FORT HAYS STATE UNIVERSITY

Forward thinking. World ready.

University Support Staff Handbook

Adopted by Kansas Board of Regents on January 15, 2014

Effective on July 1, 2014

Table of Contents

I. **Preface** 1

II. **General Policies** 1

- A. Conflict with Employment 1
- B. Handbook 3
- C. Health and Safety 3
- D. Possession of Firearms 6
- E. Tobacco Usage Policy 6
- F. Tiger Card 7
- G. USS Senate 7

III. **EEO, Nondiscrimination, Accessibility** 7

- A. Notice of Non-Discrimination, Accessibility and EEO 7
- B. Harassment Policy 8
- C. Title IX 9

IV. **Classification, Job Duties, Position Description** 11

V. **Compensation and Benefits** 11

- A. Pay Increases and Bonuses 11
- B. Overtime Compensation 11
- C. Shift Differential 12
- D. Benefits 12
  1. Group Health Insurance 12
  2. Cobra 13
  3. Flex Spending 14
  4. Health Savings Account 14
  5. Life and Disability Insurance 14
  6. Retirement Programs 15
     - Social Security 15
     - University Support Staff Retirement System 16
     - KPERS and KP&F 16
     - Supplemental Retirement Plans 16
     - Voluntary 403(b) Retirement Plan 16
     - Deferred Compensation 17
     - Sick and Vacation Leave Payout upon Retirement 17
     - Health Insurance for Retirees 17
     - Life Insurance for Retirees 17
     - Working after Retirement 18
  7. Other Benefits and Deductions 18
  8. STAR Program 18

VI. **Recruiting and Staffing** 18
A. Recruitment Processes 18
B. Nepotism 19

VII. **Probationary Period and Performance Evaluations** 19
A. Probationary Period 19
B. Performance Evaluations 19
1. Initial Planning 21
2. Mid-Year Discussion 21
3. Performance Factors 21
4. Overall Performance 22
5. Performance Evaluation Appeal 22
6. Staff Feedback 23

VIII. **Staff Development** 24
A. Tuition Assistance 24

IX. **Hours, Schedules, Leaves** 24
A. FLSA 24
B. Pay Period Definition 24
C. Changes in Work Schedule 25
D. Flex Schedule 25
E. Meal Break 25
F. Break Periods 25
G. Release for Interviews 25
H. Attendance Guidelines 25
1. Work Practices 26
2. Attendance Violations 26
3. Tardiness 26
4. No-Call, No-Show 27
5. Unjustified Absence 27
6. Excessive Absence 27
7. Failure to Remain on Duty 27
8. Attendance During Probationary Period 27
I. Leave 27
1. Inclement Weather Policy 27
2. Vacation 28
3. Holidays, Discretionary Day 30
4. Period of Reduced Activity 30
5. Sick 30
6. Donor Leave 31
7. Maternity/Paternity 32
8. Shared Leave 32
9. FMLA 34

10. Funeral Leave 34
11. Jury Duty/Witness Service 34
12. Voting 35
13. Military Service 35
14. Leave of Absence 35

X. **Discipline-Guidelines for Counseling and Disciplinary Actions** 37
A. Purpose of Guidelines 37
B. Progressive Discipline Guidelines 37
1. Introduction 37
2. Expectations 37
3. Reasons Disciplinary Action is Taken 38
A. Unsatisfactory Job Performance 38
B. Personal Conduct 39
4. Procedures for Disciplinary Actions 40
A. Informal Disciplinary Actions 40
B. Formal Disciplinary Action 41
5. Permanent, Probationary and Temporary Employees 41
C. Appeal of Disciplinary Actions 42

XI. **Employee Relations** 42

XII. **Grievances and Appeals** 43
A. Grievance Procedure 43
Informal Procedures 43
Formal Procedures 44

XIII. **Employee Records** 45
A. Personnel Records 45
B. Medical Records 45

XIV. **Employee Recognition Programs** 46
A. Employee Recognition Ceremony 46
B. Employee Recognition Awards 46
C. FHSU Alumni Awards 46
D. State Service Pins 46

University Support Staff Handbook

I. Preface

Fort Hays State University, a regional University principally serving western Kansas, opened on June 23, 1902 with 34 students and two faculty members. The University presently serves more than 12,000 students and employs approximately 875 faculty and staff. Students come to FHSU for a multitude of reasons, but surveys show their overwhelming motivation is "the University's reputation for academic excellence and its caring faculty".

FHSU, richly endowed by heritage and tradition, is located in Hays, the largest city in northwest Kansas. Hays began as a wild frontier town and has grown into a progressive community of 20,000 people. The old and new blend beautifully to form a city that is small enough to be comfortable yet large enough to provide abundant cultural, commercial and entertainment opportunities.

The University sits on a campus of 4,160 acres that were once part of the historic Fort Hays frontier military post. With its stately limestone buildings and profuse flowers, trees, and shrubs, the campus is often called the prettiest in Kansas. The University's Sternberg Museum of Natural History is located off campus adjacent to Interstate 70 in northeast Hays.

This handbook has been prepared for the University Support Staff at FHSU to answer a variety of job related questions. For specific situations not covered in this handbook, employees should contact their supervisor or the Human Resources Office.

II. General Policies

This Handbook does not contain all policies relating to employees of Fort Hays State University. Therefore, this Handbook hereby incorporates by reference all of the policies of Fort Hays State University and the Kansas Board of Regents relating to University Support Staff members, and if there is any conflict between any term and condition contained herein and any other University or Regent policy such other policy prevails. In addition, following the approval of Proposal to Convert from Civil Service to University Support Staff (USS) Employees, all terms of such Proposal are hereby incorporated in the Handbook**.**

A. Conflict with Employment

Other Employment—Employment outside the University should not conflict with University duties. Employees who are appointed full-time may have an approved teaching appointment or may have a maximum of one appointment within a 12 month period in addition to their full-time University Support Staff appointment if approved by the Director of Human Resources.

Guidelines Concerning Meals, Gifts, Travel and Entertainment—Kansas law generally prohibits any state employee from accepting or requesting meals, gifts, entertainment and travel. The complete text of these guidelines and opinions from the Governmental Ethics Commission are located at www.kansas.gov/ethics/State_Level_Conflict_of_Interest/Guidelines_for_State_Employees_Concerning_Meals,_Gifts,_Entertainment_&_Travel/.

Conflict of Activities—University Support Staff should not engage in any activity that conflicts with their work as a State employee. In essence, you may not use your work to gain special privilege or exemption for yourself or another.

Substantial Interest (SSI)—Positions may be designated by the University as one whose job duties fall under the Kansas statues (K.S.A. 46-247 and 46-248) which require an annual filing of a Statement of Substantial Interest. Forms are mailed to affected employees in April with a filing compliance date by April 30. A summary of the qualifying job duties includes those who hold policy-making positions; are responsible for contracting, purchasing or procurement; write or draft specifications for contracts, awards, grants, benefits or subsidies; or are responsible for inspecting, licensing or regulating any person or entity. The SSI guide, form and statutes are located at http://www.accesskansas.org/ethics/.

Board of Regents Patent Policy—The Kansas Board of Regents has established a policy that requires all employees of Fort Hays State University to assign to Fort Hays State University inventions resulting from institutionally sponsored research. Kansas law (K.S.A. 44-130) also requires that employees shall disclose all inventions developed by them to their employer for the purpose of determining employer and employee rights in an invention. This disclosure should be made to the Director of Human Resources. An employee's agreement to Fort Hays State University's patent policy is a condition of appointment and employment. This policy, however, does not apply to or include inventions for which no equipment, supplies, facilities or trade secret information of the employer was used, and which was developed entirely on the employee's own time, unless:

- The invention relates directly to the business of the employer or the employer's actual or demonstrably anticipated research or development, or
- The invention results from any work performed by the employee for the employer.

The complete text of the Board of Regents policy is located at http://www.kansasregents.org/policy_chapter_ii_a_intellectual_property

Whistleblower Act—The State of Kansas "Whistle Blower's" Act assures protected communications by state employees with legislators, legislative committees and others; prohibits certain acts by supervisors and appointing authorities; describes appeal to state civil service board, posting requirements; defines disciplinary action; indicates that officers and employees in unclassified service may bring civil action for relief.

The complete text of the Whistleblower's Act (KSA 75-2973) is available from the State of Kansas web site at http://kansasstatutes.lesterama.org/Chapter_75/Article_29/75-2973.html

B. Handbook

The University Support Staff Handbook on the University's computer system will be designated the official version of that handbook. Since it is not always current and up to date

1. All policies and changes shall include the dates of their approval by the University Support Staff Senate and by the President, as well as the date on which they become effective;
2. All policies and changes will have an effective date of either January 1 or July 1;
3. The Vice President of Administration and Finance Office will distribute hard copies of the USS handbook on request. Official updates will be sent to all holders of hard copies semi-annually, on January 1 and July 1.

C. Health and Safety

The University strives to provide safe working conditions to protect employees against particular hazards. It is the obligation of all employees to observe safety regulations, practice safety at all times, utilize safety equipment as prescribed and to report safety hazards or other unsafe conditions to their supervisors. If a safety problem is not corrected within 30 days of notice, employees are encouraged to notify the Environmental/Safety Officer at: http://www.fhsu.edu/physicalplant/

The Environmental Safety Officer is available to assist with safety and health related questions, conduct inspections, assist in accident investigation, provide counseling and information to prevent recurrence of accidents, and coordinate all campus safety and health training. A library of environmental, health and safety videotapes are available for use. Contact the Environmental Safety/Officer at: http://www.fhsu.edu/physicalplant/.

The University has a written environment, health and safety manual that identifies the many procedures which must be followed on the Fort Hays Campus in order to ensure for the protection of human health, safety and the environment and University compliance with applicable federal and state regulations. This manual applies to all University related activities and addresses many topics, such as: hazard communication/hazardous materials usage, blood borne pathogens, laboratory safety, personnel/employee safety, personal protective equipment usage, safety and health training requirements, etc. Other health and safety manuals for specific areas and Material Safety Data Sheets (MSDS) are also available. Contact the Environmental Safety/Officer at: http://www.fhsu.edu/physicalplant/.

Animals in Campus Buildings—No pets are allowed in campus buildings. The following animals are permitted: 1) laboratory animals, 2) museum exhibit animals, and 3) owner-accompanied service dogs or other animals allowed by law.

Safety Work Rules

- Employees will observe reasonable standards of cleanliness and dress. A department may require more specific standards. Departments may establish a reasonable dress code for their staff.
- Tools and equipment shall be kept clean and in safe operating condition and should not be intentionally damaged. Unless authorized, tools and equipment may not be removed from University premises.

Accident Reporting—All work-related accidents should be reported promptly to the immediate supervisor, especially if they involve a claim for medical expenses or time loss beyond the date of the accident. The supervisor should report the accident as soon as possible (preferably within 24 hours) by completing and submitting an accident report form (1101-A) electronically to Environmental/Safety Officer. The form is available at: http://www.fhsu.edu/physicalplant/

If medical treatment is needed as a result of an occupational injury or illness, employees must seek treatment at Work Smart at Hays Family Medicine, 2509 Canterbury Drive, Hays, KS. If immediate medical treatment is needed because of a life threatening injury, extreme pain or discomfort, the employee should go directly to the Hays Medical Center Emergency Room for treatment.

If working out of town and an injury occurs that is life threatening or that causes extreme pain or discomfort, the employee should go to the nearest emergency facility.

