

XII.B.

RECOMMENDED ACTION - Approval of Amendments to *Employee Handbook for Administrative, Professional and Support Staff Employees* and related policies

The following resolution was moved by _____
and seconded by _____:

WHEREAS, the implementation of new Learning Management and Applicant Tracking Systems have necessitated changes in procedures that are reflected in the *Employee Handbook for Administrative, Professional and Support Staff Employees* ("Handbook"); and

WHEREAS, additional changes were made to conform to current University practices and avoid redundancy; and

WHEREAS, the Missouri General Assembly amended Section 571.030 RSMo, effective August 28, 2013, to allow State employees to possess firearms in their automobiles under certain circumstances, and the Handbook is in conflict with the statutory change and should be revised to conform to such statute; and

WHEREAS, the proposed Handbook language adds coverage for Sponsored Dependents; and

WHEREAS, in addition to providing benefits for Sponsored Dependents, modifications to other governmental and operational policies will be necessary to provide consistency.

NOW THEREFORE, BE IT RESOLVED by the Board of Governors for Missouri State University that the Employee Handbook be revised in accordance with Attachment 1 and that the Faculty Handbook Group, Medical Plan and Dental Plan, and other group insurance agreements, be revised consistent with the Handbook, and that the President and the Vice President for Administrative and Information Services be granted authority to revise other University Policies and plan documents to allow the application of the above policy changes and to ensure compliance with applicable law.

VOTE: **Aye** _____

Nay _____

Comments:

Changes to the Handbook include the following:

- A revision to "2.18 Possession of Firearms Policy" to add the following:
"Employees of the state are authorized, as per RSMo Section 571.030, paragraph 6, enacted August 28, 2013 to have a firearm in the employee's vehicle on property owned or leased by the state if the vehicle is locked and the firearm is not visible, for the duration of time that the employee is conducting activities within the scope of his or her employment."

- A revision to “9.4 Disciplinary Guidelines” to add the following (underlined) as certain actions that can cause employees to be disciplined:
 - Dishonesty or misrepresentation including falsifying employment application or work records . . .
 - Theft or not reporting one’s knowledge of theft of University property . . .
- Revisions throughout relevant sections of the Handbook to include the addition of sponsored dependents. “Sponsored dependent” is defined as a person who meets all of the following criteria: (1) be at least 18 years old and mentally competent to consent to contract; (2) have shared the same permanent residence and the common necessities of life with the employee for at least the previous 12 months; (3) not be legally married to anyone else in any state; (4) not be related by blood or a degree of closeness to the employee that would prohibit legal marriage in the State of Missouri; (5) have a single dedicated relationship with the employee of at least 12 months duration; (6) not be a renter, boarder or tenant of the employee.
- Other minor revisions have also been included to provide updates and clarification to existing policies and procedures, e.g., the use of associated technology and terminology such as My Learning Connection, “Section 6. Leave Benefits”, and “Section 7. Fringe Benefits” are reversed and are now Section 6. Fringe Benefits, and Section 7. Leave Benefits.
- The Faculty Handbook Committee supports changes to the Faculty Handbook consistent with University policy allowing Sponsored Dependent coverage.

Attachment 1

EMPLOYEE HANDBOOK FOR ADMINISTRATIVE, PROFESSIONAL AND SUPPORT STAFF EMPLOYEES

~~OCTOBER 2009~~ **OCTOBER 2013**



Missouri State
U N I V E R S I T Y

APPROVED BY BOARD OF GOVERNORS
~~October 30, 2009~~

**MISSOURI STATE UNIVERSITY
EMPLOYEE HANDBOOK
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PREFACE

This handbook has been prepared by the Office of Human Resources as a guide to inform Missouri State University employees of their responsibilities and benefits. This is the handbook of employment policies and procedures. Employees are strongly encouraged to read this handbook and keep it available for reference. Every attempt has been made to ensure that this handbook is complete and that the policies and procedures contained herein conform to local, state and federal requirements, as well as to recognized principles of employment practices and standards. Employees who have questions about employment policies or procedures that are not answered in this handbook should contact their supervisor, departmental administrator or the Office of Human Resources for assistance. This handbook also is available on the Human Resources web page at <http://www.missouristate.edu/human/5708.htm>.

It is our sincere hope that all Missouri State University employees find their employment to be both personally and professionally rewarding. To this end, our goal is to create a work environment which is fair to all employees and which is conducive to the attainment of excellence in supporting the University's vital mission. All Missouri State University employees should understand the University's mission and be dedicated to the ultimate goal of providing the very best educational experience possible for the men and women attending Missouri State University.

We sincerely hope employees find opportunity and satisfaction in their work and become valuable and loyal members of the Missouri State University campus community.

NOTICE

This handbook is not a contract of employment. Administrative, professional, and support staff employees are employed at the will of the Board of Governors. Employment may be terminated at any time, with or without cause, subject only to any rules or policies the Governors may have approved. The University retains the right to change, modify, suspend, interpret, or cancel in whole or in part any of its published or unpublished policies or practices without advance notice. If handbook statements are found to be in conflict with existing or future state or federal laws, regulations, policies or procedures, such rules shall supersede and prevail over the handbook statements. This edition of the *Employee Handbook* supersedes previous editions of the *Employee Handbook*.

Regulations and policies contained herein shall cover all administrative, professional, and support staff employed by Missouri State University. Policies pertaining to faculty members are in the *Faculty Handbook*.

1.1 HISTORY

Missouri State University was founded in Springfield in 1905 as the Fourth District Normal School. The institution's primary purpose during its early years was the preparation of teachers for the public school systems in the southwest region of Missouri. The first name change came in 1919 when the school became Southwest Missouri State Teachers College, reflecting its regional mission. By the mid-1940s, the University had expanded its instructional program beyond teacher education to include the liberal arts and sciences; and as a consequence in 1945, the Missouri legislature authorized an official change in the institution's name to Southwest Missouri State College. As additional programs were implemented at the undergraduate level and with the development of graduate education, the University became an educationally diverse institution by 1972. Recognition of this further growth and development again resulted in an official change in name to Southwest Missouri State University. In 1995, Senate Bill 340 was signed into law, giving Missouri State University a statewide mission in public affairs. On the 100th anniversary of the founding of the University, in 2005, the name changed to Missouri State University. This name change identified the institution as a multipurpose, metropolitan university providing diverse instructional, research, and service programs.

Missouri State University-West Plains was established in 1963 as the West Plains Residence Center and has been a semiautonomous, two-year campus within the Missouri State University system since 1971. Consistent with the Missouri State-West Plains is a teaching and learning institution of higher education offering two-year associate degrees, certificates and a variety of continuing education courses as needed by the employers and citizens of the area.

The Missouri State University Mountain Grove Research Campus, originally established as the Missouri State Fruit Experiment Station by a legislative act in 1899, is the oldest identifiable segment of Missouri State University. Until 1974, it operated as a state agency under a board of trustees appointed by the Governor. As a result of the Omnibus State Reorganization Act of 1974, administrative responsibility of the Station was given to the Board of Governors of the University. In 2006, the Station was integrated into the Department of Agriculture in the College of Natural and Applied Sciences as part of a reorganization of the University.

Missouri State Branch Campus, located at Liaoning Normal University in the People's Republic of China, offers a two-year Associate of Arts degree through the West Plains campus and a Bachelor of Science in General Business degree through the College of Business Administration on the Springfield campus. The Branch Campus programs are accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools.

Today, the University functions as a multi-campus system that is integrated to address the needs of its constituents.

1.2 MISSION

Missouri State University is a public, comprehensive university system with a mission in public affairs, whose purpose is to develop educated persons while achieving five goals: democratizing society, incubating new ideas, imagining Missouri's future, making Missouri's future, and modeling

ethical and effective behavior. The University's identity is distinguished by its statewide mission in public affairs, requiring a campus-wide commitment to foster competence and responsibility in the common vocation of citizenship.

The academic experience is grounded in a general education curriculum which draws heavily from the liberal arts and sciences. This foundation provides the basis for mastery of disciplinary and professional studies. It also provides essential forums in which students develop the capacity to make well-informed, independent critical judgments about the cultures, values, and institutions in society.

The task of developing educated persons obligates the University to expand the store of human understanding through research, scholarship and creative endeavor, and drawing from that store of understanding, to provide service to the communities that support it. In all of its programs, the University uses the most effective methods of discovering and imparting knowledge and the appropriate use of technology in support of these activities.

1.3 MISSOURI STATE UNIVERSITY SYSTEM

The Missouri State University campuses are structured to address the special needs of the urban and rural populations they serve. Missouri State University-Springfield is a selective admissions, graduate level teaching and research institution. Missouri State University-West Plains is an open admissions campus serving seven counties in south central Missouri. Missouri State University-Mountain Grove serves Missouri's fruit industry through operation of the State Fruit Experiment Station. The China Branch Campus at Liaoning Normal University (LNU) operates in Dalian, China.

The University also operates various other special facilities, such as the Darr Agricultural Center in southwest Springfield, the Jordan Valley Innovation Center in downtown Springfield, the Bull Shoals Field Station near Forsyth, Baker's Acres and Observatory near Marshfield, the Missouri State University Graduate Center in Joplin. In addition, Missouri State has the operations and program offerings of one entire academic department, its Department of Defense and Strategic Studies, located near Washington, D.C. in Fairfax, Virginia.

1.4 GOVERNING BOARD

The governing authority at Missouri State University is vested in the Board of Governors (Chapters 172 and 174, Missouri Revised Statutes). The Board of Governors of the University is the final appointing and approval authority.

1.5 ORGANIZATION

Executive Administration - The current executive administrative organizational structure at Missouri State University is depicted in the Organizational Chart in 1.6. Departments are aligned under this structure and are given responsibility and authority as specified by the Board of Governors.

Administrative Responsibility - Policies and procedures relating to personnel administration of employees are applicable throughout the University in order to provide equitable treatment and consistent relationships with all employees. Departmental administrators and supervisors are responsible for adherence to University personnel policies and procedures in their respective departments, for providing direction and supervision, and for establishing standards of quality and quantity of work performance.

Office of Human Resources - The Office of Human Resources, under the Vice President for Administrative & Information Services, provides various support services to all departments in order to attract, develop, and retain the human resources needed to support the University's teaching, research, and administrative functions. The Office administers certain employee-related programs, maintains personnel records, interprets University personnel policies and procedures, and carries out functional responsibilities related to the University's personnel programs, including: salary administration, applicant recruitment, referral and employment, employee development, orientation, benefits administration, and employee and labor relations activities.

In providing these services, the Office of Human Resources seeks to coordinate the personnel needs of the University with those of the employees. As a service-oriented unit, the Office of Human Resources is available to support departments in their administration of personnel programs and in their direct support of employees. The employee should make suitable arrangements with his/her department supervisor prior to leaving the work area to visit the Office of Human Resources

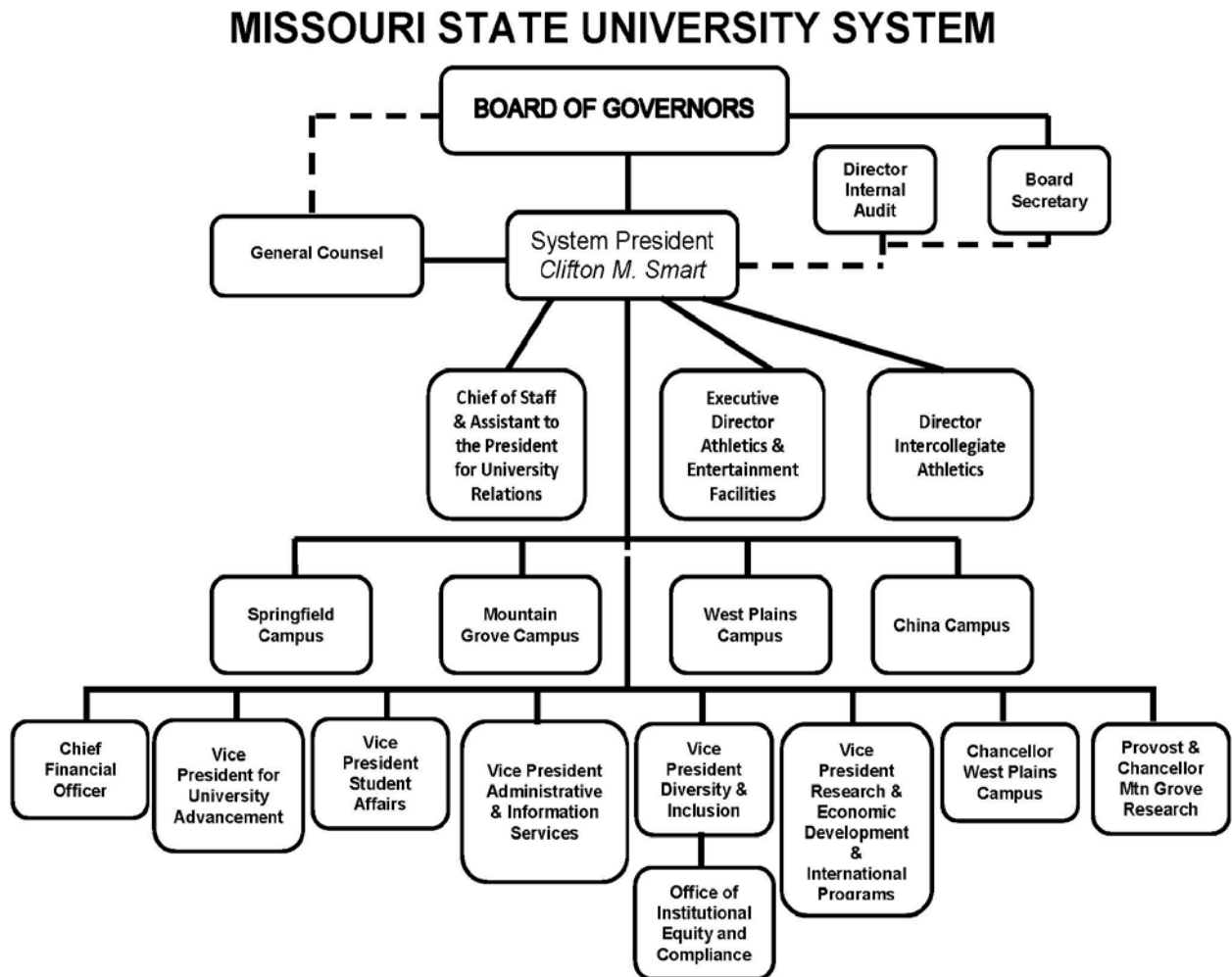
Staff Senate – The Staff Senate promotes and fosters the welfare and growth of University staff through a fact-finding, deliberative and consultative body of representatives which makes studies, reports, and recommendations to the administration on behalf of its constituency.

