks** Accidents and injuries are more likely to occur if alcohol or other drugs are used in the University community. Abuse of alcohol and other drugs can cause reduced resistance to disease. Psychological and physical dependence can develop after sustained use of alcohol or other drugs. Alcoholism is the number one drug problem in the United States. It affects finances, health and personal relationships, as well as having significant legal consequences.

In addition, heart problems, infections, malnutrition and death may result from use of high doses of amphetamines. Chronic use of narcotics can cause lung damage, convulsions, respiratory paralysis and death. Depressants, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to the liver and heart, respiratory arrest, convulsions and accidental overdose because the intoxicated is unaware of how much he or she has taken. Use of hallucinogens may cause psychosis, convulsions and coma.

**(b) Counseling and Treatment Resources** The University recognizes that addiction to or abuse of alcohol or other drugs is a treatable health problem and will be dealt with as such, provided no illegal actions have been committed.

Assistance with alcohol or other drug abuse and associated problems is available to all Baker employees. Individuals may contact Alcoholics Anonymous or Narcotics Anonymous whose programs are free and are reported to have high long-term recovery rates. Employees desiring professional evaluation, personal counseling or treatment for alcohol or other drugs may contact DCCCA in Lawrence, a nonprofit service agency dealing with alcohol and drug abuse.

Inpatient treatment, if necessary, is also available through Baker's employee health insurance plan subject to the terms of the plan.

#### RESOURCE LISTINGS:

DCCCA—Counseling and Resource Center	785-841-4138
Alcoholics Anonymous	785-842-0110
Narcotics Anonymous	785-749-6631
Al-Anon (for those living with a problem drinker)	800-398-1121

Note: Information about meeting times and places are available by contacting the organizations at the above-listed telephone numbers.

**(c) Responsibilities and Penalties** Baker University prohibits all employees from being under the influence of any controlled or illegal substance or alcohol, or involved in the distribution, dispensation, possession, use, manufacture, purchase or transfer of any controlled or illegal substance or alcohol during working time, while on University property including

parking lots, while using University equipment including University vehicles, or while on University business. For purposes of this policy, controlled or illegal substance includes, controlled substances described by federal and state law, prescription drugs illegally obtained or legally obtained and not used in accordance with the prescription and any over the counter drug or medication not used in conformity with the directions.

An employee may be required to undergo a drug or alcohol screening if, in the judgment of the administration, the employee appears to be under the influence of drugs or alcohol or if the employee demonstrates a level of job performance which indicates a drug or alcohol problem or if the employee is involved in a work-related accident.

Based upon the judgment of the administration regarding the circumstances in each case, an employee who violates the drug and alcohol policy may be subject to disciplinary action up to and including suspension with or without pay, or termination. The employee may be required to participate in a drug or alcohol counseling, prevention, or treatment program as a condition of continued employment. In instances where a violation of the policy involves illegal drugs, employees will also be reported to the appropriate law enforcement officials.

In the event an employee is convicted under a criminal statute for a drug related violation occurring in the workplace, the employee must notify the University within five (5) days of the conviction. Upon notification of any conviction, the University will, in the event the convicted employee is working on a government contract or a project funded through a grant from a governmental agency, notify the contracting officer or the governmental agency of the conviction within ten (10) days of receiving notice of the conviction. Based on the judgment of the administration regarding the circumstances of each case, any employee convicted under a criminal drug statute for a violation occurring in the workplace will be disciplined, up to and including termination, or will be referred and required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Employees who are under a doctor's direction to use a prescription drug or are using an over-the-counter drug that could affect the employee's work performance or create a safety risk should notify Human Resources only of the effect of the drug on safety or work performance. Notification may include, among other things, a statement from a health care provider to Human Resources that states that the workplace safety is not jeopardized by the employee's continued work while the drug is being taken.

Failure of an employee to notify Human Resources that he or she is using or under the influence of any legal drug during working time, while on University property, including parking lots, while using University equipment including University vehicles or while on University business, that may affect the employee's work performance or the safety of others, may subject the employee to discipline, up to and including termination.

**(d) Legal Sanctions** Employees are reminded that illegal possession or use of drugs or alcohol may subject individuals to criminal prosecution. Kansas law provides that any person who violates the criminal statutes on controlled substances by possession, offering for sale, distribution, or manufacturing opiates and narcotics, such as cocaine and heroin, shall be guilty of a Class C felony. Conviction of a Class C felony may carry a sentence of up to 10 to 20 years and a fine of up to \$15,000. Unlawful possession of a depressant, stimulant or hallucinogen is punishable as a Class A misdemeanor, with a penalty of up to a year in jail and a fine of \$2,500. Suppressants include, but are not limited to, barbiturates and tranquilizers.