Workers' Compensation—If a work-related accident or medical condition, including occupational illness occurs, the University provides to all employees, including student employees and part-time employees, coverage under and pursuant to the Workers' Compensation Act. Coverage begins at the time of employment and provides for medical expenses and compensation for lost wages subject to a weekly maximum as the result of an occupational injury or illness. Prompt reporting by the individual to the supervisor (24 hours) and the Environmental/Safety Officer is required for all on-the-job accidents and apparent occupational illnesses as defined above. Failure to report an accident to your supervisor within 10 days of an accident will invalidate any subsequent claim for workers compensation. A frequently asked question document is located at: http://www.kdheks.gov/hcf/ssif/download/SSIF_FAQs.pdf

Lost Time Compensation for Work Injuries—The Workers' Compensation act provides for compensation for medical costs, due to a work-related medical condition and compensation for loss of time if the employee is disabled for a minimum of seven days, starting the day after the accident, and if the employee is prevented from earning full wages at the work in which employed. Compensation for lost time is not payable for the first week unless the injured employee is off for three consecutive weeks or more. Paid

leave must be used to remain in pay status during the first seven days of absence if total absence is 21 days or less. If an employee is unable to work 22 or more days following an injury, paid leave used during the first seven days will be credited back.

Return to Work after Work Injuries—Upon release to return to work, without restrictions, the employee will be returned to a comparable position with comparable pay. Employees who are injured on the job and who are released to return to work, with restrictions, will be accommodated if possible. The work task assignment will be made on the basis of essential work tasks that can be performed, with or without accommodation, while continuing to meet departmental and University work requirements.

Controlled Substance Testing—Based on requirements, some positions may require testing of controlled substances to either obtain or retain employment. These positions perform law enforcement duties or duties requiring a commercial driver's license. Contact FHSU's Department of Human Resources for further information.

Blood Borne Pathogens—As a means of protection for staff members, the University has undertaken efforts to comply with the Blood Borne Pathogens Standard. Employees who could be reasonably expected to come in contact with human blood or other potentially infectious body fluids in the course of their work are covered.

As appropriate, protective gear, training, standard operating procedures, specialized waste disposal and Hepatitis (HBV) vaccinations, will be provided. Exposure to human blood or other potentially infectious body fluids must be reported immediately to the Environmental/Safety Officer and the employee's supervisor. The employee should go immediately to Hays Medical Center for treatment. In addition, an 1101-A Accident Report form must be completed. The form is available from the Environmental/Safety Officer on their website at: http://www.fhsu.edu/physicalplant/.

Evacuation of Campus Facilities—Building evacuation necessitated by natural or man-made causes may be initiated by an alarm, by notice from police or fire officials, or by administrative directive. If evacuation is necessary, persons in an evacuated building should go to a predetermined relocation site specified by administrative staff and the following steps should be taken.

Evacuation of Campus Facilities Procedures—A designated department representative should:

- Count to see if everyone has been evacuated.
- Deliver any emergency messages to staff.
- Notify evacuees when return to the building is safe.
- Send staff home if re-entry will not be possible before the end of a work shift.

Evacuated non-exempt staff unable to perform work duties will continue in paid administrative leave status during work hours. Paid leave (vacation, compensatory time, etc.) is not to be used except for staff already scheduled to be absent that day.

It is the objective of the University to provide work areas that normally meet acceptable standards of physical comfort. From time to time a lack of heating/cooling, lack of water/electricity, or other problems may occur. In such circumstances, campus administration, with input from Facilities Operations and approval from FHSU's Department of Human Resources, will determine whether adjustments in work schedules or physical space assignment should be made. Factors considered in making such determinations will include among other things the severity of the condition, the anticipated duration of the condition, and the impact on University operations. If staff are unable to perform work duties or cannot be reassigned to other areas, paid administrative leave will be approved by FHSU's Department of Human Resources for non-exempt staff until the work area meets acceptable standards of physical comfort.

D. Possession of Firearms

General Policy

No weapons as defined by Board policy shall be allowed on University property unless authorized pursuant to this policy. Fort Hays State University will also comply with and enforce the Personal and Family Protection Act, K.S.A. 75-7c01 et. seq. and amendments thereto. Pursuant to this act, Fort Hays State University prohibits the carrying of concealed weapons into and upon any university facility.

E. Tobacco Usage Policy

Smoking and the use of tobacco products are prohibited in all Fort Hays State University buildings and facilities. Smoking is only permitted on the FHSU campus proper, Sternberg Museum, Kansas Wetlands Educational Center, and the University Farm, Pavilion and Rodeo Grounds (collectively referred to as "FHSU's campus") in designated parking lots. A map showing the parking lots that have been designated as smoking areas can be viewed at http://www.fhsu.edu/policies/administrative and is incorporated in this policy. Smoking is prohibited in all other areas on FHSU's campus that are not clearly marked as a designated smoking area.

Complaints concerning violations of these regulations will be submitted to the University Police Department (UPD). The UPD shall have the authority to warn, issue a citation including a fine and/or remove flagrant violators of this policy or any rude or insolent person who is in violation of this policy from campus, pursuant to the provisions regarding Campus Bans and Trespassing in the Fort Hays State University Use of Campus Facilities policy. After a warning the first offense will carry a fine of $10, the second offense $25, and all future offenses $50. Additionally, if such person is a student, the matter will be referred to the Division of Student Affairs for handling in accordance with the Student Code of Conduct. If such person is an employee, the matter will be referred to the employee's supervisor and, in the case of classified employees, the Director of Human Resources. Each violation of this policy by an employee will be considered a disciplinary event with consequences determined by the number of events. By this policy, the entire university community is encouraged to communicate this policy, and the location of the designated smoking areas, to all other university community members and visitors. All contractors working on campus should be

informed of this policy through communication prior to work beginning and if possible in the written documentation authorizing the work.

Exceptions to this policy must be submitted in writing to the appropriate vice president and be approved by the president of the University.

In support of this policy, the Wellness Center and the Student Health Center offer free office visits for smoking cessation and free smoking cessation medication while supplies and funding last. This policy became effective January 4, 2012.

The provisions of K.S.A. 21-4009 through K.S.A. 21-4014 and amendments thereto are fully incorporated herein and will be enforced pursuant to the provisions of those statutes.

Adopted by President's Cabinet (03-05-08).
Revisions adopted by President's Cabinet (07-27-10)
Revisions adopted by President's Cabinet (01-04-12)

F. Tiger Card

TIGER Card—All staff are encouraged to get an identification card (TIGER Card) from the TIGER Card Center. The card office is located in the Memorial Union, Room 208. Office hours are 8:00 a.m.-4:30 p.m., Monday thru Friday. Your first card is free; there is a fee for replacements. To be eligible for a TIGER Card, your appointment must be entered into the University payroll system. In addition to identification, your TIGER Card can be used for other purposes. If you add money to your card's pre-paid stored value account, you can use it to pay for printing and photocopying, and to purchase food at campus food service locations. Discounts may apply. It also functions as your campus Library card, and will allow you access into the Wellness Center. For additional information, contact the TIGER Card Center at www.fhsu.edu/tigercard.

G. USS Senate

University Support Staff Senate—The University Support Staff Senate is an employee interest group that serves in an advisory capacity to University administration to communicate the interests of University Support Staff. Membership is open to all University Support Staff. For additional information about USS Senate go to http://www.fhsu.edu/class-senate/ .

Current classified senate officers and members will convert to University Support Staff Senate officers and members. The current Classified Code will be amended as appropriate incorporating changes required by conversion to University Support Staff.

III. EEO, Nondiscrimination, Accessibility

A. Notice of Non-Discrimination, Accessibility and EEO

Fort Hays State University is committed to ensuring a supportive environment for a diverse student body and work force. Policies have been developed to foster a climate conducive to meeting our University mission while maintaining the principles of equal opportunity and affirmative action. The University has developed specific policies on

equal opportunity and affirmative action that constitute the Affirmative Action Plan, available in the Department of Human Resources. The Equal Opportunity and Affirmative Action policies are as follows:

A University should help all individuals realize their potential. To this end, Fort Hays State University commits itself to providing policies and programs that allow equal opportunity for employment, conditions of employment, services and participation in the activities of the University regardless of race, religion, color, sex, disability, national origin, ancestry, sexual orientation, marital or parental status, gender identity, gender expression, genetic information, and, to the extent specified by law, age or veteran status. The University also commits itself to eliminating discrimination on any of these bases in all University activities.

If employees are disabled and need reasonable accommodation in order to perform the essential functions of their positions, they may contact the University's ADA Coordinator, located in the Kelly Center, Picken Hall 111. Employees may also contact the Department of Human Resources if they believe they have been discriminated against in violation of University policy or state or federal law.

Any evidence of discriminatory practices shall be evaluated and acted upon promptly through the EEO/AA investigation and resolution process. Acts of retaliation for participation in grievance procedures are prohibited.

The University is committed to taking positive action to increase the numbers and involvement in the University of affected class members: veterans as covered by law; persons with disabilities; and, in areas where they are under-utilized, women and minorities.

Regarding both employment and educational programs, the University shall actively recruit and encourage application from these groups. The University will endeavor to provide a supportive environment for the members of these groups.

B. Harassment Policy

Fort Hays State University is committed to an environment in which students, faculty and staff are free of all forms of harassment, exploitation and intimidation.

It is the university’s policy to prohibit harassment of individuals on the basis of their status as a member of a protected class, which includes race, color, religion, gender, age, national origin, marital status, sexual orientation, veteran status and physical or mental disability. The protections afforded by this policy apply equally to all university employees and students.

Harassment includes, but is not limited to, verbal, physical or written behavior directed toward or relating to an individual or group on the basis of their protected class status which has the purpose or effect of:

1. creating an intimidating, hostile or offensive work or educational environment;

2. interfering with an individual's work, academic performance, living environment, personal security or participation in university-sponsored activities;

3. threatening an individual's employment or academic opportunities.

This definition also applies to harassment of persons because of their association with or support of members of a protected class, as well as retaliation for reporting a violation of this policy or applicable laws and regulations.

Sexual Harassment
In particular, sexual harassment violates not only the dignity of the individual but also the integrity of the university as an enlightened environment in which to work and learn. Behavior that constitutes sexual harassment includes:

1. unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature (e.g. uninvited touching) that are made either implicitly or explicitly a term or condition of an individual's employment or education, or are used as the basis for employment or academic decisions affecting the individual (e.g. grades, evaluations, promotions, letters of recommendation);

2. unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive work or learning environment (e.g. sexual innuendo in the classroom).

While some examples of harassment, such as physical and verbal assaults, are easily identified, more generalized conduct such as use of epithets and inappropriate humor often goes unnoticed. All of these instances are equally demeaning and violate the spirit of this policy.

Anyone who believes they have been the target of harassment should report the incident(s) to the EEO Officer, as outlined in the Fort Hays State University Discrimination and Harassment Complaint Procedure.

Any reprisal taken against an individual for reporting, objecting to or serving as a witness about harassment of a member of a protected class is retaliation and will be considered a separate and distinct act of harassment.

C. Title IX
Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681, et. Seq., prohibits discrimination on the basis of sex in any federally funded education program or activity. Any of the following actions, when taken on the basis of gender, may constitute a

violation of Title IX and this policy, and could give rise to a complaint and investigation pursuant to this policy:

1. Sexual violence, which is a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent, and may include rape, sexual assault and sexual battery;
2. Sexual harassment, as defined elsewhere in this policy;
3. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
4. Discrimination, defined as actions that deprive members of the university community of educational or employment access, benefits or opportunities;
5. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
6. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity;
7. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally;
8. Violence between those in an intimate relationship or partnership;
9. Stalking, defined as a repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the university community; and,
10. Retaliation.