The twenty-seven (27) Senators represent all major occupational categories (except faculty) and include seven (7) divisional representatives at large, representing the President and each Vice Presidential unit. The Senate also includes one representative from Faculty Senate and one representative from Student Government Association as non-voting members. Employees are eligible to become Senators after serving one year at the University. The University encourages employees to attend Senate meetings when possible and participate in Senate membership activities. Supervisors should use student workers, forward phone calls and take other measures to allow as many employees as possible to attend and participate.

The Staff Senate meets the first Thursday of each month in Plaster Student Union. All Senate meetings are open to everyone, but staff members, in particular, are encouraged to attend. For agenda and other Senate information, visit the Staff Senate web page at <http://www.missouristate.edu/staffsenate> or email staffsenate@missouristate.edu. For the West Plains campus, visit their Staff Advisory Council web page at <http://www.wp.missouristate.edu/staffsenate> or email STACWP@missouristate.edu.

1.6 ORGANIZATIONAL CHART

Missouri State University System Organizational Chart



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| 2.0 | UNIVERSITY POLICIES |
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This chapter provides summaries of key policies with links to the complete policies where applicable.

2.1 NONDISCRIMINATION POLICY STATEMENT

Missouri State University is a community of people with respect for diversity. The University emphasizes the dignity and equality common to all persons and adheres to a strict nondiscrimination policy regarding the treatment of individual faculty, staff, and students. In accord with federal law and applicable Missouri statutes, the University does not discriminate on the basis of race, color, religion, sex, national origin, ancestry, age, disability, or veteran status in employment or in any program or activity offered or sponsored by the University. Prohibited sex discrimination encompasses sexual harassment, which includes sexual violence. In addition, the University does not discriminate on any basis (including, but not limited to, political affiliation and sexual orientation) not related to the applicable educational requirements for students or the applicable job requirements for employees.

This Policy shall not be interpreted in a manner as to violate the legal rights of religious organizations or military organizations associated with the Armed Forces of the United States of America.

The University maintains a grievance procedure incorporating due process available to any person who believes he or she has been discriminated against. Missouri State University is an Equal Opportunity/Affirmative Action employer. Inquiries concerning the grievance procedure, Affirmative Action Plan, or compliance with federal and state laws and guidelines should be addressed to the Equal Opportunity Officer, Office for Institutional Equity and Compliance, 901 South National Avenue, Springfield, Missouri 65897, equity@missouristate.edu, (417) 836-4252, or to the Office for Civil Rights.

2.2 PROHIBITION OF DISCRIMINATION AND SEXUAL HARASSMENT

The complete [Prohibition of Discrimination and Harassment Policy](#) can be found on the [Institutional Equity and Compliance](#) website. While all forms of discrimination and harassment degrade the quality of work and diminish the academic mission, sexual harassment because of its nature, has received special attention in the courts. Further, because of the unique relationship between student and faculty member or supervisor and subordinate, and the inequities in power, sexual harassment is especially troublesome in the academic environment. Sexual harassment not only violates the law and University policy but also can damage personal and professional relationships, cause career or economic disadvantage, expose the University to legal liabilities, a loss of federal research funds, and other financial consequences.

The best way to prevent sexual harassment is through awareness and education. This policy is aimed at increasing awareness regarding sexual harassment by making available information, education, and guidance on the subject. The following definition of sexual harassment is included in this policy.

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

- submission to such conduct is made, explicitly or implicitly, a term or condition of an individual's education, employment, or participation in University program or activity;
 - submission to, or rejection of, such conduct by an individual is used as the basis for decisions affecting that individual's academic standing, employment status or participation in a University program or activity; or
 - such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive environment for that individual's employment, education, or participation in a University program or activity. (This third situation is commonly known as hostile environment sexual harassment.)
2. Sexual harassment may occur between members of the same or opposite sex (i.e., male to female, female to male, male to male, female to female), may occur between persons of the same or different University status (i.e., student to student, faculty to faculty, staff to faculty, faculty to student). Groups of individuals may also be found to engage in sexual harassment.
 3. Harassment based on a person's sex is not limited to instances involving sexual behavior. The courts have recognized both sexual harassment based on sexual advances or overtones, as well as sex or gender discrimination because of a person's sex (i.e., being denied equal treatment because a person is a female or male, being treated differently because of gender stereotypes).
 4. A person does not have to be the direct and immediate target of sexual harassment to complain about it. Harassing behavior toward others may be so offensive, demeaning or disruptive as to constitute a hostile work or academic environment, though not specifically directed at the observer or individual lodging the complaint.
 5. Conduct alleged to constitute sexual harassment will be evaluated according to the objective standard of a reasonable person of the same sex as the victim.
 6. Except in the case of relationships between employees and students enrolled in their classes or subject to their supervision, consensual sexual or romantic relationships do not automatically violate this policy. However, because of the nature of the relationship and inequities of power, the apparent consensual nature of the relationship is inherently suspect of abuse of power.

Any member of the University community who believes that he or she has been the subject of sexual harassment should report the alleged act immediately to his or her supervisor or the Office for Institutional Equity and Compliance. The University will respond to instances of harassment in accordance with the [Office for Institutional Equity and Compliance Complaint Procedures](#) and will respond appropriately to those who violate this policy, up to and including termination of employment.

2.2.1 Discrimination and Harassment Training Policy

To create a positive learning, working and living environment, the University must provide an atmosphere free of discrimination and harassment. The most effective way to prevent discrimination and harassment is through awareness and education. There are at least four goals to be achieved through education: (a) ensuring that all alleged victims (and potential victims) are aware of their rights; (b) notifying individuals of conduct that is proscribed; (c)

informing administrators about the proper way to address complaints of violations of this policy; and (d) helping educate the community about the problems this Policy addresses.

To achieve these goals, Missouri State University Office for Institutional Equity and Compliance has developed a training program to inform, educate and guide members of the University community on sexual harassment and discrimination. The training program addresses the prevention of sexual harassment, prevention of employment discrimination, and working with disabilities. All employees must attend the mandatory training program sponsored by the Office for Institutional Equity and Compliance every three years. New employees must complete the online Office for Institutional Equity and Compliance training program within 30 calendar days from their start date. Newly promoted supervisory employees must complete the online Office for Institutional Equity and Compliance training program supervisor section on preventing discrimination and working with disabilities 30 calendar days from the start date of their promotion.

2.2.2 Reporting Discrimination and Harassment Policy

Any member of the Missouri State University community who has been subject to discrimination or harassment or who has witnessed discrimination or harassment, on any basis not related to the educational requirements for students or the applicable job requirements for employees, is encouraged to report it immediately to the Office for Institutional Equity and Compliance. A person does not have to be the direct target of the discrimination or harassment to report it. The University is committed to handling complaints and reports of discrimination and harassment swiftly, fairly, and with sensitivity.

The method for reporting harassment is outlined in the *Missouri State University Office for Institutional Equity and Compliance Complaint Procedures*. The complete policy may be obtained at: <http://www.missouristate.edu/equity/>.

2.2.3 Guidelines for Responding to and Reporting Child Abuse/Neglect or Victims of Violence or Harassment

In acknowledging its responsibility for promoting a positive learning environment and understanding that there may be occasions when staff receive information regarding possible child abuse or neglect or acts of violence or harassment to another person, the University has developed guidelines for responding to such incidents. These guidelines provide that some employees, including teachers at Greenwood Laboratory School, nurses, day care workers, or those who have care and custody of a minor child are "mandated" reporters under Missouri statutes (R.S.Mo 210.109-210.166) with regard to child abuse or neglect. Specific information regarding these guidelines can be obtained by contacting the Office for Institutional Equity and Compliance, Park Central Office Building, Suite 111, 901 South National, Springfield, Missouri 65897, (417) 836-4252, <http://www.missouristate.edu/equity/>.

2.2.4 Consensual Sexual or Romantic Relationships

In general – There are special risks in any sexual or romantic relationship between individual in inherently unequal positions, and parties in such a relationship assume those risks. In the University context, such positions include (but are not limited to) supervisor and employee, senior faculty and junior faculty, mentor and trainee, professor and student. Because of the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may

undermine the real or perceived integrity of the supervision and evaluation provided. Such relationships may be less consensual than the individual whose position confers power or authority believes. The relationship is likely perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relations in which one party is in a position to review the work or influence the career of the other may provide grounds for complaints by third parties when that relationship gives undue access or advantage, restrict opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she – and this is particularly important for faculty members – does not exercise any supervisory or evaluation function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor, department head, or dean, so that such head, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory evaluative arrangements to be put in place. Staff members, may instead, as an option, notify the Office of Human Resources. To reiterate, the responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline.

With students – The University will view it as unethical and a violation of this policy if University employees engage in sexual or romantic relationships with students enrolled in their classes or subject to their supervision. Such employee-student relationships may include, but are not limited to, faculty and student, adviser and advisee, teaching assistant and student, coach and athlete, and the individuals who supervise the day-to-day student living environment of student residents. The behavior is, in most cases, unethical even when the relationship is consensual (i.e., both parties have consented), because the voluntary consent of the student is in doubt, given the power imbalance in the student-employee relationship. Even if consent were to be shown, a clear conflict of interest would still exist which might create the appearance of discrimination or favoritism in grading or access to educational opportunities.

Relationships between a graduate student and an undergraduate student, when the graduate student has some supervisory responsibility for the undergraduate student, are covered by this policy.

2.3 DISABILITY AND REASONABLE ACCOMMODATION

Missouri State University is committed to providing an accessible and supportive environment for employees with disabilities. Equal access for qualified employees with a disability is an obligation of the University under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Missouri State University does not discriminate on the basis of disability against otherwise-qualified individuals in any program, service or activity offered by the University. The University is committed to ensuring that no

otherwise-qualified individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids or other appropriate services; however, accommodations cannot result in an undue burden to the University or fundamentally alter the essential functions of the job.

The complete [Disability Accommodations Policy](#) can be found on the Institutional Equity and Compliance website. An employee needing to request a reasonable accommodation for a disability should contact the Office for Institutional Equity and Compliance, Park Central Office Building, Suite 111, telephone (417) 836-4252. Employees of the West Plains campus should contact the Affirmative Action Liaison, University/Community Programs Office, West Plains Civic Center at (417)-255-7966.

2.4 DRUG-FREE WORKPLACE

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. Each employee is responsible to help ensure a drug-free, healthful, safe and secure work environment. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on University premises or while conducting University business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Employees must, as a condition of employment, abide by the terms of this policy and report to the University any conviction under a criminal drug statute for violations occurring on or off University premises while conducting University business. A report of a conviction must be made to the Office of Human Resources within five days after the conviction.

2.5 ALCOHOL/DRUG ABUSE POLICY

It is the policy of Missouri State University to prohibit the unlawful possession, purchase, manufacture, use, sale or distribution of illicit drugs and alcohol by employees on University property or as part of any of its activities. The University has the right to require an employee to undergo alcohol and/or drug testing when there is a reasonable suspicion that the employee might be under the influence of alcohol or drugs. If an employee is found in violation of University policy, federal or state laws, or local ordinances, the circumstances accompanying each individual case will be considered when determining the consequences. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. The University does not condone the abuse of alcohol and drugs; it does, however, recognize that employees with alcohol or drug-related problems should be encouraged to seek help in dealing with such problems. Employees are encouraged to use the University's counseling services, campus-related self-help groups (Adult Children of Alcoholics, Alcoholics Anonymous, or Narcotics Anonymous) and health insurance plans, as appropriate, when facing alcohol or drug-related problems.

2.6 TOBACCO USE POLICY

The University recognizes that tobacco smoke is a hazard to the health of the University community. Because of the harmful consequences of tobacco use, both active and passive, the University has adopted the following policies:

- The University designates all buildings as smoke-free. Therefore, smoking is prohibited in University buildings including offices and hallways, and in the outside areas surrounding fresh air intakes. This policy applies to all University buildings on and off campus.

- Smoking at outdoor events (specifically including those in the stadium) is restricted to designated areas.
- Smoking is prohibited in vehicles leased or owned by the University.
- The use of smokeless tobacco is prohibited in all locations on campus, where smoking is prohibited.
- Visitors to Missouri State University are included under this policy as temporary members of the University community.

To the extent possible, the University will provide access to cessation programs to help those who presently use tobacco products and desire to quit. Taylor Health and Wellness Center offers smoking cessation programs. The success of this policy depends on the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. The University community shares in the responsibility for adhering to and enforcing this policy. The complete [Tobacco Use Policy](#) can be found on the Safety and Transportation website.