Hallucinogens include substances such as LSD, marijuana and psilocybin. Stimulants may include amphetamines and methamphetamines.

Kansas law also provides criminal penalties of up to six months' imprisonment and fines of up to \$1,000 for alcohol-related offenses.

The Federal Controlled Substances Act provides penalties of up to 15 years' imprisonment and fines of up to \$25,000 for unlawful distribution or possession with intent to distribute narcotics. For unlawful possession of a controlled substance, a person is subject to up to one year of imprisonment and fines up to \$5,000. Any person who unlawfully distributes a controlled substance to a person under 21 years of age may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

**(e) Review of Policy** A committee appointed by the President of the University will review this policy at least biennially. The purpose of the review is to determine the effectiveness of the program, to recommend changes to the program, and to ensure that the policy is applied consistently.

## **6.07 INFORMAL EMPLOYEE COUNSELING**

**(a) Work Conditions** Employees who have a concern about general or specific working conditions or interpretations of policies, procedures, rules or regulations or who feel the need for additional guidance or training in performance of work should discuss their concerns with their immediate supervisor, the Director of Human Resources or other appropriate member of the University staff.

**(b) Personal Concerns** The University recognizes that employees may at times be faced with many individual concerns, pressures or problems, both inside and outside the workplace. These matters often include problems with interpersonal communications, stress, family, financial distress and drug or alcohol use or abuse. These problems can be detrimental to the employee's ability to perform his or her job. Where appropriate and when you feel comfortable, you may speak with your supervisor, the Director of Human Resources or other University official. These conversations are considered confidential. Where reasonably possible, the University will reasonably assist you in finding help for addressing such problems and will often be able to suggest cost effective resources of which you may not be aware or which you may not have considered.

## **6.08 NO SOLICITATION – NO DISTRIBUTION**

No employee shall solicit, collect for, or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed.

No employee shall distribute or circulate any written or printed material in any working area at any time, or during his or her working time or during the working time of any employee or employees at whom such activity is directed.

Working area is defined as any place where work may be performed. This designation covers the workplace, even during non-working hours.

The sale of merchandise, tickets or other items is prohibited on University premises at any time, except for University-sponsored activities.

Any request for an exception to this policy must be presented in advance to the Director of Human Resources.

## 6.10 E-MAIL POLICY

E-mail services are provided to the Baker community in support of the educational mission of the University and the administrative functions to carry out that mission. Users of Baker e-mail services are expected to act in accordance with the Information Technology Responsible Use Policy and with professional and personal courtesy and conduct. E-mail may not be used for unlawful activities. The University may revoke e-mail accounts if a person has failed to comply with University policy or used an e-mail account unlawfully.

**Many official communications from Baker will be distributed to employees and students exclusively via Baker e-mail. It is the employee and student's responsibility to check their Baker e-mail regularly.**

### (a) Definitions

To clarify terms used within these policies, the following definitions are provided:

**E-mail account:** An e-mail account is the location where mail is actually delivered. It is a combination of a login *username* and *password* and disk space. A person may have several e-mail accounts on different computers or e-mail servers.

**E-mail username:** The actual name of the account as typed in at the *Username* prompt when logging onto e-mail.

E-mail usernames for **CAS and SPGS faculty and staff** are constructed as follows:

first initial, last name, (optionally) unique number

For example: Jane Smith would be JSmith if there were no other JSmith accounts.

Otherwise she would have a number in the username such as JSmith2

E-mail usernames for **SPGS adjunct faculty** are constructed as follows:

first name, last name, (optionally) unique number

For example: Jane Smith would be JaneSmith if there were no other JaneSmith accounts. Otherwise she would have a number in the username such as JaneSmith2.

E-mail usernames for **CAS and BUSN students** are constructed as follows based on the student's name as submitted on their admissions application:

last name\_first initial, (optionally) unique number

For example: John Brown would be Brown\_J if there were no other Brown\_J accounts.

Otherwise he would have a number in the username such as Brown\_J2.