Complaints of actions in violation of this policy should be directed to one of the University's Title IX Officers. The Chief Title IX Coordinator and person to whom complaints of Title IX violations by students and against students or employees should be submitted is:

Keegan Nichols, Assistant Vice President for Student Affairs
Fort Hays State University
600 Park Street
Sheridan Hall, Room 208
Hays, KS 67601
knnichols@fhsu.edu
785-628-5824 (phone) 785-628-4113 (fax)

The Deputy Title IX Coordinator responsible for investigating complaints of Title IX violations by employees or third parties and against students or employees is:

Lisa Karlin, Assistant to the President and Equal Employment Opportunity Officer
Fort Hays State University
600 Park Street
Sheridan Hall, 314
785-628-4033
lkarlin@fhsu.edu

The Deputy Title IX Coordinator responsible for investigating complaints of Title IX violations arising out of participation in intercollegiate athletics at the University is:

Carolyn Bird, Senior Women's Administration and Assistant Athletic Director for Compliance
Fort Hays State University
134 Cunningham Hall
785-628-4372

Complaints to the Chief Title IX Coordinator and the Deputy for athletics-related complaints will be investigated and adjudicated pursuant to the Student Code of Conduct. Complaints to the Deputy for employee-related complaints will be investigated and adjudicated pursuant to the Fort Hays State University Discrimination and Harassment Complaint Procedure.

Approved by President's Cabinet (09-07-11).

IV. Classification, Job duties, Position Description

V. Compensation and Benefits

A. Pay Increases and Bonuses

Funds for all increases and bonuses for University Support Staff are allocated by the University. Increases may be in the form of a salary increase and/or bonus. The University allocates a salary increase pool, when funds are available, to campus departments based on a percentage of the salaries allotted to filled positions.

Increases are based on maintenance of a performance rating of "meets expectations" or higher. From the available salary pool, 2/3 of the amount is granted as a salary increase to staff with a current performance rating of "meets expectations" or above. The remaining 1/3 of the available pool is granted by departments based on merit principles, for employees who exceed expectations. Examples of those merit principles include: performance, market value of the job, retention considerations, taking on higher level job responsibilities, etc.

Pay increases and bonuses are generally granted on an annual basis.

B. Overtime Compensation

Eligible non-exempt employees are compensated for overtime which is defined as all hours worked in excess of 40 hours in a work week. The FHSU work week begins at 12:01 a.m. Sunday through 11:59 pm Saturday. It is the policy of the University that work be organized and scheduled in such a manner that overtime work will not be required.

However, in cases of emergency or on special occasions, an employee may be required to work beyond the normal forty-hour work week. If this occurs, the employee will be compensated at one and one-half times the regular rate of pay. When compensating for overtime with compensatory time, it will be given at a time and a half rate. Working overtime must receive prior approval of the supervisor and Vice President for Administration and Finance. Compensatory leave shall be used within six months of the month that it is earned.

C. Shift Differential

The University's normal workweek to provide services is 8:00 a.m. to 4:30 p.m., Monday through Friday. Employees who are eligible to be paid overtime and whose shift commences before 6:00 a.m. or ends after 6:00 p.m. on a regular basis are eligible to be paid shift differential.

D. Benefits

To be eligible to participate in most of the University benefit programs, an employee must hold a regular position and an appointment of at least one-half time. For more detailed information regarding benefits, contact FHSU's Department of Human Resources Office, or refer to the information provided in the new employee packet or visit the Benefits information on the HR/EO website at: http://www.fhsu.edu/personnel/benefits/.

1. Group Health Insurance

Health Insurance—Participation in the health insurance program is voluntary. Employees who participate in the health insurance program will have medical, prescription drug, and dental coverage. Separate vision coverage is also available.

Health Insurance Eligibility—An employee is eligible to participate in the health insurance plan the first day of the month following a 30-day waiting period provided enrollment in the plan is completed no later than 31 days after initial date of hire or benefits eligibility. It is the employee's responsibility to enroll in health insurance coverage in a timely manner by completing the required forms. Untimely completion of the health insurance forms could result in denial of coverage, limited coverage, reduced plan options available and/or pay check adjustments.

Dependent Coverage for Health Insurance—Employees who are eligible to participate in the health insurance program can also elect dependent coverage for their spouse and/or any unmarried dependent child until that child's 26th birthday. There are special provisions for continuation of coverage beyond age 26 for unmarried children who are physically or mentally incapable of self-support.

If dependent coverage is elected, dependents will have medical and prescription drug coverage; dependent dental and dependent vision are optional coverage choices.

HealthyKIDS Program—this program helps eligible State employees with their premiums for children's health insurance coverage. The State will pay 90 percent of

the cost of dependent children's health premiums for qualified families; employees are responsible for the remaining 10 percent. Eligibility for HealthyKIDS is based on family income. Contact the Human Resources Office for additional information.

Open Enrollment for Health Insurance—Each year during the fall open enrollment period, employees may elect to change health insurance plans and make other coverage changes (i.e., add or drop dependent coverage, add or drop dependent dental or vision). Changes made during the open enrollment period will become effective with the new plan year.

Health Insurance Cost—All employees participating in the health insurance program pay a semi-monthly premium based upon the employees' annual rate of pay.

Employees who work less than 90% time, but at least 50% percent time, or who elect to have dependent coverage will pay additional premiums based upon the plan chosen, the employee's annual pay, who is covered and whether dependent dental or vision coverage is elected.

Effects of Leave Without Pay on Health Insurance—Employees on approved leave of absence will receive information directly from the State Employee Health Plan in Topeka regarding payment options for continuation of health insurance coverage for the employee and any covered dependent.

An employee who is on leave without pay and who qualifies under FMLA is entitled to receive up to 12 weeks of employer contributions toward health insurance coverage with the employer paying the same premium that had been paid while the employee was in pay status.

Loss of Health Insurance Benefits—Individuals lose eligibility for health insurance coverage under the State plan when certain events occur. Coverage terminates at the end of the month in which an employee terminates employment or an appointment drops to less than 50% time.

2. Cobra

A federal law that allows individuals who lose coverage from the State plan to continue coverage by paying the required premiums themselves.

Employees, spouses and dependents eligible to continue health insurance coverage are called qualified beneficiaries; the provisions under which they can continue coverage are called qualifying events; and the number of months they can continue coverage is specified. Information about COBRA can be found in the Active State Employee Benefits Guide located at
http://www.kdheks.gov/hcf/sehp/COBRA.htm

3. **Flex Spending**
   Flexible Spending Accounts (FSA) KanElect—is a benefit program that allows employees the option of paying for certain expenses with pre-tax dollars. These expenses include premiums for the State group health insurance program, dependent care expenses and unreimbursed health care expenses.

   Active employees who are eligible to participate in the State's health insurance program are eligible for KanElect. Employees who are eligible but do not enroll in the State's health plan can still participate in the dependent care and health care spending accounts.

   There are three parts to the KanElect program:
   - Pre-tax Premium Option allows payment of the employee's state health insurance premium with tax-exempt money;
   - Dependent Care Spending Account allows use of tax-exempt money to pay for qualified dependent care expenses; and
   - Health Care Spending Account allows tax-exempt money to be set aside to pay for expenses not covered by insurance.

   Flexible Spending Accounts Enrollment—Initial enrollment in either Flexible Spending Account (Dependent Care or Health Care) must occur no later than 31 days from date of hire or benefits eligibility and is effective from the first day of eligibility for health benefits until the end of that calendar year. Continued participation in the Flexible Spending Account(s) for the following year is not automatic. Employees who wish to participate in the flexible spending account(s) must re-enroll each year during the fall Open Enrollment period.

4. **Health Savings Account**
   Health Savings Accounts (HSA)—employees who elect a qualified high deductible health plan for health insurance coverage will also participate in a Health Savings Account which also receives employer contributions.

5. **Life and Disability Insurance**
   All benefits eligible employees are automatically covered by group term life insurance and long-term disability insurance through Kansas Public Employees Retirement System. This coverage is paid for by the University and is effective the first day of employment. For employees who terminate employment or go on non-medical leave without pay, life insurance coverage ends the last day in pay status although there is a 31-day grace period in which to convert to an individual plan.

   Life Insurance—Life insurance coverage provides a death benefit, payable to a beneficiary or beneficiaries designated by the employee, equal to 150% of the employee's annual pay.

   Disability Insurance—Long-term disability insurance provides a monthly benefit equal 60% of the employee's annual pay reduced for any benefits received from

primary Social Security, one-half of workers' compensation or any other employer-provided disability benefit, but in no case will the long-term disability benefit be less than $100.00 per month. For additional information, visit the KPERS website at: http://www.kpers.org/active/benefits/disabilitykpersactive.html

To qualify for disability benefits, the employee must be totally disabled for a minimum of 180 consecutive days and must make application to KPERS. If benefits are approved, they will begin after the 180-day elimination period is met or the first day when the employee ceases to draw compensation from the employer, whichever occurs later. Employees under KPERS who qualify for the disability benefits will receive continued group life insurance coverage and participating service credit for the period of approved disability. If the employee approved for long-term disability wants to continue Optional Group Life Insurance coverage, he/she can continue by paying the group rate until age 65.

Once disability is approved, the employee is entitled to remain on the State's health insurance plan, for the duration of the disability by paying both the employer and employee premium.

For employees who terminate employment or go on non-medical Leave Without Pay (LWOP), coverage for long-term disability ends on the employee's last day on the payroll.

Optional Group Life Insurance Program—One employee-paid optional group life insurance plan is available to University employees.

Minnesota Life Insurance—The State offers all benefits-eligible employees group term life insurance, underwritten by Minnesota Life Insurance Company, through which an employee may purchase $5,000 to $250,000 worth of coverage, in $5,000 increments, at group rates with premiums based upon the employee's age. The premiums are paid monthly through payroll deduction. Newly eligible employees have to enroll within 21 days of employment; other eligible employees may enroll or increase coverage amounts up to $25,000 without proof of good health within 30 days of marriage, change in marital status or the birth or adoption of a child. Without a qualifying event, an employee can enroll or increase coverage amounts with proof of good health. Additionally, if diagnosed as terminally ill with 12 months or less to live, the employee may be eligible to receive up to 100% of the life insurance in lieu of the death benefit being paid to designated beneficiaries.

6. Retirement Programs

Social Security—All staff, except those who are exempt based on their visa status, are covered by the Federal Social Security Program which provides retirement, disability and death benefits. The Social Security deduction is comprised of 2 pay check deductions, OASDI and Medicare. The participation of individuals who are eligible is mandatory and a payroll deduction is made for the employee's contribution.

The University provides a matching amount, under federal provisions, based upon wages earned.

University Support Staff Retirement System—All eligible University Support Staff are required, as a condition of employment or continued employment, to participate in a State retirement system which will provide a retirement benefit. The amount of the retirement benefit is based on several factors that include the employee's final average salary, a percentage factor and total years of service with KPERS at retirement.

All University Support Staff are eligible to participate in a State retirement system if employed in a regular position that requires at least 1,000 hours of work per year. Staff who meet the definition of campus police participate in the Kansas Police and Firefighter's Retirement System (KP&F). Normally, University Support Staff participate in the Kansas Public Employees Retirement System (KPERS).

KPERS—Membership is effective the first day of employment and is mandatory for those who meet the definition of eligible employee. Membership is vested after five years of credited service. Employee contributions are determined based on Tier 1 or Tier 2 membership and contributions earn interest annually. Tier 2 members are those who first started working in a covered position on July 1, 2009, or after. The University's contributions vary based upon legislatively specified amounts.

KP&F—Membership is effective the first day of employment and is mandatory for those who meet the definition of eligible employee. Members contribute seven percent of gross earnings and contributions earn interest annually. The contribution rate will drop to two percent after you have 32 years of service credit. The University's contributions vary based upon legislatively specified amounts.

Supplemental Retirement Plans

All University employees, in benefits-eligible positions, are eligible to participate in either the deferred compensation program or the voluntary tax sheltered annuity (VTSA) program. The purpose of these supplemental retirement plans is to accumulate additional retirement savings by making payroll deducted contributions into a retirement fund before taxes are computed, thereby reducing taxable income. Taxes on the contributions, plus the interest or gain earned, are not paid until funds are withdrawn from the account.