2.7 SOLICITATION POLICY

As used in this handbook, solicitation means the attempted sale, lease, rental, or offer for sale, lease, or rental of any property, product, merchandise, publication, or service, whether for immediate or future delivery; the oral, written, or electronic appeal or request to support or join an organization other than a registered student, faculty, or staff organization; the receipt of or request for any gift or contribution; or the distribution of information in support of these activities.

Only registered student organizations, university organizations, and university departments may solicit on campus. All sales persons or agents for any product or proposition or cause whatsoever are prohibited from soliciting members of the faculty, staff, or the student body in any building or on any part of the campus of Missouri State University, or by any electronic means, except as provided herein. Door-to-door solicitation in University residence halls, academic, or administrative buildings is strictly prohibited. Space for sales and solicitation must be reserved through the Conference Services Office, (417) 836-5653. Unless otherwise noted in this policy, such activities are facilitated in designated locations in, or directly outside of, the Plaster Student Union. Questions regarding this policy should be directed to the Director of Plaster Student Union. Events otherwise approved according to the University's policies that commonly sell merchandise may be permitted to do so if approved according to the contract or other arrangement for the event. During working hours, University employees are not to engage in such activities as unauthorized pools, collections, sales of tickets or merchandise, political campaigning or passing of handbills. Registered student organizations, University organizations, and University departments who want to conduct solicitation activities on campus must comply with the procedures outlined in the Solicitation Policy. A complete copy of the University's Solicitation Policy is available from the Office of Student Engagement or at the following web address: <http://www.missouristate.edu/judicial/policies/advrtsolicit.html>. The solicitation policy for the West Plains campus is located at <http://www.wp.missouristate.edu/studentlife/advertising.htm>.

2.8 ADVERTISING AND DISTRIBUTION POLICY

Missouri State University recognizes the importance of campus advertising of sanctioned events and activities in fostering an active and involved University community. At the same time, the University recognizes that an attractive and well maintained physical campus environment is essential to the overall advancement of the University. Therefore, it is necessary that printed posters, signs, notices,

and other materials disseminated on campus be posted in a manner that does not detract from the physical appearance of the campus or result in damage to building surfaces. Advertising (and publicity) shall be defined as any method or device for disseminating commercial information/promotional materials on the campus of Missouri State University. The University retains the exclusive right for promotion of University activities through advertisement and endorsement by commercial enterprises and products. Advertisement on campus or in University publications and activity programs does not imply official endorsement by Missouri State University. Questions regarding this policy should be directed to the Assistant to the Vice President for Student Affairs/Director of Plaster Student Union. A complete copy of the University's policy on advertising and distribution is available from the Office of Student Engagement or it can be reviewed at the following web address: <http://www.missouristate.edu/judicial/policies/advrtsolicit.html>. The advertising policy for the West Plains campus is located at <http://www.wp.missouristate.edu/studentlife/advertising.htm>.

2.9 OUTSIDE ACTIVITIES AND OTHER EMPLOYMENT

Employees are expected to be able to perform their work as efficiently and effectively as possible at all times. While work other than for the University is not prohibited, hours worked in outside employment must not coincide or conflict with hours of work for the University. Outside employment and activities must not detract from work responsibilities at the University nor create a conflict of interest. Questions about whether an outside activity or other employment would constitute a conflict of interest should be directed to supervisors.

2.9.1 Extra Compensation for Externally Sponsored Projects

Exempt employees (See Section 4.4.2 in this handbook for the definition of exempt employees) are expected to perform their regular duties and responsibilities as assigned by the University without regard to work hour limitations. Compensation for exempt employees above and beyond their annual base salary is not permitted for performance of the regular duties and responsibilities assigned by the University. In certain cases, however, compensation in excess of an exempt employee's annual base salary is permitted for activities performed under externally sponsored projects and other internally funded activities. Externally funded projects are defined as those for which the University administers funds under a contract, grant or other agreement from a federal, state or local government agency, not-for-profit entity, or business. Exempt employees who anticipate participating in an externally funded project should contact the Office of Sponsored Research and Programs or visit its home page at <http://www.srp.missouristate.edu/> to view the complete policy on extra compensation for externally sponsored projects.

2.10 CONFLICT OF INTEREST

A Conflict of Interest Policy has been adopted by the University's Board of Governors. This policy sets forth provisions to assist Governors, officers, faculty and employees in avoiding improper outside influences on institutionally related decisions and activities, or using their position or property of the University for their personal, financial, or political gain. The general policy specifically addresses outside interests and compensation; use and disclosure of confidential information; financial and political gain; selling, renting, leasing of property; faculty consultation activity; contracting procedures; and prohibited services after termination of office or employment.

An employee must disclose to his or her supervisor all relevant facts related to activities which might involve a conflict of interest. A copy of the complete Conflict of Interest Policy is available upon request from the Department Head or the Office of Human Resources. Missouri statutes require any officer or employee of the University who has direct administrative and operating authority to approve, disapprove, or make binding decisions for the University or to authorize or enter into any contract on behalf of the University to provide annual financial disclosure statements. The statement must be completed and filed within 30 days of employment or within 30 days of being transferred or promoted into a position determined to be covered by the statutes (e.g., vice-president, director, and manager).

The University will determine and annually notify employees required to complete the financial disclosure statements. The completed statement should be submitted to the Missouri Ethics Commission.

2.11 RECEIPT OF GIFTS POLICY

No employee should accept any personal gifts or favors exceeding the amount provided in Section 105.485.2(8) R.S. Mo, as amended, (currently \$200.00) in monetary value in any calendar year from any single person, company or firm which transacts, or wishes to transact business with the University. This is not intended to be applicable to meals/functions conducted at the initiative of the University and involving University purposes or business, or to compensation or fringe benefits provided by the University. Any exceptions to this policy require a written approval of the employee's supervisor and vice president (if applicable), based on a written explanation for the requested exception.

2.12 EMPLOYMENT OF RELATIVES - NEPOTISM POLICY

The University's policy regarding the employment of relatives is set forth in the nepotism provision of the Conflict of Interest Policy. No Governor, officer, faculty, or employee shall participate, either directly or indirectly, in a decision to appoint or hire an employee of the University, including regular and part-time appointments, who is related to such person within the fourth degree by blood or marriage. It also shall be a violation of this policy for an employee to supervise, either directly or indirectly, the work of another employee who is related within such fourth degree, unless the supervisory role is specifically approved by the President of the University. A relative within the fourth degree includes, but is not limited to spouse, child, grandchild, great-grandchild, great great-grandchild, parent, grandparent, great grandparent, great great-grandparent, brother/sister, aunt/uncle, great aunt/uncle, niece/nephew, grand niece/nephew and cousin. **For University purposes, this includes sponsored dependent.** All relationships are included, whether full-, half-, step-, foster-, adopted, or in-law. An employee or supervisor who has a question pertaining to the relatives covered by the University's nepotism policy should contact his/her department head or the Office of Human Resources.

2.13 POLITICAL ACTIVITIES POLICY

Following is the policy concerning political activity and holding of public office by members of the University faculty and staff. The policy is subject to any applicable provision of law or determination of the Missouri Ethics Commission.

2.13.1 Activity in Political Party Organizations

Employees may engage in lawful political activities:

- Of organizations of political parties qualified to place candidates on the ballot in accordance with Missouri Statutes or of political parties seeking such qualification.
- Of nonparties or bipartisan groups seeking the election of candidates to public office or the approval or disapproval of issues which are or may be submitted to the voters for approval.
- On behalf of individual candidates for public office, including candidates for membership of any political committee established by Section 115.611 R.S.Mo., *et seq.*, (formerly Chapter 120, R.S.Mo.).

Such activity, like any other personal, non-official undertaking, must be done on the individual's own time and should not interfere with University duties. Employees may contribute funds to the above parties, groups, or candidates or expend funds on behalf of the above parties, groups, candidates or issues, subject only to state and federal laws which regulate political contributions.

2.13.2 Election to or Holding Public Office

Before officially announcing as a candidate for or accepting any elective office, employees must inform their supervisor of such intention and that supervisor must make the fact known to the President of the University through appropriate channels. If the regulations permit, the President will offer no objection to the candidacy, provided it does not require time or attention that should be given to University duties.

- Subject to the requirements of the Notice to the President, an employee may, without permission of the President, become a candidate for and hold a non-partisan part-time position of political office, such as member of a school board, member of a city council, member of a county legislative body or other local school or municipal office which is part-time.

Such activity must be conducted on the individual's own time, and shall not interfere with University duties.

- The holding of any elective, full-time office in local, county, state or the federal government, including state representative or senator, is forbidden while the person is employed by the University. Before accepting such an office, a person is required to resign his or her University post. A person seeking election to such an office must resign or request a leave of absence as of the date the person receives the nomination, e.g. the date of successful primary election.

The policy is subject to any applicable provision of law or determination of the Missouri Ethics Commission.

2.14 EMERGENCY PROCEDURES

The Office of Safety & Transportation is responsible for development and ongoing maintenance of a campus crisis/emergency response plan. The plan is designed to protect human life and University property by minimizing the danger to employees, students, and visitors from natural or man-made emergencies. A crisis may be sudden and unforeseen with little or no advance warning. The campus crisis/emergency response plan is activated whenever a crisis disrupts campus operations, threatens life, creates major damage, or occurs within the University community and its environs. The campus crisis/emergency response plan provides specific procedures to be followed in the event of any of the following.

- Floods
- Bomb Threats
- Medical Emergencies
- Chemical Spills
- Poisons
- Disturbances
- Power Failures
- Earthquakes
- Threats
- Fire or Explosions
- Tornadoes
- Suicides or Attempted suicides
- Animal Attacks or Bites

Employees with questions regarding a crisis or emergency situation should contact the Safety & Transportation Department at (417) 836-5509 or visit the department's website for a complete copy of the University's emergency response plan and how to respond to emergencies is located at <http://www.missouristate.edu/safetran/erp.htm>. For the West Plains campus refer to <http://www.missouristate.edu/CampusSafety> or contact the Chair of the Safety Committee at (417) 255-7225.

If the emergency response plan is activated during an employee's normal work hours, employees are considered to be in pay status. Employees who choose to leave their work station during such an emergency must return to work within 30 minutes after the cancellation of the emergency alert to remain in pay status. However, employees need not return to work if the alert extends beyond their normal work schedule, unless they have tools, materials, equipment, or a University vehicle that must be returned. In this case, employees must return such items before leaving work. Any time that non-exempt employees remain at work beyond their normal work schedule in order to return such items, they should enter the time on their time sheet.

2.14.1 Missouri State Alert Notification System

Missouri State Alert is the University's mass notification system, which uses a variety of methods to contact students, faculty and staff in the event of an emergency or school closing. Depending on your subscription, the system will make contact with you through text messages, e-mails, instant messages, phone calls or pager messages. You can subscribe to Missouri State Alert at: www.missouristate.edu/safetran/missouristatealert.htm

The Missouri State Alert system will be used in the following situations:

- Immediate threat/violent situation on campus
- Security alert
- University closings, early dismissal, delayed start
- Severe weather alerts
- Other emergency situations of an extreme nature
- Periodic testing of the system

2.14.2 Emergency Procedures During a Tornado

Employees should familiarize themselves with the siren and other warning systems used at the University. The sirens will be activated when a tornado warning has been issued by the National Weather Service. When the tornado warning is issued the following safety procedures are advised:

- Proceed to the nearest designated shelter area in the building.
- Whenever possible, go to an interior hallway on the lowest floor.
- Whenever possible, employees should protect themselves from exterior walls, windows, and doors, with another wall.
- Avoid windows and exterior doors.
- When walking to shelter, avoid elevators and areas with exterior windows.
- Avoid auditoriums and gymnasiums or other structures with wide, free-span roofs.
- Avoid low-lying areas that could flood.
- Employees should stand or sit near the base of a wall and protect themselves from debris with a table, desk, chair, or other appropriate cover.
- Employees should remain in the shelter location until the "all clear" notification is provided. The "all clear" information will be provided by the Safety & Transportation Department through radio or television stations, or when warning sirens have stopped.

2.15 UNIVERSITY CLOSINGS

There are a variety of reasons why the University may be officially closed on a day (or portion of a day) other than one of the recognized holidays referenced in Section 7.17 of this handbook. The reasons include, but are not limited to, severe weather, or an on-campus emergency situation which requires evacuation of a building, a part of or the entire campus, or an unplanned event of significance which warrants closure (e.g., death/funeral of a national or state leader).

2.15.1 Severe Weather Closing

When University classes are canceled due to severe weather, a decision will be made as to whether offices will also be closed. The decision to close the University or to cancel day classes will be announced to the news media prior to 6:00 a.m. Since the decision to cancel day classes due to inclement weather does not pertain to evening classes or second or third shift employees, a separate decision will be released to the media in time for the 12:00 noon news. An official announcement will be issued through the public media (television and radio) and through the Missouri State University home page at <http://www.missouristate.edu/>. If classes are cancelled, but offices remain open, employees should report to work as scheduled. If offices are closed, employees are not to report to work unless they are notified or have been given prior instructions to report as part of essential services. It is the responsibility of each vice president to designate which employees are to report to work. The major administrator of the operation will be responsible for ensuring that needed employees are notified. If no announcement is made, employees should assume that activities will continue as normal. Essential employees are required to report to work, and the failure of essential employees to report for work because of weather conditions is not an acceptable excuse and may result in employee discipline. Loss of work time because of weather conditions when the University continues operations will not be considered an excused absence. Such time lost may be taken as paid leave or the employee will not receive pay for the time missed due to the University closing. Additional information about procedures is located at <http://www.missouristate.edu/human/cancellation.htm>.