E-mail usernames for **SPGS students** are constructed as follows based on the student's name as submitted on their admissions application:

first initial, middle initial, last name

For example: John David Brown would be jdbrown if there were no other jdbrown accounts. Otherwise he would have a number in the username such as jdbrown2.

**E-mail delivery address:** The *username@server.bakeru.edu* address is the delivery address. Each e-mail account has its own unique delivery address which can be given out to correspondents as one's e-mail address. For CAS & SPGS faculty and staff email accounts, the server name can be dropped from the address when giving out an email address (i.e. *username@bakeru.edu*). The server names are as follows:

- CAS and SPGS faculty and staff server name (can be dropped when given out to other people): **exchange**
- SPGS adjunct faculty server name: **spgsmail**
- CAS and BUSN students server name: **wildcat**
- SPGS students server name: **spgsmail**

**E-mail name address:** For faculty and staff, the *first.last@bakeru.edu* address is an alias address. It is linked to the person's e-mail account but is, itself, not an account username, but rather a permanent e-mail alias. Use of the name address ensures that the e-mail address will remain the same the whole time one is at Baker. For CAS and BUSN students, the *first.last@wildcat.bakeru.edu* address is also provided as an alias address. Alias addresses are not available to SPGS faculty, staff, adjuncts or students, therefore, the email delivery address should be given to correspondents. School of Nursing faculty and staff are provided with a Baker alias address linked to their Stormont-Vail e-mail account.

Examples of email addresses:

CAS faculty/staff email address: jane.smith@bakeru.edu

SPGS faculty/staff email address: msmith@bakeru.edu

SPGS adjunct faculty email address: markwhite@spgsmail.bakeru.edu

CAS & BUSN student email address: john.brown@wildcat.bakeru.edu

SPGS student email address: mbblack@spgsmail.bakeru.edu

**Preferred e-mail account:** Baker does not recommend the forwarding of Baker email to other email accounts. Baker cannot guarantee that the targeted email server will receive that mail. Many email systems have been set up to limited quotas or refuse forwarded mail so forwarded Baker email may never be received at the targeted email account. Baker takes no responsibility for errors in setting up forwarding or for non-delivery of Baker email by the targeted email account.

#### **(b) Security, Privacy and Confidentiality**

Baker cannot guarantee the security, privacy, and confidentiality of e-mail. Users should not assume confidentiality of their e-mail. Users should exercise caution when sending personal, financial, confidential or sensitive information by e-mail. Examples of why e-mail confidentiality cannot be guaranteed are:

- E-mail may be subject to disclosure under law.
- Back-up copies may be retained for periods of time and in locations unknown to senders and recipients even if the user has deleted it from their account or PC.
- In the course of routine systems maintenance, troubleshooting and mail delivery problem resolution, network or systems staff may inadvertently see the content of e-mail messages.
- Password protections are advised but cannot be guaranteed.
- Senders can mask their identity.
- Messages can be easily forwarded without permission to individuals or groups, even though it violates copyright law.
- Messages can be intercepted while in transit through the network.

- Forwarded messages can be altered from the original.
- Encryption and digital signatures are evolving technologies and are not yet available for use at Baker.
- Once a message is received on a machine outside of Baker, all of the above concerns continue to apply.
- Users must maintain the security of accounts.
  - Users are advised to protect and regularly change their account passwords.
  - Passwords are not to be shared with others and their confidentiality is to be strictly maintained.
  - Users will be held accountable for all actions performed with their passwords, including those performed by other individuals as a result of user negligence in protecting codes.
- No one is to use another individual's account, with or without permission.
- Unauthorized anonymous and pseudonymous communications are prohibited.
- Misrepresenting or forging the identity of the sender or the source of an electronic communication is prohibited.
- The intentional propagation of computer "worms" and "viruses", the sending of electronic chain mail, denial of service attacks, and inappropriate "broadcasting" of messages to large numbers of individuals or hosts are prohibited.

**(c) E-mail Accounts**

- Eligibility for an e-mail account is defined in the Baker University Information Technology Responsible Use Policy.
- Users of e-mail must adhere to the Baker University Information Technology Responsible Use Policy.
- E-mail accounts are assigned a disk quota on the e-mail server which can only be increased based on valid business justification.
- E-mail accounts can be immediately locked upon the request of an administrative department head or dean.
- When a user's affiliation with Baker ends Baker will terminate access to e-mail accounts. Baker may, at its discretion, permit the user to have the access to e-mail forwarded or redirected for a limited period of time.
- E-mail addresses are held from use for one year to avoid possible confusion of mail delivery.