Voluntary 403(b) Retirement Plan (pre-tax and after-tax options)—The Voluntary Retirement Plan offers benefits-eligible employees the opportunity to invest through payroll deduction with a retirement provider approved by the Kansas Board of Regents (KBOR). Annual limits are established by the IRS and include a base limit, an additional amount for employees who are age 50 or above and, an amount available to employees with at least 15 years of service at FHSU who qualify for a higher annual limit.

Contributions may be pre-tax, after tax, or a combination of pre-tax and after tax to the maximum allowed by the IRS. Benefits-eligible employees may begin

contributing to a KBOR voluntary 403(b) plan on the first day of employment. The employee contributes through payroll deduction up to the applicable maximum according to IRS regulations. Investment agreement forms for both Voluntary Pre-Tax Retirement Plan and Voluntary Roth After-Tax Sheltered Annuity can be obtained from the Human Resources Office.

Deferred Compensation
Deferred Compensation is available only through ING. University employees in temporary or non-benefits eligible positions are also eligible to participate in the Deferred Compensation program.

Sick and Vacation Leave Payout upon Retirement—University Support Staff who retire (or who separate from service and are retirement eligible) with accumulated sick and vacation leave will receive payment for that leave according to the following schedules. The payout sick leave schedule also applies to retiring faculty, unclassified administrative staff, and University Support Staff.

Sick Leave Payment at Retirement

Years of Service	Hours Accumulated	Maximum Hours Paid
8	800 hours	240 hours
15	1,000 hours	360 hours
25	1,200 hours	480 hours

Vacation Leave Payment at Retirement
At retirement or at termination of employment when retirement eligible, an employee may receive payment for up to 240 hours of annual leave.

The number of hours paid at retirement is multiplied by the employee's hourly rate of pay. The employee's last pay check will reflect payment for the sick and vacation leave. This payment may result in a large check that will be subject to Federal and State taxes.

Health Insurance for Retirees—All retiring University Support Staff who receive retirement benefits from either KPERS or KP&F may continue in the State group health insurance plan for medical, dental, prescription drug and vision coverage by paying the entire premium.

Life Insurance for Retirees—Group term life insurance coverage ends on the last day the employee is in pay status. Optional group life insurance coverage ends the end of the month in which the employee terminates employment. Coverage for group term or optional group life insurance may be converted to individual life insurance coverage through Minnesota Life Insurance Company. Retirees who receive a KPERS retirement benefit also have a death benefit payable at the retiree's death.

Working after Retirement—Employees who retire under KPERS and return to work for the University may have their KPERS retirement benefit impacted if the pay earned is more than the limit set by KPERS for the calendar year. If the annual pay exceeds the KPERS limit, the options regarding the KPERS retirement benefit are: terminate employment and continue to receive the KPERS retirement benefit, or continue employment and suspend the KPERS retirement benefit.

7. **Other Benefits and Deductions**
   Other benefit programs available for employee participation include access to Tiger Wellness Center, and free parking on campus when available to all employees, along with automatic deductions for United Way and Learning Quest.

8. **STAR Program**—The State of Kansas STAR Employee Discount Program offers state employees product and service discounts from various vendors throughout the state. Web site is located at:
   http://www.da.ks.gov/star/

VI. Recruiting and Staffing

A. Recruitment Processes

Job Vacancies—All University Support Staff position vacancies are listed on the FHSU job website at: http://www.fhsu.edu/faculty-and-staff/positions/. Employees interested in seeking a transfer or promotion should contact FHSU's Department of Human Resources in order to determine eligibility.

In addition to the FHSU job website, vacancy notices will be posted in writing on various bulletin boards around campus.

Eligibility for Other Positions—The following staff may apply for internal University Support Staff positions: regular staff, those on initial probation, and anyone currently working a temporary appointment. Permanent staff with a performance rating of "meets expectations" or above and new hires with exceptional qualifications may be eligible to begin at a higher starting rate.

Referral Process—To apply for a specific vacancy, staff must complete an online application form before the application deadline. Paper copies of the application are available from FHSU's Department of Human Resources. FHSU's Department of Human Resources will review, approve, and release application materials of qualified candidates to the search committee chair and/or supervisor.

Selection Considerations—It is recommended that qualified internal candidates employed within the department or University be given consideration for any vacancy. However, nothing prohibits the hiring of an external candidate who has the prerequisite qualifications. Equal Opportunity hiring goals are to be considered in the selection process.

Promotional Changes—Any employee who does not receive at least a rating of "meets expectations" at the end of his or her promotional probationary period may be demoted.

A promotion carries with it an increase in pay when funds are available. For promotion there is a probationary period of at least three months but not more than six months.

Transfer/ Demotions/ Changes—With the approval of FHSU's Department of Human Resources, a probationary employee may transfer within the University to a position in the same title with no effect on the employee's probationary period. An employee may transfer or be voluntarily demoted from one unit to another. If a permanent employee transfers or is demoted within the University, permanent status is retained in the new position. Pay will usually remain the same for a transfer and will be lower for a voluntary demotion.

Job Sharing—Department heads may use job sharing or splitting to meet some staffing needs when it is in the best interest of the department.

Job References—Before a final candidate is selected, an employer shall contact references with approval of the candidate. Information about obtaining and providing job references are sent to the hiring department along with the applications when a position vacancy closes.

B. Nepotism

If a person is in a position which requires an evaluation or a personnel decision such as those concerning admission, academic evaluation, appointment, performance evaluations, retention, promotion, discipline, tenure or salary of a family member or a member of such person's household, such condition shall be deemed a conflict of interest and that person shall not participate in such a decision, and that person shall not participate in any group or body which is considering any such decision. Persons may be appointed to classified or unclassified, including University Support Staff, positions without regard to family relationship to or living arrangements with other members of faculty or staff so long as the personnel processes are conducted and decisions are made in compliance with this provision as well as institutional and Board policies.
Kansas Board of Regents: Policies and Procedures Manual (10-17-91, 12-19-12

VII. Probationary Period and Performance Evaluations

A. Probationary Period

Initial Employment—Your initial appointment to a University Support Staff position will generally be with probationary status.

B. Performance Evaluations

When a probationary period (normally six months) is completed with a performance rating of "meets expectations" or higher, you will receive permanent University Support Staff status. Permanent status implies certain rights and privileges: reinstatement, leave of absence for up to one year when in the best interest of the University, layoff rights or

appeals to an appeals hearing board. Continued employment is nevertheless dependent upon receipt of a performance rating of “meets expectations” or above.

Performance Evaluation Process—Performance evaluations are required for all staff on an annual basis. Performance evaluations are based on three components: Initial Planning Session, optional Mid-year Review, and a Final Performance Evaluation of performance factors. These three components are provided on forms available on the Human Resources website at: http://www.fhsu.edu/personnel/. Instructions for completing the forms are also available on that website. Human Resources notifies supervisory staff when evaluations are due for staff, establishing a deadline for submission.

Performance evaluations assess how an employee performs his or her job duties. Position descriptions describe what job duties an employee is expected to adequately perform. Therefore, prior to completing a performance evaluation, the supervisor and the employee should review and, if needed, update the position description.

Prior to the end of the first six months of initial employment, supervisors will evaluate employees to determine if permanent status should be granted. Failure to complete the initial evaluation and present it to the employee prior to the end of the probationary period, or failure to extend the probationary period in writing prior to its expiration, except in extenuating circumstances, will result in the probationary employee being granted permanent status. An initial probationary period may be extended for up to a total of 12 months. (Promotional probationary periods may last only a total of six months.) Performance will be evaluated at least once a year thereafter. It is advisable to provide performance feedback at least twice a year.

A supervisor may evaluate an employee at any time if conditions warrant a higher or lower rating; such evaluations are called “special evaluations.” Those special evaluations must have goals in place at least 30 days prior to the evaluation. The special evaluation period can leave no “gap time” between its start date and the end of the last evaluation period.

Supervisors determine an overall rating after evaluating the individual performance factors, assessing progress. The supervisor reviews the three components of the evaluation with the employee.

A performance evaluation is a permanent part of an employee’s record. Additionally, supervisors may review it when employees are considered for a pay increase or promotion. A current rating of “meets expectations” or above is necessary for promotion and to be considered for a pay increase.

The various components of the evaluation process should be handled in the following way:

1. **Initial Planning**
   Goals are based on the employee's job requirements and should be measurable, realistic, objective, and job related. (Goals may be optional for trade staff.) Employee input to the goals is encouraged. The supervisor has ultimate responsibility for establishing goals.
   With employee input, goals are established that allow employees to exceed expectations. Goals are established at the beginning of each evaluation period and may be updated at various times as noted below. Changes and additions to goals may be made at any time before the end of the evaluation period. The supervisor and the employee retain copies of the established/modified goals for use at the end of the evaluation period. Goals are established or modified:
   - shortly after appointment to a new position;
   - at the beginning of each initial planning period;
   - when there is a significant change in duties;
   - when additional goals are warranted during the evaluation period.

   If an employee believes the goals to be unreasonable, he or she should seek resolution with a supervisor or departmental administration. If no resolution is achieved, the disagreements must be outlined in writing and sent with the goals to Human Resources. A HR staff member will try to mediate any disagreements.

   At the end of the evaluation period, the supervisor assesses goal progress. Employee input on goal progress is encouraged. The supervisor assesses the goals as being "met," "in progress," or "not met." The supervisor may make comments about goal progress. Both the employee and supervisor sign and date the evaluation form. The employee's overall performance will be based on these goals, as well as other components of the evaluation process.

   If goals were not established in a timely fashion, the employee's goal progress may be rated using the duties from the current position description.

2. **Mid-Year Discussion**
   Supervisors are encouraged to provide performance feedback at least twice a year. This feedback can be documented in the "Comments" section of the evaluation form. Both the supervisor and the employee should initial and date the feedback documentation. If performance feedback is provided in the form of a memo to the employee, that memo must be retained with the evaluation documents.

3. **Performance Factors**
   The supervisor will rate the employee on performance factors that include, but are not limited to, position knowledge and skills; quantity and quality of work; working relationships with coworkers; customer focus; and leadership (if leadership is applicable to the employee's job duties). Employee input on performance factors is encouraged.

4. **Overall Performance**
The supervisor will rate the employee's overall performance based on the assessment of goal progress and ratings of the individual performance factors. The overall rating will be unsatisfactory, needs improvement, meets expectations, or exceeds expectations. Supervisory comments are required; employee comments are optional. The supervisor and the employee will discuss the overall evaluation, date and sign the form. The employee's signature on the evaluation form does not signify agreement with the evaluation nor waive the right to appeal. The signature only signifies receipt of the evaluation. If the employee refuses to sign the evaluation, a witness' signature can verify that the evaluation was provided to the employee. The department sends the evaluation form with goals to Human Resources by the established deadline.

Unsatisfactory or Needs Improvement Performance—An employee who, in the opinion of his/her supervisor, is not performing work at a level of meets expectations will be counseled on ways to improve. Unsatisfactory work performance may necessitate a special evaluation. A salary increase cannot be granted if an employee receives a rating of unsatisfactory or needs improvement. Two performance review ratings of less than meets expectations may be utilized as a basis for demotion, suspension, or dismissal of the employee.

5. **Performance Evaluation Appeal**
Any USS employee with permanent status (or eligible under K.A.R. 1-7-11) may appeal a performance review rating which is less than the highest possible rating. An employee who believes that he/she has been unfairly rated may, within seven (7) calendar days after being informed of the rating, address an appeal in writing to the Vice President for Administration and Finance (Appointing Authority). This written appeal may be delivered in person or by mail to: Vice President for Administration and Finance, Fort Hays State University, 600 Park Street, Hays KS 67601.