2.15.2 Compensation During University Closings

When the University officially closes under such circumstances, if the announcement of the closing occurs before the start of an employee's work shift, the hours of the employee's work shift that the University is closed will be paid at the employee's regular straight time rate. If the University officially closes during an employee's work shift and the employee is sent home, the remaining hours in the employee's work shift will be paid at the employee's regular straight time rate. The hours that are paid when the University is officially closed will not count as "hours worked" towards 40 hours for the purposes of payment of overtime.

An employee who is on leave without pay (including Family and Medical Leave and workers' compensation absence) when the University is officially closed under the circumstances described in this section will not be paid for the hours that the University is closed nor use it as paid leave in the future. Employees on a paid absence, however, will be paid for the hours the university is closed and should record the appropriate number of hours as university closing rather than paid absence. Employees supplementing the payments from workers' compensation with vacation, sick leave or compensatory time off should record the appropriate number of hours as university closing rather than paid absence.

Non-exempt staff required to work during the hours the University is officially closed will be paid at their straight time rate in addition to regular pay and the hours actually worked will count toward 40 hours of work for overtime purposes. Employees required to work over 40 hours and eligible to receive overtime compensation will be paid according to the University's normal policies on overtime compensation and

hours worked. Due to budget restrictions, departments may adjust work hours within the workweek in which the event occurs in lieu of compensation.

When the University is officially closed for a day under such circumstances, a day is normally defined as eight (8) hours. Employees whose regular work day is more than eight (8) hours, (e.g., employees working four 10-hour days) will be paid for 8 hours. Such employees will need to use vacation, compensatory time, or actual work hours during the work week in which the University officially closes as described in this section in order to be paid for the remaining two hours of their work shift that the University was closed. Employees whose regular work day is less than eight (8) hours, (e.g., employees working 6-hour days) will be paid for six (6) hours.

2.16 ZERO TOLERANCE OF WORKPLACE VIOLENCE AND THREATS

Missouri State University recognizes that in order to effectively fulfill its stated mission and goals the work environment needs to be free of violence and threats for all members of the University community. Missouri State University is committed to providing a work environment that is free from violence and threats of violence and will not tolerate workplace violence of any type, from any source.

Workplace violence, as defined for this policy, is any physical assault, threatening or intimidating behavior, harassment or verbal abuse occurring in the work setting whether direct or through the use of University facilities, property or resources. It includes, but is not limited to beatings, stabbings, shootings, sexual assault, oral or written statements, psychological traumas such as threats, obscene phone calls, an intimidating presence, gestures and expressions, and harassment of any nature such as stalking, swearing or shouting, and bringing prohibited weapons onto University property.

The University's Zero Tolerance policy applies to all work locations, including offices, work sites, vehicles, field locations or other locations where University business is conducted. All members of the University community are covered under this policy, including faculty, staff, and students and prohibit threatening or violent actions by employees directed against other employees, by employees directed against students, or visitors, and by students or visitors directed against University employees or other students or visitors.

Domestic violence can be a form of workplace violence (See [Section 2.17](#) regarding the University's domestic violence policy).

The University considers threats and acts of violence on campus as a serious violation of University policy and will respond promptly to reports of violence and/or threats including prompt investigation and timely involvement of law enforcement agencies, when appropriate. The following link provides more information on violence and threats of violence, including domestic violence, in University facilities and on University property <http://www.missouristate.edu/safetran/40870.htm>.

2.17 DOMESTIC VIOLENCE IN THE WORKPLACE

Missouri State University seeks to create a supportive workplace environment in which employees feel comfortable discussing domestic violence and seeking assistance for domestic violence concerns. The purpose of this policy is to increase awareness of domestic violence and to provide guidance to employees and management in addressing domestic violence issues and their effects in the workplace.

Domestic violence, as defined for this policy, is any physically, sexually, and/or psychologically abusive behavior that a household member or dating partner uses to establish and maintain control over another person. Such behavior can be violent or threaten violence and may result in physical or emotional harm or otherwise place a person's safety and productivity at risk. Domestic violence is a serious problem that affects people from all walks of life. It can adversely affect the well-being and productivity of faculty and staff members who are victims, as well as their co-workers.

Missouri State University does not tolerate domestic violence in the workplace, including offices, work sites, vehicles, field locations or other locations where University business is conducted. Domestic violence perpetrators may be removed from the premises and may be subject to arrest and/or criminal prosecution. Employees who engage in domestic violence in the workplace, or who use University facilities, property or resources to engage in domestic violence are subjected to disciplinary action, including termination of employment.

The University is committed to working with faculty and staff members who are victims of domestic violence to prevent abuse and harassment from occurring in the workplace and to reduce its impact on employee well-being and productivity. No faculty or staff member will be penalized or disciplined solely for being a victim of harassment in the workplace. Faculty and staff members who are victims of domestic violence are expected to cooperate with the University in instituting approaches to create a safe working environment for them, as well as their co-workers.

All Missouri State University employees need to take seriously the problem of domestic violence and its effect in the workplace. Missouri State University will take all reasonable measures to foster a safe working environment for all employees and other members of the University community. You may also contact the Family Violence Center, (417) 837-7700, 24 hour hotline (417) 864-SAFE (7233) or (800) 831-6863 or the Missouri Coalition of Domestic Violence, (573) 634-4161.

2.18 POSSESSION OF FIREARMS POLICY

It is the policy of Missouri State University to prohibit the unauthorized possession of ammunition, firearms, explosive weapons, and other weapons as defined in Missouri Revised Statutes Section 571.010 (2), (6), (8), (10), (11), (13), (17) and (18) on University premises (including parking lots and vehicles owned or leased by the University) by employees of the University (i.e., full-time and part-time employees) and guests, **except employees as outlined below**. Authorization to possess such items on University property or vehicles may be granted by the Director of Safety and Transportation or his/her designee.

Employees of the state are authorized, as per RSMO 571.030, paragraph 6, enacted August 28, 2013 to have a firearm in the employee's vehicle on property owned or leased by the state if the vehicle is locked and the firearm is not visible, for the duration of time that the employee is conducting activities within the scope of his or her employment.

2.19 WORKPLACE SURVEILLANCE AND SEARCHES

The University may utilize reasonable surveillance and search measures, (to include video in areas where notice of such surveillance has been posted or where crimes have occurred or are reasonably expected to occur), that ensure the proper work environment. The University reserves the right to inspect and search all work areas, desks, file cabinets, lockers, lunch boxes, containers leaving University premises, and personal vehicles on University premises. All records contained in

computers (including e-mail) and storage devices should be business-related and therefore are open to inspection by the University.

Surveillance cameras are positioned at several locations throughout the campus to enhance campus safety. Cameras are located inside and outside University academic and administrative buildings as well as in parking facilities. Cameras monitor nearly every area of campus from a central control facility. These cameras are monitored throughout the day and also provide video surveillance.

2.20 INFORMATION TECHNOLOGY POLICIES

Taxpayers, students, and others providing funding for Missouri State University technology resources expect that these assets will be used and offered equitably. Further, they expect use of these resources to support the University's mission of developing educated persons and in its mission in public affairs.

Acceptable uses of computers, networks, electronic mail, and other information technology can help enhance University communications and build a sense of community. Unlawful or inappropriate uses, however, reduce the amount of resources available to satisfy the University's purpose and can infringe upon the rights of others.

Use of University computer resources is a privilege. The University expects all authorized users to use information technology in a responsible, acceptable manner – users may not use information technology to violate the University's purpose or mission, University policy, faculty or employee handbooks, Board bylaws and rules, contractual obligations, or local, state, or federal laws and regulations. Failure to comply with University computer use policies can result in immediate disabling of computer resources, reactivation fees, removal of material violating policy, and/or disciplinary action including dismissal, civil action or prosecution. The University reserves the right to monitor computer use/communication if it has reason to do so, and to limit, revise or prioritize its computer resources as it deems appropriate.

To ensure compliance with these expectations, and applicable laws, the University requires its authorized users of the information technology resources to follow the policies regarding information technology use. The full text of these policies is available online at <http://www.missouristate.edu/oit/policy>.

2.21 CHILDREN IN THE WORK PLACE

The University values family life and has worked to develop employment policies and benefits that are supportive of families. While the University seeks to focus on providing an environment open to work and family issues, it also believes that the work place should not be used in lieu of a child care provider. Further, the University believes that it is inappropriate for minor children of employees to be in work areas during work hours for several reasons:

- The potential liability to the University.
- Risk of harm to the children.
- Decreased employee productivity due to distractions and disruptions.

It is the policy of the University that minor children in an employee's care not be present at an employee's workplace (e.g., office, classroom, shop area), in lieu of other child care arrangements, during the employee's working hours. The supervisor is responsible for enforcing this policy in their respective work areas. This policy is not intended, however, to prohibit children from the campus

when the purpose of their visit is to attend classes or to participate in activities specifically scheduled for their benefit (e.g., Fine Arts Academy, summer sports or activity camps, or other similar University-sponsored events).

2.22 UNIVERSITY SIGNATURE POLICY

Missouri State University's Signature Policy delineates when signatures can be specified on University documents and the specific approvals required to include those signatures. Within this policy, the term "document" refers to both hardcopy and electronic formats. The term "signature" refers to the handwritten, personalized signing of an individual's name and serves as his/her legal identifier, either in original or digitized form.

No University member's signature shall be included on hardcopy documents unless that person has specifically signed the original document being copied for distribution or has specifically authorized the signing of his/her name. No University member's digitized signature shall be included on any hardcopy or electronic documents without that person's specific, written approval. In lieu of an approving authority's signature, the specification of the signatory's name and title is encouraged to be used (e.g., John Doe, Director of Acme Department).

University officials wishing to include the President's signature on a document shall: (a) have that document reviewed and approved by the appropriate vice president or chancellor in advance of distribution to the President, and (b) have that document reviewed and approved by the President prior to general distribution. This policy applies to all University faculty, staff and students.

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| 3.0 | EMPLOYMENT POLICIES AND PROCEDURES |
|------------|---|

At Missouri State University, all applicants for employment will be treated courteously and given fair and equitable consideration for employment in accordance with the University Nondiscrimination Policy (2.1) within this handbook. All new employees are selected on the basis of experience, education, ability, training, and other job-related factors.

The University is committed to maintaining an environment that encourages full utilization and adequate reward of the individual employee's effort, achievement, and cooperation. Every employee is given a fair opportunity to advance in the University organization as the employee's abilities warrant and as job openings occur.

The Office of Human Resources is responsible for the employment process for staff positions in all departments of the University. Staff positions include administrative, professional, and support staff. Administrators and search officials are designated as decision-makers for recruitment and hiring actions and are responsible for compliance with the *Guidelines for Hiring Executive, Administrative, and Professional Staff*. No employment offer may be made until all employment guidelines have been followed. Chairs of search committees or hiring officials are required to complete a training session annually through the Office for Institutional Equity and Compliance on how to conduct a legal and effective search.

3.1 POSITION AUTHORIZATION POSTING

A ~~Position Authorization form~~ **Posting** must be initiated **on the Applicant Tracking System** to fill a personnel vacancy. The ~~form~~ **Posting** must be ~~routed~~ **submitted online for approval through all appropriate offices for approval** before the Office of Human Resources can ~~take action to fill the position~~ **post the vacancy on the applicant portal**.

3.2 RECRUITMENT OF PERSONNEL

3.2.1 Full-time Employees

All recruiting activities for full-time, regular staff positions ~~should be approved through the Office of Human Resources~~ **will be noted on the posting and reviewed and approved as the posting is routed online during the approval process**.

3.2.2 Part-time Employees

The hiring procedures for part-time employees differ from those followed for full-time employees. The Office of Human Resources web page includes a Part-time Employee Hiring Checklist <http://www.missouristate.edu/human> which should be followed by departments when hiring a part-time employee.

3.3 JOB DESCRIPTIONS

Job descriptions are prepared for each position classification and describe the minimum qualifications and essential job functions for each position. Job descriptions assist in the selection process, wage and salary administration, the identification of training needs, the performance appraisal process, and

communication between employees and their supervisors about job responsibilities. Job descriptions should serve as a broad outline of the responsibilities and duties of a position classification. They are not restrictive in the sense that they may exclude the assignment of other duties and responsibilities; further, they can be expected to change as the University accomplishes its mission and departments modify their goals and objectives.

3.4 JOB POSTING

University system-wide vacancy announcements of full-time positions are available:

- online on the University's Web Site at <http://jobs.missouristate.edu/>
- on the bulletin board outside the Office of Human Resources, ~~Room 118, Carrington Hall~~
- on a 24-hour telephone recording at (417) 836-4683
- on a 24-hour Bid Information Hotline for bargaining unit employees at (417) 836-8367 for bid notices, notice of assignments, and notice of awards for bargaining unit positions at various campus locations
- **online Union Bids and Awards for bargaining unit positions at** <http://www.missouristate.edu/human/UnionBidsandAwards.htm>
- at the local office of the Division of Employment Security, and affirmative action recruitment sources.

3.5 APPLICATION FOR VACANT POSITIONS

Each administrative and professional position announcement that is posted or advertised specifies the application procedures for the applicant or employee to complete. To be considered for a specific position, it is the responsibility of all applicants, internal or external, to monitor **vacancies at** <https://jobs.missouristate.edu> ~~the Staff Vacancy Announcement~~ and **complete the online file** the application form ~~and appropriate required paperwork~~ before the posted closing date. ~~These are available online or in the Office of Human Resources.~~

~~An~~ **current** employee interested in being considered for transfer or promotion to a vacant position at the University should **apply online at** <https://jobs.missouristate.edu> ~~contact the Office of Human Resources and complete a Request—Consideration for Transfer or Promotion form.~~ (See Section 4.3.5 of this handbook for specifics regarding transfers.)