#### **(d) E-mail Addresses**

- E-mail name addresses are generated from the user's legal name and must be unique. Duplicate names are resolved based on an alternate name selected by the affected user(s) or the use of a unique number with the name.
- E-mail usernames and e-mail name addresses may be changed when a user legally changes their name.
- Users who opt to use their firstname.lastname@bakeru.edu form of e-mail address have one opportunity to change the first name portion of the name address during their time at Baker. The last name in the firstname.lastname@bakeru.edu address must be the user's legal last name.
- A user may elect to use either the name address (firstname.lastname@bakeru.edu for faculty and staff or firstname.lastname@wildcat.bakeru.edu for CAS and BUSN students) or the e-mail delivery address (username@server.bakeru.edu) as their address. Use of e-mail delivery address is subject to change any time the e-mail server is retired and/or replaced by another server. Notification of server changes will be issued by Computer Services at least 2 months in advance of such a change.

#### **(e) Group or Departmental Accounts**

In some situations, a single point of contact is required where multiple individuals manage service requests. These accounts are permitted as follows:

- The department head will determine when a single group account is required to conduct the business of the department and will be responsible for all of the account activities.

#### **(f) E-mail Distribution Lists**

- Mailing lists may be used for purposes related to teaching, course-work, research, and administration at Baker University and university sanctioned student activities.
- All list users need to unsubscribe from lists or suspend mail delivery from lists if they intend to use auto responders (e.g., the vacation programs) for brief periods of time.
- Commercial use of mailing lists, except for authorized Baker University business is prohibited.
- Use of mailing lists for private business, fund-raising or advertising on behalf of non-Baker organizations is prohibited.
- Activities that may strain the e-mail or network facilities more than can be reasonably expected are in violation of this policy. These activities include, but are not limited to: sending chain letters, "spam" or the widespread dissemination or unsolicited e-mail, and "letter bombs" to resend the same e-mail repeatedly to one or more recipients.
- Every mailing list will have an owner or a group of owners who will be actively involved in managing the mailing list. List owners have the following responsibilities:
  - Owners need to keep the subscription list current at all times.
  - Owners need to analyze error messages and take appropriate action.

- Owners need to respond quickly to communications from Computer Services.
- Owners need to assign an "alternate owner" who must check email if the primary owner is unable to do so for more than 2 days.
- Owners need to inform Computer Services when the list is no longer needed so that it may be deleted. If there is a list that has had no activity for three months, Computer Services will delete the list after notifying the owners.

**(g) Directory Policies**

The Baker University electronic and printed directories are provided solely for the purpose of assisting individuals to contact one another. Information in the directories may not be extracted by any means for the creation of distribution lists for use by businesses or other organizations outside of Baker. Use of directory information for solicitation of business or donations is expressly prohibited.

- Students who have requested privacy locks with the Registrar will not appear in the online directory.

**(h) E-mail Backups**

- In the event of a system disaster, email will be restored to the state of user email accounts on that server at the time of the last back-up. As messages may be received and subsequently deleted or lost since the last backup, Baker cannot guarantee that all messages can be restored.
- Baker is not able to restore individual messages or mailboxes on e-mail servers.
- It is the user's responsibility to back up copies of their own e-mail on their PC. Email left on an email server will be backed up by Baker Computer Services nightly.

**(i) E-mail Abuse and Policy Enforcement**

E-mail services are provided to the Baker community to conduct University business. Violations of the Baker University Responsible Use and E-mail policies as well as other University relevant policies will be subject to disciplinary action and violators may have their e-mail account suspended during any investigation. The following is a non-exhaustive list of examples of e-mail abuse:

- Excess personal use that interferes with University business by burdening the network or systems or by interfering employment obligations.
- Interference with other people's use of e-mail.
- Intentional unauthorized access of other people's e-mail.
- Sending 'spams', chain letters, letter bombs or any other type of widespread distribution of unsolicited e-mail.
- Forging e-mail.
- Giving the impression you are representing the University unless you are authorized to do so.

- Use of e-mail for commercial activities or personal gain.
- Sending of offensive or abusive messages.
- Conducting unlawful activities.

E-mail abuse may be reported to the Associate Dean of Information Services or the Director of Human Resources. Reports of abuse will be investigated and handled as appropriate. In all cases, do not delete any evidence or message(s) as they can be used as evidence.