The Director of Human Resources (Appointing Authority's designee) will be immediately notified of the appeal. The Director of Human Resources has the option (A) to investigate and forward the appeal, without any changes, to the Director of Employee Relations (Appointing Authority's designee), or (B) to investigate and make any changes in the rating deemed appropriate.

Under option (A), if the Director of Human Resources' investigation results in no change in the rating, nor any comments added to the rating form, the Director of Employee Relations will be notified to proceed with the appointment of an appeal committee within seven (7) days of the receipt of the employee's original written notice of appeal.

Under option (B), if the Director of Human Resources' investigation results in any change in the rating, or adds any comments to the rating form, the revised rating form will be returned to the employee to be signed. If the employee agrees with the revised evaluation the appeal is complete. If the employee disagrees with the revised evaluation he/she may, within seven (7) calendar days, file a written notice with the

Director of Human Resources to continue the appeal process. The Director of Employee Relations will be notified to proceed with the appointment of an appeal committee to be appointed within seven (7) calendar days from the filing of the notice to continue with the appeal under option B.
Three or more persons, who in the judgment of the Director of Employee Relations will be fair and impartial, will be appointed to hear the appeal. Before the appeal committee is appointed, the employee will be given the opportunity to request disqualification of a proposed committee member by showing cause for bias. The appeal committee will not include the initial rater(s). Members of the committee will be employees of Fort Hays State University. However, one or more members of the committee from one or more other state agencies may be selected if the Director of Employee Relations determines that the objective of a fair and impartial hearing can best be served by doing so. As soon as the committee has been appointed, the Director of Employee Relations will notify the employee of the names of the members of the committee.

The appeal committee will consider any relevant evidence that may be offered by the employee and the rater, and will make available to the employee any evidence it may secure on its own initiative. The employee and rater will have an opportunity to question any person offering evidence to the appeal committee. The appeal committee may limit the offering of evidence it deems to be repetitious or irrelevant. Within fourteen (14) calendar days of the date the members of the committee were appointed, the committee will prepare and sign a rating for the employee. That rating will be final and not subject to further appeal. The appeal committee will give the rating to the Vice President for Administration and Finance who, within five calendar days, will transmit copies to the employee, the person(s) who originally rated the employee, the Human Resources Office, and the Office of Personnel Services.

If an appeal committee cannot be appointed in the prescribed seven (7) calendar days, or if the appeal committee cannot make its rating within fourteen (14) calendar days of the date of its appointment, the Director of Employee Relations may extend these time limits. However, such an extension will not result in the appeal committee making its rating more than thirty (30) calendar days from the date the original appeal was filed, except with the approval of the Director of Personnel Services for the State of Kansas.

6. Staff Feedback

Employees will be given the opportunity to comment on supervisor effectiveness, working conditions, etc. by use of a separate form. The staff feedback form will be sent to all employees by the HR office during the annual evaluation period. It is the employee's option to complete and return the form to the HR office.

A FHSU system would not include the following features of our existing process: State mandated form and rating system, with associated regulations.

VIII. Staff Development

A. Tuition Assistance

Fort Hays State University provides tuition assistance for employees, their spouses and dependents. The Tuition Assistance Program is available to full-time (at least .9 FTE), benefits eligible employees. Qualifying employees may receive assistance year round for both on-campus and on-line courses, where qualifying dependents and spouses are limited to fall and spring semester on-campus courses. Additional information and application to participate is located on the HR web site at: http://www.fhsu.edu/personnel/tuition-assistance/.

Application Deadlines

Fall Semester	1st Thursday in August by 4:30 PM
Spring Semester	1st Friday in December by 4:30 PM
Summer Semester	1st Friday in May by 4:30 PM

Any employee who feels that he/she has been unreasonably denied permission to attend a course or program may have the decision reviewed by the unit director. If the unit director denies the initial request, the next-level supervisor may review that decision. In either case, the employee may elect to have the decision reviewed instead by the Department of Human Resources.

IX. Hours, Schedules, Leaves

A. FLSA

Fair Labor Standards Act (FLSA) for Time/Leave Reporting—The FLSA status for positions is determined by FHSU's Department of Human Resources. This status designates whether an employee is "Non-Exempt," is paid on an hourly basis, and is eligible for overtime compensation, or whether an employee is "Exempt," is paid on a salaried basis, and is not eligible for overtime compensation. Hours reported and leave taken for "Non-Exempt" employees are converted into quarter hour increments for reporting. "Exempt" employees generally report leave taken in ½ or full days.

Minutes are rounded to represent the begin/end times for each portion of the work day, e.g. 8:00 a.m.-12:00 p.m. and 1:00 p.m.- 4:30 p.m.

B. Pay Period Definition

Pay Period—The pay period for the University is biweekly with a work week that begins from 12:01 a.m. Sunday through 11:59 p.m. Saturday. A paycheck is issued two weeks after the end of the pay period on every other Friday (or the first working day before a holiday). Paychecks are electronically transferred to your financial institution.

Work schedules are an employee's assigned hours of the day, days of the week, and shift rotations—normally 40 hours a week. Department heads establish appropriate work schedules to maintain University services. From time to time such schedules may include required overtime.

It is a basic work rule that, except in emergencies, employees may not leave their department or assigned job during working hours without the permission of their immediate supervisor.

C. Changes in Work Schedule

Except in the case of emergency situations or the mutual agreement of the department and the University Support Staff, the department will provide advance notice of at least 10 working days to the affected employee prior to a change in work schedule which is permanent or which shall apply for an extended period (normally more than two months). Whenever possible, the University will provide advance notice of five (5) working days prior to temporary adjustments (normally one or two months or less) in working schedules.

D. Flex Schedule

Department administrators may authorize flex-time, the use of staggered starting or ending times for an eight-hour work day. A 40-hour work week consisting of four 10 hour days can also be authorized by FHSU's Department of Human Resources. Flex-time may be approved due to early morning and/or late evening transportation schedules, child care, class, or other compelling reasons. Flex-time is generally long term in nature and will not hinder the maintenance of departmental services.

E. Meal Break

All full-time work schedules must include a minimum of a 30 minute unpaid meal schedule. This period generally occurs in the middle of the work schedule.

F. Break Periods

Two "break" periods are normally allowed during the regular eight-hour workday. The break period should not exceed 15 minutes for each four-hour period worked. Timing of the break is at the discretion of the supervisor. Breaks cannot be accumulated and used as compensatory time, nor may they be used at the beginning or end of a shift or workday or added to the meal break.

G. Release for Interviews

The University strongly encourages employees to improve their skills and seek enriching and fulfilling employment. It is our belief that it is in the best interest of the University and its employees to support employees in search efforts. When a University Support Staff member is offered an on-campus interview, the staff member may be granted release time if the employee and supervisor can agree on a time which will not be a problem for the work unit.

H. Attendance Guidelines

An employee's work attendance has a direct effect on a unit's ability to provide services in support of the mission of the University. A supervisor may consider an employee's attendance when selecting staff for initial hire, or when granting permanent status, transfer, or promotion. Misuse of leave privileges, excessive leave use, unexcused absences, or a pattern of failure to report for or remain at work may be grounds for

corrective disciplinary action. University policies acknowledge that circumstances may necessitate recommendations for varying levels of corrective action. University units may also develop specific procedures to implement these guidelines within the framework of their unit mission. Departments should communicate any such procedures to employees.

1. **Work Practices**

   As a condition of employment, employees are expected to report for duty at the assigned time and place and to remain on duty during scheduled work hours. Employees are also expected to accurately report hours worked and leave taken.

   In any situation where an employee is unable to report or may be delayed in arriving for work at the assigned time and place, the employee must contact the immediate supervisor or other designated person prior to the start of the scheduled work shift. Except in the most unusual situations, the employee is expected to make the call personally, provide a projected length of absence, and explain reasons for the absence or lateness. It is the employee's responsibility to continue to call his/her supervisor until contact is made. When absence is necessary, the employee must contact the supervisor in advance of every scheduled shift unless the supervisor approves the absence in advance. The employee must also obtain supervisory authorization to leave the work site during a scheduled shift.

   Responsibility for excusing an absence or lateness rests with the immediate supervisor. In most situations, the supervisor will be expected to make the decision whether an absence or lateness is excused when the employee calls in. The supervisor should visit with the employee and personally investigate the employee's request and reasons to determine whether an absence or lateness is appropriately excused. The supervisor should take any mitigating circumstances and the employee's attendance record into account when making the decision. Unexcused absence or lateness should be recorded and the employee should be notified that the absence is unexcused. In cases of absence or lateness for medical reasons when circumstances warrant, the supervisor may request medical certification to justify excusing the absence or lateness, particularly if the employee has been absent three or more consecutive days. Some University departments establish their own systems of recording and authorizing absences or lateness that should be communicated to employees.

2. **Attendance Violations**

   There are several categories of attendance problems that represent misconduct. Appropriate responses to such problems may be determined based on the employee's record in all categories of attendance violations. Mitigating circumstances should be taken into account in determining appropriate responses.

3. **Tardiness**

   Tardiness occurs when an employee fails to report to work at the specified starting time. Corrective action may be taken if an employee develops a pattern of reporting after the start of a scheduled work shift. Repeated tardiness after verbal counseling is a pattern of tardiness. If a pattern of reporting to work late is established, corrective action may also be taken. In this latter case, the employee must be notified that a

pattern of tardiness has been established before such incidents can be counted toward corrective action.

4. **No-Call, No-Show**
   An incident of no-call, no-show occurs when an employee both fails to report for work at the start of a scheduled work shift and fails to notify the supervisor or designated person within 30 minutes of the start of the work shift of an intention to be absent or late.

5. **Unjustified Absence**
   An unjustified absence occurs when a supervisor does not accept as reasonable an employee's explanation for an absence or lateness. Such absences should be discussed with the employee. If a pattern of unjustified absences occur, progressive disciplinary processes may begin. An employee must be notified that absences are unjustified before such incidents can be counted toward corrective action.

6. **Excessive Absence**
   Excessive absence from work occurs when an employee is away from work to the extent that completion of normal work requirements is adversely affected. These absences may have been excused or unexcused and caused by medical or other reasons. An employee must be notified that absences are excessive before such incidents can be counted toward corrective action.

7. **Failure to Remain on Duty**
   An incident of failure to remain on duty occurs when an employee does not obtain permission to leave the work site during scheduled work time or takes or exceeds a break period without authorization.

8. **Attendance During Probationary Period**
   During the initial probationary period, employees are expected to meet University attendance requirements. Any pattern of absence, lateness, failure to report (excused or unexcused), or other work rule violations which might develop during the initial probationary period may result in a departmental recommendation for termination of the probationary appointment.

I. Leave

1. **Inclement Weather Policy**
   During severe weather, the University's primary concern is the safety of students, faculty, staff, and visitors. Severe weather may delay or prevent employees' travel or necessitate their leaving work early. In such a case, the University President may make an inclement weather declaration.

   When severe weather threatens to disrupt classes or office schedules, the President will choose from three options:
   a. The University is closed. With this declaration, all operations will be curtailed except the Power Plant, University Police, University Farm, Grounds

Department and Residence Halls. All other employees will be dismissed and granted time off with pay.

b. The University is open, but on-campus classes are canceled. Students and teaching faculty are dismissed from on-campus classes. Employees who are unable to be at work will be charged leave time for working hours missed. Making up missed time is not an option.
c. The University is open, and classes will meet as scheduled. Employees who are unable to be at work will be charged leave time for working hours missed. Making up missed time is not an option.

Notification of Inclement Weather—Should a declaration of inclement weather be implemented, the Director of University Relations will be contacted to make public announcements. Announcements related to the University conditions will be made by 6:30 am of the affected morning.