Individuals not employed by the University on a full-time basis are not eligible to apply for positions posted with the statement "Internal posting for promotion and transfer consideration of full-time, regular University employees only." However, in rare cases of business necessity upon the recommendation of the Vice President of the area in which the vacancy is being posted and with the prior approvals of the Director of Human Resources and the University's Equal Opportunity Officer, an individual not employed on a full-time basis may be allowed to apply.

3.6 SCREENING OF APPLICATIONS

3.6.1 Support Staff Positions

Applications for support staff positions are initially screened by the Office of Human Resources or the hiring department to determine whether the applicant meets the minimum qualifications to be considered for the position. As part of the screening process, all clerical applicants will be given a series of tests to determine their proficiency in selected skills. These tests are administered weekly by the Office of Human Resources and must be completed by the applicant in order to be considered for a clerical position. On the West Plains campus, the appropriate departmental administrator or supervisor conducts the initial screening, and tests are administered on an “as needed” basis. The most qualified candidate(s) will be invited for an interview.

3.6.2 Administrative and Professional Positions

The departmental administrator may wish to be involved in the initial screening process or may form a search committee to assist in the recruitment and screening process for administrative and professional positions. Prior to interviews being conducted, the hiring administrator and major administrator will review the list of applicants for the position. ~~On the West Plains campus, the Affirmative Action Liaison reviews the list of applicants for the position.~~ For complete instructions regarding screening of applications for administrative and professional positions, refer to the ~~*Guidelines for Hiring Executive, Administrative, and Professional Staff*~~ *Recruiting a Diverse Workforce: Guidelines for Hiring Faculty, Academic Administrators and Executive, Administrative and Professional Staff Search Guidelines at <http://www.missouristate.edu/equity/47480.htm>.*

3.7 CRIMINAL BACKGROUND CHECKS

To determine suitability for employment or continued employment, Missouri State University checks the criminal records of any employee or applicant for employment. Consideration will be given to the relationship between a conviction and the responsibilities of the position that is or will be held. A relevant job-related conviction is grounds for termination of employment or non-selection of an applicant. For positions that require operation of a motor vehicle, a conviction shall include misdemeanor traffic violations.

Falsification of application materials, including failure to disclose felony convictions, is grounds for termination of employment or non-selection of an applicant. University employees must notify the Office of Human Resources within five days of a conviction for a felony, or any drug, alcohol, or sex-related offense. Failure to report such conviction is grounds for disciplinary action up to and including termination of employment or non-selection of an applicant. Supervisors should notify the Office of Human Resources immediately upon being informed of any such conviction.

3.8 PRE-EMPLOYMENT PHYSICAL EXAMINATION

After the employment offer, the applicant will be required to satisfactorily complete a pre-employment physical examination, including a drug screening, to determine whether the employee is capable of performing the essential functions of the position. Physical examinations are given by the University's Taylor Health and Wellness Center at no cost to the applicant. However, if Taylor Health and Wellness Center finds it necessary to perform procedures other than those required by a routine

exam or to refer the applicant to an outside specialist, those additional expenses will be the responsibility of the applicant. On the West Plains campus, tests are administered at a local contracted facility at no cost to the applicant.

3.9 APPOINTMENT OF EMPLOYEES

Once an applicant for employment has accepted the employment offer, the department will prepare a Personnel Action form and forward it for approval. All full-time appointments for employment at the University are subject to the approval of the President and the Board of Governors. Any service performed by an employee before such approval is given will be considered temporary employment. Employment approval for other than full-time regular appointments (i.e., part-time positions) can be delegated by the University President, without submission to the Board of Governors. The types of appointments are described below.

3.9.1 Full-Time Regular Employees

Employees who have been recommended for employment with the University and who work a minimum of 75% of a full-time equivalency are full-time regular employees. Full-time equivalency is defined as a 40-hour workweek for a 12-month period. These employees fill positions that have been approved and budgeted as full-time regular positions.

3.9.2 Part-Time Employees

Policies applicable to part-time employees are also applicable to Graduate, Research and Teaching Assistants.

3.9.2.1 Part-time Regular Employees

Employees hired to work for the University 1,000 hours or more but less than 1,560 hours in any 12-month period which equates to less than 75% of full-time equivalency.

3.9.2.2 Part-time Employees Limited to 1,000 Hours

Employees hired to work for the University with the understanding that they are to work less than 1,000 hours in any 12-month period. These part-time employees may work 40 hours a week or less, but they will be employed for less than 1,000 hours in any 12-month period.

3.10 ORIENTATION

~~During the first few days of employment,~~ New employees will attend an orientation program conducted by the Office of Human Resources. During orientation, employees receive information regarding University policies, compensation and benefit programs, and other general information about the University. Employees will complete all employment paperwork and forms, such as retirement, insurance enrollment, and beneficiary designation. All new employees are required to complete the ~~three-part~~, online Institutional Equity and Compliance Training Program as part of the new hire orientation program. (See Section 2.2.1 of this handbook – Sexual Harassment Training Policy). Employees may be required to complete additional compliance training for their individual

job responsibilities as directed by their supervisor. (See Regulatory Compliance Series training at <http://www.missouristate.edu/human/training>). Departments will provide their employees with a more specific orientation about the department and the employee's position.

3.11 EMPLOYMENT ELIGIBILITY

It is the policy of the University, in accordance with the Immigration Reform and Control Act of 1986 (IRCA), to hire only U.S. citizens and foreign nationals authorized to work in the United States. The University is a participating employer of the E-verify Program. All new employees require approval by the Department of Homeland Security (DHS) to determine eligibility to work in the United States.

The IRCA requires all employers to complete I-9 Employment Eligibility Verification forms for all **new** employees. ~~whether U.S. citizens or not, hired after November 6, 1986.~~ The regulations require new employees to complete and sign, by the day they begin work, the employee information and verification section of the I-9 form and to provide original documentation that is designated by the U.S. Citizenship and Immigration Services proving their identity and employment eligibility, within three business days of hire. Failure to complete the I-9 form will result in termination of employment.

3.12 PROBATIONARY PERIOD

A new employee who receives a full-time regular appointment at the University will serve a six-month employment probationary period. The departmental administrator or supervisor will conduct two evaluations of the employee's work performance during the probationary period, occurring at the end of the employee's third and sixth month of employment. See Section 5.3 of this handbook regarding the probationary period performance evaluation.

3.13 EMPLOYMENT SENIORITY

All new employees begin to accumulate seniority from the first day of employment in a full-time regular appointment. **University seniority is not recognized in part-time positions. An employee's seniority will not be lost because of absence due to authorized leaves of absence.** Union employees are covered by the seniority rules delineated in the Memorandum of Agreement between the University and Union Local 453, International Brotherhood of Electrical Workers (IBEW) and Teamsters Union Local 245. ~~University seniority is not recognized in part time positions. An employee's seniority will not be lost because of absence due to authorized leaves of absence.~~

Should the status of an employee change from part-time to a full-time regular appointment, the length of University service starts from the date of the appointment to a full-time regular position.

If a layoff should occur, an employee's seniority will be retained for one year. Seniority at the University is automatically terminated upon resignation, retirement, termination, failure to return from layoff, or the taking of an unauthorized leave of absence. (See Section 3.19.2 on Layoff in this handbook for information pertaining to separation of employment due to layoff.)

3.14 REHIRE OF FORMER EMPLOYEES

Employees who voluntarily terminate employment with the University, and are later rehired, will be classified as new employees and will serve the required six-month employment probationary period. The rehired employee will not be given credit for past service with the University when establishing

eligibility for vacation accrual or sick leave. The rehired employee will receive credit for prior service for retirement system benefits as established by the regulations of the retirement system (refer to *MOSERS Member Handbook* for further details). The University will recognize prior service with Missouri State University in establishing total service for the employee recognition and service awards program.

3.15 VOLUNTEERS

Volunteers make an important contribution to the success of the University. Judgment and care must be exercised in the use of volunteers. In accordance with the Fair Labor Standards Act (FLSA), the University considers a volunteer to be an individual who performs hours of service for the University for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered. Any person volunteering services to the University must complete a Volunteer Statement (V-Pre) form, <http://www.srp.missouristate.edu/assets/srp/10-07-2002-V-Pre.doc> which must be signed by the departmental supervisor and forwarded to the Director of Human Resources before volunteer services can be performed. Volunteers must not be used in place of employees and may not displace an employee who would ordinarily be paid to do the same work. Please contact ~~Sponsored Research and Programs (OSRP)~~ **the Office of Human Resources** to obtain the Volunteer Statement (V-Pre) form.

Volunteers are covered by State of Missouri Workers' Compensation laws and therefore must, in the event of an on-the-job injury or work-related illness, follow the procedures for obtaining medical attention, reporting the injury/illness, and must complete all required forms as described in Section 6.5 of this handbook.

3.16 ACCESS AND REVIEW OF EMPLOYEE PERSONNEL RECORDS

The policy of the Office of Human Resources pertaining to the release of information and access to records safeguards against improper disclosure and protects employees' rights to privacy. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, and records of hiring, firing, disciplining or promoting an employee of the University shall be considered closed records pursuant to §§ 610.021(3) and (13), R.S.Mo., except as provided in those sections or other law or specific action of the Board of Governors, including this policy.

The following persons shall have the right of access to review an employee's personnel file:

- The employee or former employee who is the subject of the file.
- An attorney or designee of the employee.
- Supervisory employees who are considering the employee for promotion, transfer, reassignment, demotion, dismissal or other personnel actions.
- The Equal Opportunity Officer.
- A University attorney or other appropriate officer when needed in connection with any action brought by the employee against the University.
- Other persons acting in compliance with federal, state or local laws such as auditors, equal employment opportunity investigators, etc., or in response to a lawfully issued subpoena or court order.

- University supervisory or administrative personnel who can establish a justifiable need.

Exempt from employee or former employee access are letters of reference or recommendation, managerial records, and civil, criminal or grievance investigation records.

The file shall be reviewed in the Office of Human Resources in the presence of a member of the Office of Human Resources staff. Employees may take notes or make copies. Employees have the right to insert concise information in their files in response to material they deem unfair or incorrect.

3.16.1 Copying of Documents

The University may charge a fee to parties who request and are authorized to receive copies of employee files. The Board of Governors has established a standard fee of ten cents per page with the hourly fee for duplicating time not to exceed the average hourly rate of pay for clerical staff of the University.

3.17 PERSONAL INFORMATION

The Office of Human Resources maintains the personnel files on all employees and should be contacted to report changes. The following are examples of the changes that should be reported:

| Nature of Change | Records that Need to be Changed |
|--|---|
| Name, address, home telephone, marital status, dependents for withholding, insurance or family status change (e.g., divorce, marriage, birth of a child) | Personnel files, W-4, retirement system record, insurance records, cafeteria plan |
| Attainment of additional degree (furnish transcript) | Department records, personnel file |
| Campus address and telephone number | Personnel file for directory information |
| Beneficiary information | Life insurance records |

3.18 RELEASE OF EMPLOYMENT INFORMATION

Employees' names, job titles, and salaries are provided to the State of Missouri for publication in the *Missouri Official Manual*.

The Office of Human Resources will only verify the current or former employee's date of hire, position, department, and release salary information by telephone. If a request is in writing, an employee's written consent will be required to provide additional information.

3.19 SEPARATION FROM EMPLOYMENT

Employment at Missouri State University shall be "at will" and shall be terminable "at will" by the University or the employee with or without cause. No representative of Missouri State University has any authority to enter into any agreement for any specified period of time or to make any agreement contrary to the foregoing. Oral statements and representations are not binding on the University, and

any exception to the foregoing must be made in writing and agreed to in writing by the University's Board of Governors. There are several types of separation from employment. The following is an explanation of each type and the procedures that apply regarding the termination of employment.

3.19.1 Resignation

An employee may terminate employment with the University by submitting a written notice or a written Separation from Employment form to his/her department head or supervisor available in the Office of Human Resources. All resignations should include the reason for leaving the University and the **employee's requested date of resignation (termination date) which will be the last day the employee is physically present at work. If any use of vacation is involved, it should also state the day the employee is last planning on being present at work. If the employee wishes to use vacation time just prior to the resignation date, the request to do so should also be included so that the supervisor may approve or deny the request for vacation.** Notice of the resignation should be submitted at least two weeks before the effective date of separation. The department head or supervisor shall immediately forward the Separation from Employment form to the Office of Human Resources **along with his/her decision on the use of vacation time, if requested, and deliver a copy to the employee. If the use of vacation is denied, the resignation will become effective on the last day the employee stated he/she would be present at work. A Personnel Action Form terminating employment with the University should accompany the Notice of Resignation with the date of resignation/termination date listed in the "Effective Date" field and the last day present at work noted in "Last Actual Day Worked" field.**

3.19.2 Layoff

It may become necessary to reduce the number of University employees because of a reduction of work or funds, the elimination of positions or other material change in the duties or organization, or for other related reasons. If such a reduction is necessary, the Director of Human Resources may recommend, and the departmental administrator or supervisor involved will designate, the employee or employees to be laid off and submit such recommendations to the President. Subsequently, the layoff actions will be submitted to the Board of Governors for approval at the next Board meeting. Whenever possible, the University will provide a written 30-day layoff notice to the employee.

Employees separated under the above conditions shall be given priority for re-employment at the University and retain seniority status for not more than one year. Employees who have been laid off also may apply for other positions for which they are qualified. Such applications will be given consideration in the University's normal recruitment process.