**(j) Responsibility for E-mail Policies**

The Associate Vice President of Information Services is responsible for implementing this policy in cooperation with the Administrative Council and the Director of Human Resources. The University has the right to change this policy as necessary. The Administrative Council must approve changes to policy; final authority rests with the President.

**6.11 INFORMATION TECHNOLOGY RESPONSIBLE USE POLICY**

**(a) General Statement**

Baker University's computing and network resources are intended for university-related purposes, including direct and indirect support of the university's instruction, research, and service missions; of university administrative functions; of student and campus life activities; and of the free exchange of ideas among members of the university community and between the university community and the wider local, national, and world communities.

The use of university computing and network resources is subject to the normal requirements of legal and ethical behavior within the university community. Although some limitations are built into computer operating systems and networks, those technical limitations are not the sole restrictions on what is permissible. Users must abide by all applicable restrictions, whether or not they are built into the operating system or network and whether or not they can be circumvented by technical means.

**(b) Applicability**

This policy applies to all users of university computing and network resources, whether affiliated with the university or not, and to all uses of those resources, whether on campus or from remote locations.

The university may also take action relating to the use of university or non-university computer resources, either on campus or elsewhere, when such behavior may involve the commission of a crime or poses a danger to others.

**(c) Eligibility**

Eligibility is defined as follows:

<i>Information Technology Services</i>	<i>Who is eligible</i>
Email services including listservs and news groups	<ul style="list-style-type: none"> <li>• All matriculated students.</li> <li>• All faculty</li> </ul>

	<p>including faculty emeriti</p> <ul style="list-style-type: none"> <li>• All staff</li> </ul>
Web page authoring and storage	<ul style="list-style-type: none"> <li>• All matriculated students.</li> <li>• All faculty including emeritus faculty</li> <li>• All staff</li> </ul>
Standard Internet services including Web, Telnet, and FTP	<ul style="list-style-type: none"> <li>• All matriculated students</li> <li>• All faculty including emeritus faculty</li> <li>• All staff</li> </ul>
Use of computer labs	<ul style="list-style-type: none"> <li>• All matriculated students</li> <li>• All faculty including emeritus faculty</li> <li>• All staff</li> </ul>
Use of licensed software packages and databases (subject to license terms and copyright laws).	<ul style="list-style-type: none"> <li>• All matriculated student</li> <li>• All faculty including emeritus faculty</li> <li>• All staff</li> </ul>
Electronic library services including access to databases and resources restricted to the Baker community (subject to database license terms and copyright laws).	<ul style="list-style-type: none"> <li>• All matriculated students</li> <li>• All faculty including emeritus faculty</li> <li>• All staff</li> </ul>

**(d) Policy on the Use of Baker University Computing Resources**

1. ***Users must comply with all federal, Kansas and other applicable law, as well as all generally applicable university rules and policies.*** Examples of such potentially applicable laws, rules and policies include the laws of libel, privacy, copyright, trademark, obscenity and child pornography; the Computer Security Act of 1987, the Computer Abuse and Misuse Act of 1986, the Electronic Communications Privacy Act, and Kansas Computer Crime; Unlawful Computer Access law #21-3755; the university's Student Handbook; the university's Faculty Handbook; and the university's Employment Policies Handbook for administrative and support staff. Users who engage in electronic communications with persons in other states or countries or on other systems or networks should be aware that they may also be subject to the laws of those other states and countries and the rules and policies of those other systems and networks. Users must be sure that the use of any downloaded material (including print, audio, and video) stored on university or personal computers is not in violation of copyright laws.
2. ***Users are responsible for complying with the requirements of the contracts and licenses applicable to the software files and other data they install on University or personal systems.*** Proof of legal licensing should be available upon request.
3. ***Users may utilize only those computing resources that they are authorized to use and use them only in the manner and to the extent authorized.*** Ability to access computing resources does not, by itself, imply authorization to do so. Users are responsible for ascertaining what authorizations are necessary and for obtaining them before proceeding. ***Accounts and passwords may not, under any circumstances, be shared with, or used by, persons other than those to whom they have been assigned by the university*** not even with family members or a partner.
4. ***Users must respect the privacy of other users and their accounts, regardless of whether those accounts are securely protected.*** Again, ability to access other persons' accounts does not, by itself, imply authorization to do so.
5. ***Users must respect the finite capacity of those resources and limit use so as not to consume an unreasonable amount of those resources or to interfere unreasonably with the activity of other users.*** The university may require users of bandwidth, disk space, CPU time, or other resources to limit or refrain from specific uses in accordance with this principle. The reasonableness of any particular use will be judged in the context of all the relevant circumstances.
6. ***Baker computing and network resources and services may be used only by authorized persons for Baker University-related purposes, including those listed in the General Statement above.*** These resources may not be used for other purposes except as authorized by Baker University. For example, the reselling of network services or other uses of computer resources for personal financial gain is not permitted. Use of computers and networks for personal purposes such as e-mail and web access is allowed, as long as it does not interfere with work responsibilities and does not place a burden on resources. Users may not run unauthorized servers off of the Baker network. Users are expected to respect the priority of university business and keep personal use to a minimum.
7. ***Individuals may not state or imply that they speak on behalf of the university and may not use university trademarks and logos without authorization to do so.*** Affiliation with the university does not, by itself, imply authorization to speak on behalf of the university. Authorization to use university trademarks and logos on university