Employees who will be late or unable to get to work are expected to give their departments timely notice.

Essential Staff Function—Essential employees are defined as those necessary to maintain emergency or vital services. The units identified as essential include employees in the Power Plant, University Police, University Farm, Grounds Department, Campus Switchboard, and Residence Halls. Non-Exempt and exempt (hourly and salaried) essential employees who work during a declared period of inclement weather will receive compensation on an hour-for-hour basis for the time covered by the inclement weather declaration as well as compensation for any hours worked.

Non-Essential Staff Function—Employees who are not designated as essential staff are granted Inclement Weather Non-Essential leave up to the hour(s) authorized during their regular work schedule. Non-essential staff not scheduled to work on the inclement weather day due to vacation, sick, discretionary or any other planned leave are not eligible for inclement weather time. Non-essential staff do not receive any extra compensation for any hours worked during the inclement weather period.

Temporary Employees are not covered by the inclement weather provisions. If they come to work they receive their regular pay for hours worked; if they don't come to work, they won't receive pay for the hours missed.

2. Vacation

Vacations are granted for dates and duration requested by employees provided that the department is not adversely affected. Supervisors have the authority to determine if the timing or the length of a vacation has such an adverse effect on departmental operations. Staff (excluding those who are on temporary appointments) are eligible for the vacation accrual noted below:

Vacation Leave Accumulation Schedule
(Non-Exempt Staff)

Hours Earned Per Pay Period Based on Length of Service			
Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Over
0-7	0.0	0.0	0.0
8-15	0.4	0.6	0.7
16-23	0.8	1.2	1.4
24-31	1.2	1.8	2.2
32-39	1.6	2.3	2.9
40-47	2.0	2.9	3.6
48-55	2.4	3.5	4.3
56-63	2.8	4.1	5.0
64-71	3.2	4.7	5.7
72-79	3.6	5.3	6.5
80+	3.7	5.5	6.7
Maximum Accumulation of Hours	304	304	304

Vacation Leave Accumulation Schedule
(Exempt Staff)

Hours Earned Per Pay Period Based on Length of Service			
Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Over
0	0.0	0.0	0.0
> 0	3.7	5.5	6.7

Vacation leave is a benefit for employees and is intended for taking time away from work in an effort to maintain a healthy workforce. Employees are encouraged to take leave throughout the year instead of waiting until the maximum accumulation of 304 hours is reached when it may create a hardship for the department. Employees and supervisors need to work together throughout the year to ensure that earned vacation

can be used prior to reaching the 304 hour maximum. Excess vacation leave may not be converted to sick leave.

A new employee appointed to a "regular" position is eligible to earn vacation at the end of his/her first pay period of employment. Vacation leave cannot be granted until after it has been accrued. The accrual rate for non-exempt staff is also determined on the basis of hours in pay status in each pay period. Exempt employees will accrue the specified amounts if they are in pay status for any portion of the pay period.

Persons who leave University service with a vacation leave balance, subject to policy limits, will be paid for these hours in addition to regular pay. A USS employee may receive, upon termination of employment, payment of no more than 176 hours of vacation leave. At retirement or at termination of employment when retirement eligible, an employee may receive payment for up to 240 hours of annual leave. This will be paid in a lump sum on the final check.

3. **Holidays, Discretionary Day**

Paid Holidays—The current listing of holidays is located on the FHSU's Department of Human Resources web site at http://www.fhsu.edu/personnel/holidays/ .

Discretionary Holiday—The Governor may designate other days, like the discretionary holiday, as official State holidays. Employees are eligible for a discretionary holiday after six (6) months of service in a "regular" position of 50% or greater. Part-time employees will receive a proportional number of hours for the discretionary holiday. The discretionary holiday may be scheduled like vacation but must be taken on a single workday. It cannot be carried from one calendar year to the next.

4. **Period of Reduced Activity**

For several years, in an effort to conserve energy, the University has declared a period of reduced activity between the Christmas and New Year's holiday periods. University staff in those departments that reduce activities during this period may use available compensatory time, vacation leave (vacation leave may be advanced for this purpose), their discretionary day, or, if necessary, a non-exempt employee may use leave without pay to cover the days included in the period of reduced activity. If an employee is on leave without pay for the entire day preceding or following an official holiday, no holiday pay will be granted.

5. **Sick**

Paid sick leave is granted to an employee only for the necessary absence from duty because of personal or family illness, injury, or other medical related situations. Employees requesting sick leave must notify their supervisor as soon as possible. Sick leave, like vacation leave, cannot be granted until after it has been accrued. Excessive use of sick leave that seriously affects productivity may result in disciplinary action.

University Support Staff Non-Exempt Sick Leave Accruals

Hours Paid per Pay Period	Sick Leave
0 - 7	0.0
8 - 15	0.4
16 - 23	0.8
24 - 31	1.2
32 – 39	1.6
40 - 47	2.0
48 - 55	2.4
56 - 63	2.8
64 - 71	3.2
72 - 79	3.6
80	3.7

University Support Staff Exempt Sick Leave Accruals

Hours Paid per Pay Period	Sick Leave
0	0.0
>0	3.7

Sick leave is accumulated on an unlimited basis. Unused sick leave is forfeited when employment is terminated, but will be reinstated for persons reinstated to University or State of Kansas service or reemployed within one year who left with permanent status. If an employee or family member becomes ill while on vacation such that they are deprived of a significant portion of their vacation, sick leave may be substituted for vacation leave during the period of illness.

A department head may require that an employee requesting paid sick leave submit a medical certificate from a health care provider (particularly when there is reason to believe that the use of sick leave has been abused). Employees who have been sick three or more consecutive work days may be required to produce a medical certificate before being authorized to return to work per Family Medical Leave Act (FMLA). The employee shall pay the costs of such a certificate. FHSU's Department of Human Resources may designate a leave of three days or more as FMLA qualifying if appropriate.

An employee who is retiring may be paid for a portion of unused accumulated sick leave. (See Section V.6. Retirement.)

6. Donor Leave

Donor Leave for Blood, Organ, Tissue, and Bone Marrow—Donor leave is available to faculty, unclassified administrative staff, and University Support Staff with active appointments of 50% or more to a "regular" position. It may not be used to care for family members who are donors. The donor leave program provides

approved recovery time away from work for faculty, unclassified administrative staff, and University Support Staff who choose to donate organs, tissue, bone marrow, blood or blood products. Eligible faculty, unclassified administrative staff, and University Support Staff may receive paid leave in accordance with the criteria noted below:

- Up to 30 working days of paid leave for recovery from an organ or tissue donation procedure;
- Up to seven (7) working days of paid leave following the donation of bone marrow;
- 1 ½ hours of paid leave every four (4) months for the donation of blood;
- three hours of paid leave every four (4) months for the donation of blood platelets or other approved blood products.

A faculty, unclassified administrative staff, and University Support Staff member must request donor leave in advance from a supervisor or manager, using normal leave request procedures. A faculty, unclassified administrative staff, and University Support Staff member does not have to exhaust any accrued leave for which they are eligible before being eligible to receive donor leave. Donor leave will not be counted against a faculty, unclassified administrative staff, and University Support Staff members' FMLA entitlement, nor does it count as time worked for Fair Labor Standards Act (FLSA) purposes for non-exempt staff. Donation of blood to a FHSU sponsored blood drive will be considered work time as approved by a supervisor and does not necessitate a request for donor leave.

7. **Maternity/Paternity**

Maternity Leave—There is no stipulated length of leave requirement either before or after birth. Pre-partum leave that may not qualify under FMLA varies significantly depending on the employee's health. A health care provider's advice is the most common determining factor in the length of pre-partum leave.

Paternity or Parental Leave—Occasionally employees seek additional time for non-medical reasons following childbirth. Those employees who wish to take leave upon birth of a child or parental leave in the case of adoption may do so in two ways.

If the health of the spouse or child requires the employee's presence, family sick leave (from the employee's accrued sick leave) may be taken. The duration of such leave is again based on medical need. Please consult FHSU's Department of Human Resources if the leave exceeds three working days to determine if the leave is FMLA qualifying. If the leave is desired for other than health reasons, vacation or leave of absence with or without pay may be requested, but such requests are subject to departmental and FHSU's Department of Human Resources approval.

8. **Shared Leave**

Shared Leave Program—The Shared Leave Program allows eligible University Support Staff members to donate sick and/or vacation leave and eligible faculty, unclassified administrative staff, and University Support Staff members to donate

sick leave to another qualified staff member who is experiencing a serious, extreme or life threatening illness or injury either personally or of a family member. Such shared leave would apply to faculty, unclassified administrative staff, and University Support Staff with six months of continuous, regular University service who cannot perform regular work duties due to a medical condition and who have exhausted all forms of paid leave. Faculty, unclassified administrative staff, and University Support Staff members who are appointed to regular positions are eligible to participate in the shared leave program as leave recipients or as donors.

The definition of "family member" includes persons related by blood, marriage, adoption or court placement of minors.

A faculty, unclassified administrative staff, and University Support Staff member may request shared leave only for serious, extreme, or life-threatening illness or injury that may require leave without pay from work or termination of employment, for inpatient or hospice care or extensive outpatient treatment or care at home. All paid leave must have been or will be exhausted before being eligible to receive shared leave. The requesting employee must have satisfactory attendance and performance records. An employee receiving Workers' Compensation is not eligible for shared leave.

Application and Approval Procedures for Shared Leave—A faculty, unclassified administrative staff, and University Support Staff member may request shared leave by submitting a Shared Leave Request form and FMLA Certification for Health Care Provider form to FHSU's Department of Human Resources. The forms are available from the HR Office. The health care provider must complete the Certification for Health Care Provider form since it establishes the nature of the illness or injury. The Shared Leave Committee will determine eligibility for shared leave.

If a medical condition is deemed not qualifying, the employee is considered ineligible. The determination about the nature of the medical condition and the decision to approve or deny the application for shared leave is final and not subject to appeal.

Shared Leave Donor Information—A University Support Staff member who wishes to donate vacation leave must have a vacation leave balance of at least 80 hours after the donation is made. A faculty, unclassified administrative staff, and University Support Staff member who wishes to donate sick leave must have a sick leave balance of at least 480 hours after the donation is made. The leave balance requirements are not applicable if the employee is separating from employment with the University. Donations may be made to an employee in another state agency.

Other Shared Leave Provisions—Once the recipient has been approved for shared leave, it will be necessary for FHSU's Department of Human Resources to identify donors who will provide the leave to be shared.

Shared leave is designed to cover the duration of the illness or injury for which it was initially granted, up to a maximum of six months from the date the employee began using the shared leave. The shared leave cannot be transferred to any employee other than the employee for whom it was donated.

Shared leave may, with the approval of FHSU's Department of Human Resources, be applied retroactively at any time after the shared leave has been approved.
Donations can be made only in full-hour increments. Any unused leave donations will be returned to the donors on a prorated basis.

Shared leave will be designated by the University as qualifying leave under the provisions of the FMLA if appropriate.
While using shared leave, an employee will continue to accrue leave at the regular rate that must be deducted each pay period before shared leave is used.

9. FMLA

Family and Medical Leave Act (FMLA) Eligibility

Please refer to the FHSU's Department of Human Resources website at: www.fhsu.edu/personnel/fmla

10. Funeral Leave

A University Support Staff member (unless on a temporary appointment) may be granted funeral leave with pay upon the death of a close relative. Factors of relationships and necessary travel time will be considered in determining the proper amount of time that will be granted, not to exceed six working days per occurrence. Funeral leave may be granted in cases where a death affects other relatives residing in the employee's household. Funeral leave must be requested and approved by FHSU's Department of Human Resources Director in consultation with the supervisor.