If prior to an employee being laid off, the University has a vacant position available that is in the same job title or in another job title in the same or lower salary range for which the employee meets the minimum job qualifications, the vacant position will not be subject to the normal University vacancy posting procedures. The employee whose position is being eliminated will be given the opportunity to apply for the vacant position. If the employee chooses not to apply for the vacant position, normal University vacancy procedures will be followed.

If more than one position is eliminated in the same job title, the University will consider the most senior employee for the vacant position. The final selection, however, will be made on

the basis of best overall qualifications as assessed by the University. The policy on transfers (See Section 4.3.5 of this handbook) will apply when determining the salary rate in the new position under these circumstances. Before the employee transfers to the vacant position, the hiring department and the employee must mutually agree to the transfer.

Should a vacancy occur, employees accepting a transfer to another or lower job title under these conditions will be eligible, for up to one year after the transfer, to be recalled to the same department and same job title that he or she occupied prior to the transfer.

3.19.2.1 Benefits Available During a Layoff

- Retirement - Layoff status does not constitute a break in membership; therefore, when an employee returns to work, prior creditable service will be reinstated immediately (1) if the employee was vested in MOSERS at the time of the layoff, or (2) if the employee was not vested in MOSERS but returns to work within 12 months of being laid off. However, if the employee was not vested in MOSERS and returns to work more than 12 months after having been laid off, he/she must work at least 12 months in order to have any prior creditable service reinstated to the work record for retirement.
- Insurance - Coverage under the University's insurance package will terminate at the end of the month after 30 days from the last day worked. Medical and dental coverage may be continued for up to 18 months through COBRA as long as the premiums are paid by the employee. Life insurance may be continued under the portability provisions.
- Leave – While on layoff status, vacation and sick leave do not accrue. Accumulated vacation will be paid. If an employee returns to work within one year from layoff status the employee's accumulated sick leave will not be lost and will be reinstated.

3.19.2.2 Recall From Layoff

For up to one year after layoff, an employee will be eligible to be recalled to fill a position if a vacancy occurs in the same department and same job classification that was held prior to the layoff. In the University's judgment, when skills and abilities are equal, employees with the greatest amount of University seniority will be recalled first.

3.19.3 Retrenchment

Retrenchment is a reduction in programs and/or services which results in termination of an employee because of a financial exigency or formal academic planning such as changes in institutional mission, substantial program changes, or major reallocations of resources for academic or support services. Whenever possible, the University will provide 30 days notice to employees.

3.19.4 Disability

If an employee becomes physically or mentally incapable of performing the essential functions of his/her position, unaided or with the assistance of a reasonable accommodation, the employee may seek information from the Office of Human Resources regarding disability and/or retirement benefits.

3.19.5 Dismissal

Employment with the University is "at will" and may be terminated at any time. The University, at its discretion, may utilize progressive disciplinary procedures in appropriate circumstances. Dismissal requires the recommendation of the employee's supervisor and major administrator with the approval of the Director of Human Resources. A letter will be given to the employee stating the reason(s) for dismissal. When the reason(s) for dismissal is misconduct, the dismissal is usually effective immediately. When the dismissal is for a reason(s) other than misconduct, the University may provide compensation in lieu of giving the employee two week's notice of the termination of employment.

3.19.6 Non-Reappointment

When an employee is appointed to a position with a limited fixed term, no additional notice of termination will be provided.

3.19.7 Retirement

All full-time regular employees are members of the Missouri State Employees' Retirement System (MOSERS). There is no mandatory retirement age for University employees. For detailed information regarding the retirement benefit plan refer to Retirement Program at Section 6.2 of this handbook or to MOSERS' web site: <http://www.mosers.org/>.

3.19.8 Death

Beneficiaries of employees who die while in the service of the University shall be advised by the Office of Human Resources of any retirement and insurance benefits to which the beneficiaries are entitled.

3.20 FINAL PAY AND BENEFITS

When an employee terminates or is laid off from employment with the University, insurance coverage will terminate at the end of the month following 30 days after the last day worked. For example, if an employee terminates employment on May 17th, then insurance coverage ends on June 30th. Employees have the option of requesting continuation or conversion of their insurance coverage after termination. For information about these options, employees should refer to the insurance plan booklets.

3.20.1 Property Clearance

When employment with the University is discontinued, for any reason, the employee is responsible for returning all University property in his/her possession. An employee who is

leaving the University will be sent a Property Clearance form and an Exit Questionnaire by the Office of Human Resources. The Property Clearance form must be completed and certified by the appropriate departments and returned to the Office of Human Resources before 5:00 p.m. on or before the last day of work. A forwarding address must be included on the Property Clearance form. Employees are encouraged to complete and return the Exit Questionnaire to the Office of Human Resources.

All University properties, such as uniforms, clothing and tools must be returned to the departmental administrator or supervisor. All identification cards issued to the employee shall be returned to the Office of Human Resources. All charges that have been incurred by the employee must be paid to the Bursar's Office (**Business Office on the West Plains campus**) before the final salary payment will be released. All keys and parking permit(s) shall be returned to the appropriate department,

3.20.1.1 Recovering Property and Money Owed to the University

The University has the right to hold any amounts due and payable (~~wages~~ **vacation pay**, overpayment, reimbursement, etc.) to any employee until payment has been received to settle charges for unreturned University property and debts owed the University for any reason.

3.20.2 Final Salary Payment

The final salary payment is based on the termination date. The termination date is your last day in pay status. The last day of work is defined as the last day the employee is physically present at work. Accrued vacation time cannot be used to extend the effective date of termination beyond the employee's last day worked, unless the employee **has received permission pursuant to paragraph 3.19.1 above**, or is retiring from the University and is eligible to immediately receive a retirement benefit from a University retirement plan in the month following the last day worked.

Exempt employees who terminate employment or retire from the University will receive a final salary payment on the last business day of the month of termination or retirement. This amount will include payment for all days worked in the month. Payment for any days and hours of earned, unused vacation leave up to a maximum of two times the employee's annual accrual (and 40% of unused sick days up to a maximum of 48 days for retiring employees), will be paid no later than the last business day of the month following the month of termination or retirement provided all outstanding leave information is submitted by the last day worked.

Nonexempt employees who terminate employment or retire from the University will receive a final salary payment on the last business day of the month in which their last pay period ends. This amount will include payment for all days worked in the month, plus payment for any days and hours of earned, unused vacation leave up to a maximum of two times the employee's annual accrual, unused compensatory time (and 40% of unused sick days up to a maximum of 48 days for retiring employees), provided the final time record has been received by the Payroll Office in accordance with the "Submit by Date" for the pay period on the Payroll Calendar. Otherwise, unused leave and compensatory time will be paid at the end of the next month following their last pay period.

Employees who terminate employment or retire from the University will continue to accrue sick leave and vacation in their last pay period, provided that they are paid at least 80 hours during the last pay period.

When there is a recognized University holiday in the month that an employee terminates employment or retires, and the holiday occurs after the employee's last day of work, the employee will be paid for the holiday(s) in the month of termination if his/her last day of work is the day before the holiday. The final salary payment will be released only after the employee has properly completed a Property Clearance form. ~~If the employee fails to complete a Property Clearance form, the final salary payment will be a check and will be held in the Payroll Office in Financial Services. For West Plains employees, the check will be held in the Business Office, until such time as the form is completed by the employee.~~

DRAFT

4.1 COMPENSATION PHILOSOPHY

Missouri State University's workforce is its most vital resource and it is the intention of the University that the compensation plan demonstrates the high value the University holds for its employees. Therefore, the Missouri State University System strives to maintain a total compensation package for faculty, staff, and administrators that is directed toward attracting, retaining, and rewarding a highly qualified, engaged, committed, and diverse workforce to serve the University's students and the State of Missouri. Compensation shall be externally competitive when compared to the appropriate market, internally equitable, and based upon individual performance, qualifications required, and the complexity, scope, and impact of the work performed. Performance should be directly linked to obtaining pay rewards of sufficient magnitude to be valued. Strategically, the compensation system, in conjunction with other human resource strategies, contributes to workplace conditions that support employees at all levels of the University in meeting or exceeding performance standards. Performance management and compensation increases are directly linked with the furtherance and achievement of the University's strategic goals; there should be a strong correlation between the strategic goals of the University and the goals and objectives set by supervisors and their employees. Employee performance is evaluated in relationship to achievement of employee goals and objectives.


4.2 THE JOB CLASSIFICATION SYSTEM

The job classification system facilitates employee training, promotions, transfers, and other personnel administrative functions.

Please refer to <http://www.missouristate.edu/human/Glossary.htm> Compensation Terms Glossary, for definitions of many of the terms used below.

The Job Classification System consists of job families, jobs, positions, pay grades and salary ranges. Some jobs are unclassified; these jobs were not included in the job classification system described here because the job evaluation plans did not adequately evaluate the nature of these jobs.

A **Job Family** is a group of jobs involving work of the same nature but requiring different skill and responsibility levels. Jobs at the University have been divided into four different job families with each job family having its own jobs and job descriptions, job evaluation plan, pay grades, and salary ranges.

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- Job Family 1 consists of administrative support and clerical jobs, including financial, student services, library, and bookstore support service jobs.
 - Job Family 2 consists of jobs in skilled crafts and trades, protective services occupations, custodial and other services.
 - Job Family 3 consists of information systems jobs, electronic and media system technician jobs, and broadcast engineering and other technical or computer-related jobs.
 - Job Family 4 consists of executive and managerial jobs, administrative jobs, and professional and paraprofessional jobs.

A **job** is work consisting of responsibilities and duties that are sufficiently alike to justify being covered by a single job description. A job may be assignable to more than one employee (i.e., the job of Administrative Assistant II is held by more than one person, but these individuals are in the same job because they all perform similar duties and responsibilities). A job refers to the combination of duties and responsibilities that are carried out by all persons in that job.

A **position** is used to denote the unique responsibilities and duties assigned to one employee. In instances when there is only one person with a certain job title or job description, the position is the same as a job. If however, there are multiple individuals with the same job title/job description, then each individual is in his or her own position. In other words, a position represents a specific person and the unique duties and responsibilities that that person performs.

A **job description** is a summary of the essential duties and responsibilities of a job. A job description identifies the nature of the work that is performed, specific duties and responsibilities, outcomes of the performance of these duties and responsibilities, and the knowledge, skill, and abilities required to perform the job.

Job descriptions are used for the hiring process, the performance evaluation process, communication between employees and their supervisors about job responsibilities, salary administration, and the identification of training needs. Job descriptions serve as a broad outline of the duties and responsibilities of a job. Job descriptions are not restrictive in the sense that they exclude the assignment of other duties and responsibilities; in fact, job descriptions can be expected to change as the work performed changes. It is the responsibility of employees to review and understand the duties and responsibilities of their job as stated in their job description. Supervisors should recognize when the broad outline of duties and responsibilities needs to be updated and work with the Office of Human Resources to revise job descriptions. It is permissible for departments to maintain specific job duty lists or desk job descriptions particular to a position within a multiple-incumbent job.

The **job evaluation plan** for each job family is used to objectively and systematically evaluate job descriptions belonging to that job family in terms of compensable factors in order to determine the pay grade for each job. During job evaluation, a job is assigned a degree level for each compensable factor in the job evaluation plan based on the amount or extent of a compensable factor that is required by a job. The job evaluation process is based strictly on the minimum requirements and essential duties and responsibilities of a job and not on the level of performance of an individual in a job.

Jobs with similar job evaluation results or points are placed in the same pay grades; a pay grade is one of the classes into which jobs of the same or similar values are grouped. A **salary range** is assigned to each pay grade. The salary range consists of the minimum and maximum dollar amount that is paid to jobs in a specific pay grade. The salary range is based on salary survey data for the jobs in each pay grade, where the minimum of the salary range approximates the 25th percentile of market pay, the midpoint approximates market pay, and the maximum approximates the 75th percentile of market pay of all jobs in the pay grade.

The job description, pay grades, and salary ranges are used in the recruitment and compensation of personnel.

4.3 SALARY ADMINISTRATION

No salary change or employment offers are official until approved by the Board of Governors.

4.3.1 Annual Salary Range Adjustments

It is the intention of the University to adjust salary ranges annually to keep up with changes in market pay based upon the availability of funds. Recommendations on salary range adjustments will be made to the President annually by the Executive Budget Committee based on compensation cost indicators, the projected state appropriations amount, and other revenue projections for the next year.

If adjustments to the salary ranges result in newly hired employees' salaries falling below the minimum of the salary range (because the new employees were not eligible for an annual salary increase), the University intends to adjust employees' salaries to the minimum of the salary range assuming projected state appropriations amounts and other revenue amounts are sufficient to allow these adjustments.

Employees whose salaries fall below the minimum of the adjusted salary ranges because of receiving a small or no annual salary increase due to poor performance will be in Performance Improvement Plan (PIP) status; these employees may receive an adjustment to the range minimum effective the date they are released from PIP status if performance improvement goals have been met.

4.3.2 Annual Salary Increases

Merit and equity salary increases are normally given annually and are effective at the beginning of the University's fiscal year, July 1. Each year the salary increase budget for the following fiscal year is recommended to the Board of Governors by the President after consultation by the President with the Executive Budget Committee. The annual salary increase for each employee is determined by the cost center administrator on an individual basis using the Compensation Matrix. The Compensation Matrix is a tool used to allocate the money available in the salary increase pool based on a combination of merit and equity. The employee's performance evaluation score for the preceding year and the location of the employee's salary within the salary range on January 15 are used to determine the employee's salary increase. The resulting dollar amount increase will be applied to the base salary in effect on June 30 and will become effective July 1.

Unclassified employees are not assigned to a job family and do not have salary ranges, but they are still subject to the same performance evaluation process and the same salary increase pool percentage as other staff.