computing resources must be obtained prior to their use. The use of appropriate disclaimers is encouraged e.g. *"the thoughts expressed here are my personal opinion and do not represent the position of Baker University in any way."*

**(e) Enforcement**

The university may temporarily suspend or block access to an account, prior to the initiation or completion of an investigation, when it reasonably appears necessary to do so in order to protect the integrity, security, or functionality of university or other computing resources or to protect the university from liability. The university may also refer suspected violations of applicable law to appropriate law enforcement agencies.

Users who violate this policy may be subject to disciplinary action, and may be denied further access to university computing resources.

**(f) Security and Privacy**

The university employs various measures to protect the security of its computing and network resources and of their users' accounts. Users should be aware, however, that the university cannot guarantee such security. Users should therefore engage in "safe computing" practices by establishing appropriate access restrictions for their accounts, guarding their passwords, and changing them regularly.

Users should also be aware that their uses of university computing and network resources are not completely private. While the university does not routinely monitor individual usage of its computing and network resources, the normal operation and maintenance of the university's computing resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the provision of service. The university may also specifically monitor the activity and accounts of individual users of university computing and network resources, including individual login sessions and communications, without notice, when (a) the user has voluntarily made them accessible to the public, as by posting to a web page; (b) it reasonably appears necessary to do so to protect the integrity, security, or functionality of university or other computing resources or to protect the university from liability; (c) there is reasonable cause to believe that the user has violated, or is violating, this policy; (d) an account appears to be engaged in unusual or unusually excessive activity; as indicated by the monitoring of general activity and usage patterns; or (e) it is otherwise required or permitted by law.

The university, at its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications, to appropriate university personnel and/or state or federal law enforcement agencies and may use those results in appropriate university disciplinary proceedings or in litigation.

**(g) Implementation and Revisions**

Baker University Associate Vice President of Information Services is responsible for implementing this policy, in cooperation with the Administrative Council and the Director of Human Resources. The University has the right to change this policy as necessary; the Administrative Council will oversee and approve changes to the policy in consultation with the aforementioned groups and individuals. The final authority rests with the President.

## **SECTION 7**

### **ACKNOWLEDGMENT**

This Employment Policies Handbook for Administrative and Support Staff sets out some of the practices, policies and procedures relating to employment at Baker University. Because the employment practices, policies and procedures of the University can and will change from time to time, the information contained in this Employment Policies Handbook for Administrative and Support Staff can and will change from time to time. Changes in policies and procedures may also be communicated through notices issued to employees in writing or published on bulletin boards or verbally by supervisors.

This Baker University Employment Policies Handbook for Administrative and Support Staff is not a contract of employment or part of a contract of employment with Baker University. No administrative or support staff has any contractual right to any matter set out in this Employment Policies Handbook. All administrative and support staff are employed-at-will and either the employee or Baker University may terminate employment with the University at any time, with or without notice, and with or without cause unless the employee has a written contract of employment signed by the President and approved by the Board of Trustees.

I acknowledge that I have received and it is my responsibility to read this Baker University Employment Policies Handbook for Administrative and Support Staff and that I have the opportunity to discuss any matter contained in this Employment Policies Handbook with my supervisor and the Director of Human Resources. I further understand and acknowledge that I am employed at-will. As an employee of Baker, I accept responsibility for keeping informed of changes in University policy and procedures. I understand and acknowledge that this Employment Policies Handbook for Administrative and Support Staff is the property of Baker University and must be returned upon my separation from employment.