11. Jury Duty/Witness Service

Permanent and probationary employees shall be granted leave with pay for required jury duty or for a required appearance before, and at the direction of the Kansas Commission on Civil Rights, the United States Equal Employment Opportunity Commission, or a court.

Leave with pay may be granted if FHSU's Department of Human Resources Director considers the granting of leave with pay to be in the best interest of the University. Such leave will not normally be granted for court cases in which the employee is the plaintiff or the respondent.

When any employee travels for a required appearance in a State vehicle, the employee shall turn over to the State any mileage expense payments received.
Each employee granted paid leave who receives pay or fees for required jury duty will retain all fees received. Employees called for witness duty may retain a maximum of $50.00 and shall turn over to the University any fees received in excess of $50.00.

If summoned or subpoenaed, an employee should notify the immediate supervisor as far in advance of the date of required appearance as possible but in no event later than the next working day after the subpoena is received.

12. Voting

During a National or State primary, general election or local election, time off with pay, not to exceed two hours, to vote may be allowed in situations where travel time to the polls may affect a staff member's ability to cast his or her ballot. The employee should advise his or her supervisor well in advance to arrange for such absence.

13. Military Service

Annual Training—If a permanent or probationary employee is a member of a reserve component of the military service of the United States or with the State or National Guard, he or she will, upon presentation of appropriate orders in advance, be granted leave with pay to attend annual active duty for training for a period not to exceed 15 working days in any one calendar year (calendar year starts in October). Such leave will not be counted as part of an employee's annual vacation.

Active Duty—If such an employee is called to active duty, the employee shall be granted leave without pay for the duration of active service. The employee will be restored to his/her former position or a similar position with like status and pay if application for rehire is made within 90 days after being discharged from military service under honorable conditions or from hospitalization if qualified to perform those duties.

If the employee is not qualified to perform the duties of the former position by reason of disability sustained while on active duty, the employee shall be offered a position comparable in status and pay with duties he/she is qualified to perform.
If there is not a position available, an employee may appeal to FHSU's Department of Human Resources for appropriate placement.

14. Leave of Absence

Leave of Absence Without Pay

Eligibility—Any USS employee with permanent status or any USS employee in a regular position but without permanent status may be considered for leave without pay (LWOP). All accrued leave must be exhausted before LWOP can be approved. This leave may be for any of these purposes:

- Illness, disability, pregnancy, childbearing and recovery;
- Adoption of a child by the employee;
- Initial placement of a foster child in the employee's home;
- Care for a family member with a serious health condition;
- Other good and sufficient reason deemed by the appointing authority to be in the best interest of the University.

Family members are persons related to the employee by blood, marriage, or adoption, and minors residing in the employee's home as a result of court proceedings pursuant to the Kansas Code for Care of Children or the Kansas Juvenile Offenders Code.
The appointing authority of the University or designee may require a physician's statement to document illness or disability cited as the reason for leave without pay.
Any employee with permanent status may be granted leave of absence without pay from the employee's USS position to enable the employee to take a position in the unclassified service if the granting of this leave is considered to be in the best interest of the University.

Length—A USS employee with permanent status may be granted leave without pay for a period not to exceed one year.
The appointing authority may grant leave without pay to a USS employee in a regular position but without permanent status for no more than 60 days.

USS employees taking an interim position in the unclassified service are limited to one year, however, the appointing authority may grant one or more extensions of up to one year.

Procedure—A leave without pay request must be made in writing through their supervisor to the Director of Human Resources if the request is for more than 30 days. The appointing authority or designee shall determine whether approval of the request is for the good of the University. The appointing authority or designee may, for good cause, terminate a leave of absence without pay by giving a notice of at least two (2) weeks in writing to the employee.

If the request is due to a medical condition, the employee should also inquire with the Human Resources office regarding FMLA entitlements

Paid Leave Before Leave Without Pay (LWOP)—In cases of LWOP, in excess of 30 days because of personal or family illness, the University will require the use of all paid leave before granting leave without pay. University staff normally will be required to use paid vacation leave before granting leave without pay.

Administrative Leave with Pay—There may be rare occasions when a non-exempt University Support Staff member is unable to work because of emergency conditions or conditions imposed by the University, e.g. power outages, temperature extremes, office remodeling. On such occasions the Director of FHSU's Department of Human Resources must approve administrative leave with pay.

Disaster Service—Leave without pay may be granted by the Director of FHSU's Department of Human Resources to staff who are certified disaster service volunteers for the American Red Cross. Such leave must meet specified criteria related to disaster designation and cannot exceed 20 working days in a 12 month period beginning with the first day of leave.

X. Discipline

Guidelines for Counseling and Disciplinary Actions

A. Purpose of Guidelines for Counseling and Disciplinary Actions—The following guidelines have been established to assure that:

- There is consistent counseling and corrective action on a campus-wide basis for incidents of inadequate performance or misconduct.
- There is appropriate corrective action at the level sufficient to address the problem while minimizing the impact on departmental operations.
- There are clear steps to follow in progressive discipline so supervisors and employees have the opportunity to discuss work performance or employee behaviors that are counterproductive to getting the job done and have adequate time for employees to correct deficiencies.

Supervisors are required to keep adequate documentation and counsel employees at each step for conduct and performance problems.

Disciplinary steps may be bypassed based on the seriousness of the incident and/or the employee's past record.

Definitions for Counseling and Disciplinary Actions

- Inadequate performance is performance of job duties below expectations.
- Misconduct is personal conduct or behavior that is detrimental to University service.

B. Progressive Discipline Guidelines

1. Introduction

Discipline is a process through which supervisors discuss, identify, correct, teach and reinforce appropriate workplace behaviors. Fort Hays State University supports a healthy organizational climate that focuses the responsibility for correcting unacceptable behavior/performance on employees and supervisors through which behavioral and/or performance issues can be discussed and corrected. The end goal is to help each employee be successful.

The progressive discipline approach is designed to help staff identify and learn new behaviors when existing job behaviors interfere with job success. The process promotes job success, minimizes dissension, encourages team work, builds trust, promotes supervisory self-confidence, and helps to retain valued staff. All matters discussed in this handbook are instructional in nature and serve as examples. They are not intended to be all-inclusive or to provide an absolute rule.

2. Expectations

Employee Responsibility: All employees of FHSU have a responsibility to meet the needs of the University by being at work as scheduled, promote a healthy work environment, provide quality services, and perform job duties in a satisfactory manner. In addition, employees are expected to treat others with respect and dignity.

Supervisor Responsibility: In addition to the expectations listed above, supervisors also have a responsibility to set standards for work performance; inform staff of policies, rules and regulations; and see that they are enforced without bias.

Supervisors have the responsibility to use or propose disciplinary action consistently and reasonably when problems exist. Failure to do so may result in disciplinary measures being implemented against the supervisor. If the supervisor fails to act consistently or with firmness, his/her own position is weakened. Although a supervisor may feel that the disciplinary process is distasteful, it may be a necessary part of the job. A positive, corrective attitude should be taken toward discipline. Appropriate progressive disciplinary action can help the process proceed more smoothly and aid in the resolution of the problem. Knowledge of policies and procedures and supervisory rights and responsibilities will also make the supervisor more confident in taking or recommending disciplinary action.

Discussion of Problem: Prior to the implementation of any type of disciplinary action, it is essential that supervisors first identify and discuss their expectations with staff. Reviewing the position description and appropriate policies and procedures with staff, negotiating priority outcomes (when appropriate), and discussing performance standards, can potentially eliminate the need for disciplinary action.

Corrective Action Plan: A corrective action plan documents a supervisor's efforts to discuss the unacceptable behavior/performance with the employee and to set goals for correcting the behavior/performance. Depending on the nature of the problem, the supervisor may need to provide written counseling to the employee describing the circumstances of the problem, previous attempts to correct the same or similar problems, goals/timetables for correcting the problem and information as to what will occur if the problem is not resolved.

3. **Reasons Disciplinary Action is Taken:** Below are the general categories of performance and conduct issues for which disciplinary action may be taken. However, these lists are not exhaustive.

   A. Unsatisfactory Job Performance: The University generally requires the following work performance deficiencies be addressed through the performance evaluation system:
   - Inefficiency or incompetency in the performance of duties, or inability to perform the duties;
   - Negligence in the performance of duties;
   - Failure to maintain satisfactory or harmonious relationships with public and fellow employees;
   - Habitual or flagrant improper use of leave privileges;
   - Habitual pattern or failure to report for duty at the assigned time and place or to remain on duty.

   These deficiencies in work performance may result in formal disciplinary action when an employee has received two unsatisfactory evaluations within 180 days.

The appointing authority may propose formal disciplinary action without the benefit of two unsatisfactory evaluations provided that the appointing authority can demonstrate that the employee was adequately counseled regarding the specific deficiencies and what was expected of them and given the opportunity to improve.

Other disciplinary action outside of the evaluation process is possible. For example, if an employee fails to obtain and maintain a current license or other authorization to practice a trade, business or profession that is required, they may be disciplined.

B. Personal Conduct Detrimental to State Service (K.S.A. 75-2949f):
The following types of personal conduct serve as the basis for immediate disciplinary action:

- Gross misconduct or conduct unbecoming a state officer or employee;
- Conviction of a criminal act;
- Immoral conduct;
- Willful abuse or misappropriation of state funds, materials, property or equipment;
- Making a false statement of material fact in the employee's application for employment or in a position description;
- Participation in any action that would in any way seriously disrupt or disturb the normal operation of the agency, institution, department, or any other segment of state government;
- Trespassing on the property of any state official or employee for the purpose of harassing or forcing dialogue or discussion from the occupants or owners of such property;
- Willful damage to or destruction of state property;
- Willful endangerment of the lives or property of others or both;
- Unauthorized possession of firearms or other lethal weapons while on the job;
- Performing duties in a brutal manner, or mistreating, neglecting or abusing a patient or resident or other person in the employee's care;
- Refusal to accept a reasonable and proper assignment from an authorized supervisor (insubordination);
- Being under the influence of alcohol or drugs while on the job;
- Knowingly releasing confidential information from official records;
- Use of the employee's state position, use of the employee's time on the state job, or use of state property or facilities by the employee in connection with a political campaign;
- Exhibiting other personal conduct detrimental to state service which could cause undue disruption of work or endanger the safety of persons or property of others, as may be determined by the appointing authority;
- Gross carelessness or gross negligence;
- Grossly improper use of state property; and
- Sexual harassment arising out of or in connection with employment.

4. **Procedures for Disciplinary Actions:** Generally, the process begins as soon as the supervisor becomes aware of behavior or performance that is less than satisfactory. The problem may be with attendance, areas covered in performance feedback, categories or indicators, priority outcomes, infractions of University policy or procedures, or violations of state rules and regulations. Supervisors will generally follow a progressive discipline process, except in situations where it is determined to be in the best interest of the University to take stronger action.

   A. **Informal Disciplinary Actions**

      Oral Warning: The supervisor should discuss the unacceptable behavior or performance with the employee and set goals for correcting the behavior/performance (see Supervisory Counseling Checklist below). Depending on the nature of the problem, the supervisor may want to document the discussion and use a counseling memo if deemed necessary.

      Before any written counseling at any step is given to an employee, the problem should be discussed with the employee. A supervisor may consider reviewing proposed recommendations and/or proposed counseling memorandums with his/her supervisor(s) prior to issuing to the employee.

      In the event that an infraction does occur, the supervisor will need to assess the severity of the behavior and review the employee's previous work history. When appropriate, the supervisor should consult with his/her supervisor and/or Human Resources to decide the best course of action. Any action taken should meet the criteria of being reasonable, timely and related to the seriousness of the offense.