In years when only a small salary increase pool is available, the University may elect not to use the Compensation Matrix to determine annual salary increases.

New employees with a hire date of January 15 or earlier will be eligible for consideration for salary increases occurring July 1. Employees hired after January 15 in a given year are not eligible for an annual increase on July 1 of that same year, but will be eligible for an increase the following fiscal year.

It is the intention of the University that employee salaries fall within the salary range to which the job is assigned. Employees' salaries that are above the maximum of their salary range will be limited to an annual increase amount that is 50% of the compensation matrix-determined salary increase until annual adjustments to the salary range causes the maximum amount of the salary range to exceed the current salary. If an annual salary increase results in a salary above the maximum of the range, the salary increase will be equal to the amount of the compensation matrix-determined increase that takes

the salary to the maximum of the pay grade plus 50% of the remainder of the compensation matrix-determined salary increase.

The cost center administrator is responsible for distributing the annual salary increase notifications to employees that communicate the amount of any annual increase contingent upon Board of Governors approval of salary decisions.

4.3.3 Starting Salaries

Starting salaries for new employees cannot be less than the minimum nor more than the maximum of the salary range of the job. The normal starting salary should be between the minimum and midpoint of the range. A starting salary above the midpoint may be established with sufficient justification (e.g., scarcity of applicants, outstanding qualifications or market considerations) and requires approval by the division's senior administrator. Starting salaries should be commensurate with the employee's qualifications and related experience and should be confirmed with the Office of Human Resources before a final salary offer is made. Human Resources will assist in determining an appropriate starting salary, especially for multiple incumbent positions.

When considering the starting salary of a new hire either through external recruitment or promotion, a review of the qualifications and experience of the new individual is required as compared to others in the same job within the same major cost center to ensure that the new employee is paid appropriately in comparison to incumbents. When the Department Head and the Director of Human Resources cannot agree upon a starting salary, the major cost center administrator (President, Provost, Vice President, Chief Financial Officer, or Chancellor) for the area in which the new employee will be employed will determine the starting salary.

4.3.4 Promotions

A promotion is the selection of an employee for a job that has a salary range with a higher midpoint than the midpoint of the employee's current salary range through the process of posting a vacancy and conducting a search.

Each pay grade contains jobs with similar job evaluation point totals so the pay grade and associated salary range reflects the value of all jobs in the grade. The midpoint of the salary range is a control point and can be used to measure the size of the difference between grades both in terms of salary and the value of the new job based on job evaluation factors, such as knowledge, skill, and technical mastery, supervisory responsibility, management responsibility, span of control and impact of the job on the University.

It is the University's policy to bring an employee's salary to the minimum of the salary range for the pay grade into which he/she is promoted, but not above the maximum of the new salary range. In general, the midpoint of the new salary range is considered the market salary for the new job and an appropriate salary following a promotion. The amount of the promotional increase is left to the discretion of the hiring official. However, an appropriate promotional increase will recognize the following criteria:

- magnitude of the difference between midpoints of the new and current pay grades (the percentage change from one midpoint to the other),
- need to allow for future merit and equity salary increases within the new salary range,

- qualifications of the employee relative to the minimum qualifications of the job, and
- salary that would have been offered to a similarly qualified external candidate.

In determining promotional salary increases in jobs involving multiple incumbents, consideration will be given to the salaries of incumbents with similar qualifications in the new pay grade. There is usually less room for discretion in determining the new salary for an employee promoted to a multiple-incumbent job.

The Office of Human Resources will review all promotional increases relative to the above criteria for equity purposes. Any promotional increase must be approved by the Office of Human Resources before being communicated to the employee.

If a promotion is effective on July 1, the annual salary increase is calculated first on the pre-promotion salary and then the promotional criteria would apply.

Employees who believe they are qualified and who are interested in being considered for promotion to a vacant position must obtain and submit a Request – Consideration for Transfer or Promotion Form to the Office of Human Resources.

4.3.5 Transfers

A transfer is a move to a different position within the same job (an Administrative Assistant II in Department A transfers to an Administrative Assistant II position in Department B) or to a different job (an Academic Administrative Assistant II transfers to an Academic Administrative I position) that has salary range midpoint that is the same or lower than the midpoint of the employee's current salary range. Transfers occur as the result of an employee's request or through actions taken by the University. Union employees are covered by the transfer procedures established in the Memorandum of Agreement for their bargaining unit.

4.3.5.1 University-Initiated Transfers

A University-initiated transfer occurs as the result of an action taken by the administration such as a reorganization or restructuring of a department or unit or the elimination of a position. A University-initiated transfer may also be the result of disciplinary or performance-related actions. Such transfers may result in either a lateral transfer or a transfer to a job that has a salary range with a lower midpoint than the employee's current salary range as defined below.

(a) Lateral Transfer A lateral transfer occurs when the transfer is to a position or job having the same salary range. Normally, there is no change to the employee's salary resulting from a lateral transfer.

(b) Transfer to a Job with a Lower Midpoint When an employee is transferred to a job that has a salary range with a lower midpoint, the employee's new salary will remain the same, provided the employee's current salary does not exceed the maximum of the salary range for the new position. If the employee's current salary exceeds the maximum of the salary range for the new position, the employee's salary will be set at the maximum of the salary range for the new position.

If the transfer occurs as the result of disciplinary action, the employee's salary will be determined jointly by the employee's new Department Head and the Director of Human Resources with approval from the major cost center administrator.

(c) Vacancy Procedures When the transfer is to a vacant position in the same job or to a different job that has the same salary range or salary range that has a lower midpoint, for which the employee meets the minimum job qualifications, the vacant position will not be subject to the normal University vacancy posting procedures. If the department with the vacancy agrees, the employee being transferred will be asked if he/she is interested in accepting the vacant position. If the employee decides not to accept the transfer to the vacant position, normal University vacancy procedures will be followed. (See Section 3.4, Job Posting)

4.3.5.2 Employee-Initiated Transfers

An employee may request a transfer upon completion of one year of service in his/her current position and department. This requirement can be waived provided the employee's immediate supervisor agrees with the transfer. To initiate a transfer, an employee should complete a Request - Consideration for Transfer or Promotion form for a specific vacancy and submit it to the Office of Human Resources. An employee-initiated transfer may result in either a lateral transfer or a transfer to a job having a salary range with a lower midpoint as defined below.

(a) Lateral Transfer A lateral transfer occurs when the transfer is to a different position within the same job or to a different job that has the same salary range. Normally, there is no change to the employee's salary resulting from a lateral transfer.

(b) Transfer to a Job with a Lower Midpoint When the transfer is to a job that has a salary range with a lower midpoint than the employee's current salary range, the employee's salary may be reduced to a level commensurate with the value of the new job as determined by the midpoint of the new salary range.

- If the employee's salary is at or below the midpoint of the new salary range, the salary does not change.
- If the employee's salary is above the midpoint but at or below the maximum of the new salary range, the salary will be reduced to the midpoint of the new salary range but cannot exceed a 10% reduction in salary. The new salary cannot exceed the maximum of the new salary range.
- If the employee's salary is above the maximum of the new salary range, the salary will be reduced by the amount required to bring the employee's salary below or to the maximum of the new salary range.

4.3.6 Reclassifications

A reclassification is a change in the pay grade to which a job is assigned based on job analysis of the essential duties and responsibilities of a job that has changed over time. Sometimes, the job duties of a position or positions within a job can change over time, and this can result in a reclassification of a position or positions within a job to a new job or different existing job.

The essential duties and responsibilities of a job or position within a job can change due to many factors, including departmental reorganizations or an evolution of job duties over time caused by changes in technology, regulatory mandates, etc. If an employee or supervisor thinks that the job duties have changed sufficiently to warrant a reclassification review, the immediate supervisor of the job or position within the job can initiate a request for reclassification review of the job by the Office of Human Resources. Requests for reclassification review must be authorized at each organizational level of the division with the major cost center administrator (Provost, Vice President, Chief Financial Officer, or Chancellor) authorizing Human Resources to do the reclassification review.

A reclassification review can result in an increase, decrease, or no change to the grade associated with the job or position within a job. If a job or position within a job is reclassified to a grade with a higher midpoint, the amount of the reclassification increase must be at least 5% but no more than 12% of the employee's current salary as recommended by the department head and approved by the cost center administrator. The employee's salary must be brought to at least the minimum of the new range even if the increase is more than 12%. If a job or position within a job is reclassified to a grade with a lower midpoint and the employee's salary is above the maximum of the new salary range, the salary will be reduced by the amount required to bring the employee's salary below or to the maximum of the new salary range.

4.3.7 Within-Grade Salary Adjustments

A within-grade salary adjustment is a salary increase without a change in grade and can be requested for employees for one of the following reasons:

- Internal equity – may be used to address salary inequities among individuals who are in positions that require similar skills, responsibilities and experience.
- Special market considerations – may be used when there are compelling market reasons for an adjustment.
- Reorganization due to permanent reductions in staffing – a salary increase of no more than 12% not to exceed the maximum salary of the pay range, may be provided for employees who are assigned significant additional, ongoing job duties as a result of a permanent reduction in staffing; subsequent equity adjustments may be needed for other employees within the department. Documentation of the elimination of a line or lines and cost saving analysis must accompany PAFs for cost center review, approval, and record retention.
- Sustained commendable job performance – employees with salaries below the midpoint of their salary range who have an ADP score of 4.5 or more for the previous 3 years may receive a salary increase every third year of employment in the amount required to bring their salary to the midpoint of their pay range, but no more than 12% of current base salary. Documentation of the previous three ADP scores must accompany the PAF.

The Department Head will determine the appropriateness and amount of the in-grade salary adjustment with input from the Office of Human Resources and approval of the major cost center administrator.

4.3.8 Temporary Additional Duties

Normally, the addition of new duties to a job does not require a salary adjustment because it is expected that job duties change and evolve over time. If the volume of additional duties causes

nonexempt employees to work in excess of forty hours in a week, the payment of overtime and earning of compensatory time-off is considered compensation for the additional work.

4.3.8.1 Differential Pay – Nonexempt Employees

An out-of-grade differential is a monthly amount payable for a defined period of time to nonexempt employees who temporarily accept the addition of significantly higher level duties than those consistent with the job description. The out-of-grade differential is temporarily added to the base salary to facilitate correct overtime calculations but should not be considered in the calculation of annual salary increases.

4.3.8.2 Supplemental Pay – Exempt Employees

Supplemental pay is a monthly amount payable for a defined period of time to exempt employees who temporarily accept significant additional or higher level duties than those consistent with the job description, such as when serving in an Acting or Interim role. The supplemental payment is not added to base salary and is not included in annual salary increase calculations.

4.3.9 Extraordinary Circumstances

The President of the University System is authorized to change the salary in hiring, promotion, transfer, or other personnel actions or allow a salary to exceed the maximum of a salary range, in circumstances which the President determines appropriate, such as, but not limited to, market conditions, difficulty in attracting and retaining employees, or circumstances of inequity. The adjusted salary will be submitted to the Board of Governors for approval in the normal course of business.

4.4 EXEMPT AND NONEXEMPT STATUS

The Fair Labor Standards Act (FLSA) covers such employment matters as hours of work, minimum wage, overtime compensation, and other conditions of employment. The University is covered by many provisions of this act. The Fair Labor Standards Act establishes specific criteria for determining which jobs are nonexempt and require pay for overtime hours worked and compensatory time off, and which jobs are exempt and do not require compensation for overtime. All job classifications are determined to be exempt or nonexempt by the Office of Human Resources based on the FLSA.

4.4.1 Nonexempt Employees

Technical, secretarial, clerical, skilled crafts and trades, and service occupations are typically considered nonexempt and are eligible for overtime and compensatory time. All nonexempt employees are required to record their hours worked:

- Full-time, nonexempt employees must complete their time sheet and submit it for approval through web time entry for each pay period.
- Part-time, nonexempt employees must complete a time sheet and submit it for approval through web time entry for each pay period.

- Non-teaching and non-research Graduate Assistants must complete and submit a time record available at:
<http://www.missouristate.edu/financialservices/Forms/GATimeSheet.doc>

These forms are required for nonexempt employees to meet the record keeping provisions mandated by the FLSA administered by the Department of Labor, Division of Wage and Hour.

4.4.2 Exempt Employees

Executive, administrative, managerial, faculty, and professional positions are classified as exempt and no overtime is paid or compensatory time earned. Because exempt employees are not eligible for overtime, they are not required to keep a record of the hours they work. Normally, the requirements of positions filled by administrative and professional employees require a minimum of forty (40) hours of work each week.

If an employee or supervisor has a question concerning whether a position is exempt or nonexempt, contact the Office of Human Resources. The FLSA specifically states that neither the employee nor the employer may waive the employee's right to be compensated for overtime if the job is classified as nonexempt. Therefore, each supervisor, department head, director, and administrator is responsible for ensuring that the act is followed and the University policy for overtime requirements is observed.

4.4.3 Deductions From Pay

4.4.3.1 Nonexempt Employees

Nonexempt employees will be paid for actual hours worked each day within their workweek and any accrued leave benefits taken such as vacation, sick, compensatory time off, or other available paid leave by accurately completing their time sheet. Nonexempt employees must record actual hours worked for each day on their time sheet.

The University provides the option for employees to use accrued leave under Missouri State University's vacation or sick leave policies while they are on an approved Family and Medical Leave Act (FMLA). If accrued vacation or sick leave are not used during FMLA leave, pay will be reduced by the hours that the employee is absent from work even if the absence is less than a full day.