      Written Warning (Including the Memo of Counseling): If the employee's behavior/performance does not change, the supervisor should discuss the problem with the employee. Based upon the discussion, and if warranted, the supervisor should provide a written counseling memo to the employee describing the circumstances of the problem, previous attempts to correct the same or similar problems, goals/timetables for correcting the problem and consequences if the problem is not resolved.

      Written Reprimand: Following the written counseling memo, If the employee does not correct the problem as stated in the memo, or slips back to unacceptable behavior or performance, a written reprimand is normally issued.

      Appeals and Grieving Informal Disciplinary Actions: Informal disciplinary actions or the placement of memos of counseling in an employee's official personnel file issued by someone other than the appointing authority may be appealed to the appointing authority, whose decision is final and cannot be the basis for a grievance.

B. Formal Disciplinary Action

Generally, when the issue is unsatisfactory performance of the employee's job duties, the appropriate action would be a formal performance review using the special performance review procedures.

However, permanent employees may be suspended, demoted or dismissed on grounds of deficiencies in work performance or on the grounds of personal conduct. The supervisor should present requests for formal disciplinary actions to the Human Resources Director. All such requests must be reviewed and coordinated by the appointing authority and Legal Counsel prior to taking action. This will help ensure consistency in actions.

5. Permanent, Probationary and Temporary Employees

Permanent Employees: Permanent employees have specific rights. Prior to suspension, demotion or dismissal, the employee has the right to meet about, or respond in writing, to the proposed action with the appointing authority or his/her designee and provide reasons why the University should not carry forward with the proposed action. Following a decision by the University, the employee has the right to appeal suspensions, demotions, and dismissals to the USS Hearing Board (see Disciplinary Appeals Policy). Employees with permanent status are generally afforded the benefits of the progressive discipline process, including verbal counseling, written counseling, written reprimand and suspension prior to a proposed dismissal. There may be instances, however, where an employee would be dismissed without going through this process. In some instances, steps of the process may be repeated depending on the length of time between actions and could be skipped because of the severity of the behavior.

Probationary Employees: Probationary employees do not have the right to appeal disciplinary action to the USS Hearing Board unless the employee has had previous permanent status and is on probation due to a promotion, reinstatement or reemployment. Probationary employees may receive verbal counseling, written counseling and a written reprimand prior to dismissal. An appointing authority may allow probationary employees the opportunity to meet with or respond to them or their designee if dismissed from employment. Neither this opportunity nor progressive steps of discipline are rights of probationary employees, and are not required. Suspension is a University option if the circumstances warrant.

Temporary Employees: Temporary employees may be separated at any time. These employees may receive verbal counseling, written counseling and a written reprimand prior to dismissal but these progressive steps are not required.

SUPERVISORY COUNSELING CHECKLIST Whether the counseling is verbal or in writing, the supervisor should:	
1.	State specifically the nature of the problem citing the specific examples where the behavior/performance was less than satisfactory.
2.	Set out previous instances where this behavior/performance or the expectations for behavior/performance were discussed and/or action taken (if applicable).
3.	Clearly state and explain to the employee what is expected, referring to established priority outcomes or performance standards, policies or procedures. Include specific timetables as to when expectations are to be met.
4.	Provide information as to what is being recommended as a result of this incident of substandard behavior/performance. Also provide information as to what will occur if the behavior/performance is not resolved at this step.
5.	Reinforce improvements made by the employee either verbally or in writing. Establish follow-up communications with the employee on progress toward meeting the expectations.

C. Appeal of Disciplinary Actions

See the Disciplinary Action Appeals Policy located at:
http://www.fhsu.edu/personnel/uss/

XI. Employee Relations

The Office of Employee Relations within Fort Hays State University is committed to creating a healthy organizational climate. This is a climate which encourages mutual responsibility for constructive work relationships and communication, information sharing, problem solving and a safe, neutral process through which differences can be managed.

FHSU is committed to core beliefs and accompanying behaviors based on integrity and honesty. It endorses teamwork and cooperation among organizational units, and encourages staff at all levels to develop processes which enable one another to experience trust while working toward common goals.

An employee's success in this environment is largely dependent on support systems which foster strong and trusting work relationships. These essential supports are found within employee/ supervisor relationships, employee/peer (or team) relationships and employee/university relationships. In each of these relationships, support is taking time and being responsive; it is listening, seeking clarity and problem solving; and it is assuming responsibility. It is valuing one another. It is assuring our mutual success.

Resources to promote this support are available to all staff and include educational and instructional materials, consultation and group facilitation services, dispute resolution and grievance procedure.

Members of the University community are sometimes faced with a variety of personal problems involving alcohol, drugs, family, marriage, finances, emotions, or other conditions that may interfere with work attendance, productivity, and the ability to get along with co-workers.

The decision to seek counseling may be that of the employee, or there may be situations where, after consultation with the Director of Human Resources, referral is recommended by a supervisor when performance or behavior problems have been observed. A supervisor should not attempt to diagnose a problem when a problem affecting productivity has been observed. The supervisor should encourage the staff member to correct any performance deficiencies. The supervisor should also seek advice from the Human Resources Office to develop the appropriate approach for recommending professional assistance to employees.

Fort Hays State University has alcohol and drug counseling available to employees at the Kelly Center. Faculty, unclassified administrative staff, and University Support Staff members may also contact the State Employees Assistance Program (EAP), a 24-hour toll-free assistance line (1-888-275-1205 Option 7). The State EAP service provides a single source for confidential consultation on personal issues, legal information and resources, information for work-life needs, and financial resources and tools.

Additional information about this State of Kansas program can be found at:
http://www.kdheks.gov/hcf/healthquest/eap.html

XII. Grievances and Appeals

A. Grievance Procedure

University Support Staff Grievance Procedure

The University recognizes that problems involving employer-employee relations arise from time to time. It is in the best interest of both the University and the employee to resolve these matters as soon as possible at the lowest possible level. In order that employees may be assured fair consideration of their problem(s), a means of review and appeal, without prejudice, to higher levels of authority has been established. Fair and appropriate handling of a problem or complaint cannot be given without notification of its existence. This grievance procedure is not applicable to the following areas since other procedures exist: employee performance evaluation appeals, appeals of proposed disciplinary action, and complaints of discrimination or sexual harassment.

An aggrieved employee(s) may select another person to assist them at any step of the grievance procedure. Any cost resulting from such assistance shall be paid by the employee. Time off with pay will be allowed during working hours to attempt to resolve the grievance with a supervisor/department head/dean, as appropriate, or to contact the Director of HR or the Director of Employee Relations. However, any time spent in preparing for a grievance is not considered work time. Meetings held at each step of the Grievance Procedure shall, whenever possible, take place during regular working hours.

Informal Procedures

Employees should attempt to resolve job-related problems with their immediate supervisor. If the matter cannot be resolved with the supervisor, employees are encouraged to discuss their concerns with their department head/dean, as appropriate. Employees may consult with the Director of HR and the Director of Employee Relations at any time concerning procedures.

The Director of HR will provide assistance when an aggrieved employee and department head/dean jointly agree such assistance is desirable. The role of the Director of HR will be to help facilitate communications and, where appropriate, identify viable, mutually acceptable alternatives for both parties. If the informal process does not correct the situation, the employee may proceed to the formal grievance procedures.

Formal Procedures

A formal grievance is filed in writing within the department when an employee is dissatisfied with any condition of work which allegedly has an adverse effect on them and which has not been resolved through informal discussion.

At any step in the grievance procedure, if either party believes that an extension of the time limit for action is required, the party may request in advance from the Director of Employee Relations such an extension. If there is no reply to the employee's grievance within the specified time limits, the employee shall have the opportunity to take the grievance to the next step. If an employee fails to appeal from one step to the next within the time limits specified, or fails to obtain an extension, the grievance shall be considered settled and not subject to further appeal or consideration. In the event that either an immediate supervisor, or their supervisor, is not available to process a grievance, a designee may be appointed by the department head/dean to serve in their place.

The employee, in order to start the formal grievance procedure, shall:

- Step 1. Present the grievance in writing, on grievance forms supplied by the Office of Employee Relations, to the immediate supervisor within fifteen (15) working days of its occurrence, or the option to grieve it is waived. The supervisor shall attempt to adjust the matter and shall respond, in writing, to the employee within five (5) working days.
- Step 2. If the grievance is not settled in Step 1, the employee may appeal by submitting the grievance form to the department head/dean within five (5) working days of when the supervisor's answer in Step 1 is due. The department head/dean shall attempt to adjust the matter and respond in writing on the grievance form within five (5) working days to the employee.
- Step 3. If the grievance is not settled at Step 2, the employee may appeal the grievance to Step 3 by submitting the grievance form to the Director of Employee Relations. This appeal shall be made within five (5) working days after the response from the department head/dean (Step 2) is due.

The Director of Employee Relations will select three or more employees to hear the grievance. Members of the committee will be employees of Fort Hays State University. The aggrieved employee will be given the opportunity to request disqualification of a proposed committee member by showing cause for bias. Both parties will be notified of the names of the members of the committee.

The Director of Employee Relations will conduct a prehearing conference for the purpose of identification of issues to be considered by the grievance committee. Hearing

procedures will be discussed and the parties will exchange list of witnesses and documents concerning the grievance. The prehearing conference shall be scheduled within ten (10) working days of the receipt of appeal to Step 3. The date of the hearing will be scheduled with the parties at the hearing and shall be within ten (10) working days of the prehearing conference.

At the formal hearing, both parties may be assisted/ represented and may have witnesses appear on their behalf. All documentation will be shared between the parties. The grievance committee will consider any creditable evidence that may be offered by the parties to the issue being grieved, giving it the weight it deserves. The committee may limit the offering of evidence it deems to be repetitious or irrelevant. Each party will be given a full opportunity to present their position on the matter in dispute, although legal rules of evidence will not be utilized.

The committee will submit a recommendation to the Director of Employee Relations within five (5) working days after the completion of the hearing. Within ten (10) working days following receipt of the recommendation of the committee, the Director of Employee Relations will confer with the Appointing Authority. A final written decision resolving the grievance will be issued to the parties.

XIII. Employee Records

A. Personnel Records

Confidentiality and Access to Personnel Records—Personnel records are considered confidential; however, the employee and persons in administrative positions, with approval of the appointing authority or designee, do have access to the official personnel file maintained in HR and to an employee file maintained in a departmental office. Any correspondence or supervisory notes concerning an employee may be excluded from the department file before an employee reviews it. Should an employee wish to review information in his/her file or have a copy of a document in his/her personnel file, a member of the Human Resources staff or a departmental personnel-related staff member can assist the employee. Identification may be requested.

Information about an employee's title, department, pay, and length of service will be released. Other information will be released at the employee's request to non-University individuals only after an employee submits a signed release to Human Resources or appears in person to authorize release of information.

Updating Personnel Records—Employees should always notify a supervisor or the Human Resources office of changes in his/her personal situation (e.g., change of name, address, phone number, addition of family member, etc.) to insure that payroll and personnel records are always up-to-date.

B. Medical Records

Records containing medical information are maintained with strict confidentiality to assure that only those with legitimate personnel reason can access such documents. Such is the case even for non-medical forms on which medical information may be noted.

Medical records are maintained in the Human Resources office. No medical records should be maintained in departmental personnel or supervisory files.

XIV. Employee Recognition Programs

A. Employee Recognition Ceremony

An annual Employee Recognition Ceremony is held each winter to recognize both length and quality of service to the University. University service pins, Distinguished Service Award and Alumni Association Service Awards are recognized.

B. Employee Recognition Awards

Nominations for Distinguished Service Award are solicited annually from members of the University community.

C. FHSU Alumni Awards

All non-student employees with a 50% or greater appointment receive FHSU Alumni Awards in recognition of length of service, awarded for service of 25 years.

D. State Service Pins

State service pins for staff are awarded within departments to recognize service to the State of Kansas in 10 year increments from 10 to 50 years.