4.4.3.2 Exempt Employees

Exempt employees are paid on a salary basis and, in general, will be paid their full salary for any week in which they perform work. Their pay may be reduced only in the following circumstances:

- Exempt employees who are absent for at least a full day because of sickness or disability will not be paid for that day unless accrued benefits under Missouri State University's vacation or sick leave benefits are available. An exempt employee's salary will not be reduced if the employee is absent for less than a full day because of sickness or disability. If accrued paid leave is available, the employee must complete an online leave report and designate the type of leave used for the period of the absence.

- The University does not require that employees use accrued leave under Missouri State University's vacation or sick leave policies during Family and Medical Leave Act (FMLA). If accrued vacation or sick leave are not used during FMLA leave, pay will be reduced by the hours that the employee is absent from work even if the absence is less than a full day.
- Exempt employees who are absent from work for at least a full day for personal reasons other than sickness or disability will not be paid for that day. If an employee is absent for less than a full day for personal reasons, his or her pay will not be reduced. If accrued vacation or sick leave is available, the employee must complete an online leave report and designate the type of leave to be used for the period of the absence.
- Exempt employees who are absent from work for jury duty or attendance as a witness at a trial will have their pay reduced by the amount of payment they receive in the form of jury fees or witness fees. Their pay will not be reduced by the number of hours or days they are absent from work unless they perform no work in a given week, unless otherwise required by law.
- Exempt employees who violate a safety rule of major significance may have their pay reduced in an amount to be determined by the University as a penalty for that violation.
- Exempt employees may be suspended without pay for workplace misconduct but only in full-day increments. Their pay will be reduced in an amount that is proportionate to the number of days suspended.
- Exempt employees who work less than 40 hours during their first or last week of employment will be paid a proportionate part of their full salary for the time actually worked.
- Exempt employees who believe that their pay has been improperly reduced must notify their supervisor or contact the Office of Human Resources, requesting a reimbursement of salary.

4.5 WORKWEEK AND WORK HOURS

The University workweek is defined as a seven-day period that begins at 12:01 a.m. Monday and ends at 12:00 midnight Sunday. A normal workweek of 40 hours is established for most employees. Because of the variety of functions of the many departments within the University, there may be differences in normal hours and days of work. An employee starting a new job should ask the departmental supervisor for the work schedule. While the normal workweek of 40 hours is achieved through working five 8-hour days in a workweek, some employees achieve a 40-hour workweek by working four 10-hour days in a workweek. For leave benefits, see Chapter 6 for the policy governing how such employees are paid for recognized University holidays, vacation, and sick leave. For the University closing policy, see Section 2.15.

4.6 EMPLOYEE FLEXTIME WORK SCHEDULING

The University supports the principle of flextime for its employees in order to provide for more efficient utilization of the abilities of its employees, better service to the public, and improved working conditions for employees. Departments are encouraged to accommodate the reasonable requests of employees for alternative work schedules when consistent with the department's objectives.

Flextime refers to a range of flexible formats that permit employees to choose the times they will start and end work. While employees may request consideration of a flextime schedule allowing for a specific arrival and departure time, approval of the request will be granted only if all policy guidelines and work schedule requirements are met (See Sections 4.6.3 and 4 below).

4.6.1 Flextime Definition and Purpose

A flextime work schedule is an alternative work schedule for employees who normally work the eight-hour, five-day workweek, usually from 8:00 a.m. to 5:00 p.m.

Flextime scheduling permits employees to select a work schedule that may assist with individual needs, especially commuting needs and family needs. It also provides employees with a degree of flexibility that may improve employee morale; may reduce tardiness, absences for personal business, turnover, and overtime costs; and may increase employee, as well as departmental productivity and service.

4.6.2 Flextime Work Scheduling Guidelines

- The first priority for each department is to accomplish its mission. Utilization of flextime scheduling should not decrease a department's productivity, nor adversely affect the operations of other departments, the services provided for the University, students, other constituents, or the general public.
- Flextime must not increase staffing costs including overtime compensation.
- Flextime is a voluntary option for employees. It should be considered by the department only when it can be managed successfully in helping to meet the needs of the employee, the department, and the University.
- Any department head who wishes to consider a flextime arrangement must prepare a written proposal for the flextime work schedule and submit it to their major cost center administrator for approval. The department head will forward an informational copy of the approved flextime schedule to the Office of Human Resources.
- All flextime employees must meet the work schedule requirements provided in this policy as listed in Section 4.6.3.
- A flextime schedule shall be established for a **minimum** of one calendar week but is normally for a longer period such as one calendar month, a semester, academic year, or full year. An approved flextime schedule may be canceled by the department head if the schedule is found to be unsatisfactory or detrimental to the department.
- The department head is responsible for proper flextime scheduling and for ensuring that adequate supervision is provided for all employees during their work hours.
- Shift coverage may be implemented as required by the needs of the department and is not limited by the flextime policy.
- Flextime is not necessary for the occasional adjustment of the work week schedule to manage the 40 hour work week and minimize overtime for nonexempt staff.

4.6.3 Flextime Work Scheduling Requirements

- The standard workweek shall be 40 hours weekly over a five-day or six-day period.

- Offices shall be staffed and fully operational between 8:00 a.m. and 5:00 p.m., Monday through Friday.
- Except for meal breaks, all employees shall be on the job during the "core period." The University has determined the core period to be between 10:00 a.m. and 3:00 p.m., Monday through Friday.
- Schedules should include a lunch break. Lunch breaks may be as short as 30 minutes or as long as an hour and a half.
- Starting and ending work times shall begin and end on the hour, half hour, or quarter hour.

4.7 REST PERIODS

The University does not have a formal rest period policy for its employees. Each department is responsible for establishing its own break policy based on the needs of the department. Rest periods, if permitted by a department, are to be limited to 15 minutes, twice per day (one during each four hours worked), with departments ensuring that adequate staff is on duty at all times.

4.8 OVERTIME PAY

The Fair Labor Standards Act establishes the federal wage and hour law governing the payment of overtime. Only employees in nonexempt positions are eligible for overtime pay. Overtime pay is earned based upon hours worked over 40 hours in a week. Overtime work is not to be performed at the discretion of the employee. Any overtime work must be approved and scheduled, in advance, by the employee's department head or supervisor. However, employees who are "permitted to work," whether approved by the supervisor or not, must record all hours worked and are entitled to overtime. Overtime is automatically compensated as one hour of the employee's regular hourly rate and ½ hour of compensatory time banked for each hour worked over 40 in an employee's workweek.

An example of an employee "permitted to work" would include a nonexempt employee taking work home after the normal work day. Any hours worked at home on University business should be recorded and counted as hours worked toward 40 hours in a workweek. Another example is a nonexempt employee who is at work early and/or who stays late and is performing activities within the scope of his/her job for the University. These hours also should be recorded and counted as hours worked toward 40 hours in a workweek.

The University may request employees to work overtime due to special needs of the department. Supervisors will give as much notice as possible to employees when overtime work is anticipated. Advance notice, however, may not always be possible. Refusal to work mandatory overtime will be grounds for disciplinary action up to and including termination.

4.9 COMPENSATORY TIME

When nonexempt employees work more than forty (40) hours in the employee's work week, the hours over forty (40) hours are automatically paid at straight time and the additional half (1/2) time will be banked as compensatory time. If requested the additional half (1/2) time that is banked as compensatory time may be paid out in the following month it is earned with departmental budgets permitting. Compensatory time off shall be taken during the remaining weeks of the monthly pay period in which it is earned, or within the 12 months immediately following the monthly pay period.

An employee who has accrued compensatory time off shall be permitted to use such time within the period stated above if the use of such compensatory time off does not unduly disrupt the operations of the department.

Employees may accrue compensatory time off up to a limit established by the University, but in no case may compensatory time exceed 240 hours. An employee who has accrued compensatory time off shall, upon termination of employment, be paid for the unused compensatory time off at a rate of compensation not less than: 1) the average regular rate received by such employee during the last three years of the employee's employment; or 2) the final regular rate received by such employee, whichever is higher. An employee may, at the discretion of the University, be paid for accrued compensatory time off at a time other than termination. Such compensation shall be paid at the regular rate earned by the employee at the time the employee receives payment.

The provision of compensatory time applies only when the hours worked are in excess of 40 for the workweek. A department head or supervisor may schedule time off for an employee or offset hour for hour during a particular workweek to compensate for excess hours worked during a previous day of the same workweek.

4.10 PAY

Pay is disbursed on the last banking day of the month. Employees will have their pay deposited directly to a financial institution of their choice. The University is required to deduct withholdings for federal and state income taxes and social security taxes from an employee's salary each month. Additionally, the University will withhold voluntary deductions for: U.S. Savings Bonds (\$50 minimum deduction); University group medical, dental, and life insurance; participation under the Missouri State Employees' Cafeteria Plan;; donations to the United Way and/or the Missouri State University Foundation; salary reductions for a University-approved 403(b) tax-sheltered program, salary deferral to the Section 457 Deferred Compensation Plan, union dues to the International Brotherhood of Electrical Workers (IBEW Local 453) or Teamsters Local Union 245 , contributions to the Missouri Savings for Tuition (MOST) program, and other authorized deductions.

5.1 PURPOSE

The University believes that a fair performance evaluation system is one of the keys to a successful performance-based compensation system. The performance evaluation tool and process must be trusted by the employee and supervisor, effectively and consistently used, and should incorporate individual goal setting. The University's Appraisal and Development Plan (ADP) process is designed to support the growth and development of employees within the organization and to recognize employees for their overall performance and contribution to the organization. The evaluation of employee performance is intended to be a continuous process of communication between employees and supervisors and to serve several purposes, including the following:

- evaluate each employee's effectiveness in performing assigned duties and responsibilities
- identify factors that can improve job performance
- clarify performance standards as they relate to the current job description
- assist employees in developing additional knowledge, skills and abilities for job advancement
- recognize exceptional performance
- document shortcomings or substandard performance and outline methods to improve future performance
- determine retention of an employee at the end of the probationary period
- identify training and developmental needs
- set and track performance toward specific job-related goals

It is the cost center administrator's responsibility to ensure performance evaluations are completed accurately and in a timely manner for his/her unit.

Resources and information on the University's Appraisal and Development Plan (ADP) process are available online for employees at <http://www.missouristate.edu/human/training/ADPTraining.htm> or by contacting the Office of Human Resources, Employee Development and Performance for assistance.

5.2 METHOD OF EVALUATION

The immediate supervisor will evaluate the employee's performance using a rating scale that consists of the following five levels of performance: Exceptional, Commendable, Competent, Development Needed, and Unsatisfactory. Supervisors must conduct:

- A performance planning meeting for new employees during their first week of employment.
- A probationary evaluation for new employees at the third and sixth months of employment.
- An annual performance appraisal and performance planning meeting with all employees during the period of October 1 through January 31.

- A Performance Improvement Plan (PIP) session at anytime during the year if employees are performing at a less than “Competent” (a rating of less than 3).

Both the supervisor and the employee will sign the performance evaluation report form at the conclusion of the Performance Planning Meeting and the Performance Appraisal Meeting. Signing the evaluation report does not mean the employee agrees with the evaluation; it means that the employee is aware of and has been informed of the evaluation.

Administrative practices to follow for the ADP process are:

- Provide to employees copies of all formal documents being discussed during meetings
- Practice confidentiality in the management of the ADP documents and discussions
- Provide signed copies to employees and appropriate offices within the cost center
- Submit the original signed ADP form to the Office of Human Resources.

Additionally, it is recommended that a mid-year meeting of the employee and supervisor be held to discuss progress and challenges related to accomplishing the performance plan.

5.2.1 Performance Planning Meeting

The performance planning meeting will occur between October 1st and January 31st or within 30 days after the performance appraisal meeting. The performance planning meeting and the annual performance appraisal meeting may occur during the same meeting, if the supervisor desires. The performance planning meeting is required in order for supervisors and employees to discuss and come to a mutual understanding of job duties, objectives, and specific goals to be accomplished throughout the upcoming year. The supervisor communicates the University's and department's goals and objectives and helps the employee to relate his/her performance to the accomplishment of these goals by establishing measurable outcomes. This step is documented in Section 1 of the ADP form. The Organizational Values/Behaviors found in Section 2 should also be reviewed so that the supervisor and employee have a common understanding of behaviors which are considered the norm for the position. This step is a mutual review and planning exchange between the supervisor and employee.

5.2.2 Performance Appraisal Meeting

The annual performance appraisal meeting will occur between October 1st and January 31st. Cost center administrators are encouraged to have their cost center's supervisors submit the completed ADP forms to them for review prior to meeting with the employee for the performance appraisal so the cost center administrator can help ensure performance evaluation ratings are consistently calibrated throughout the cost center. The ADP report is reviewed and discussed by the supervisor and employee. An integral part of this meeting is planning for the subsequent year's job duties, projects, and/or goals (see 5.2.1.).

5.2.3 Mid-Year Meeting

A mid-year meeting must be conducted by supervisors with employees who are performing at a less-than-competent level in any area. At this meeting a Performance Improvement Plan

(PIP) must also be initiated. The mid-year meeting is optional for all others but can provide an opportunity for the supervisor and employee to discuss progress and identify any challenges to accomplishing the established goals/objectives established at the beginning of the rating period. A mid-year meeting will reduce the chance that surprises will occur at year-end during the annual performance evaluation.

5.2.4 Performance Improvement Plan

The supervisor must develop a Performance Improvement Plan (PIP) when the employee's overall performance evaluation rating is less than "Competent" (a rating less than 3) or if the supervisor determines current performance requires improvement. The Performance Improvement Plan must clearly describe:

- (1) what behavior, performance, situations, or conditions must be changed and how,
- (2) what is to be done by the employee,
- (3) what is to be done by the supervisor, and
- (4) when the improved level of performance is to be achieved.

The PIP becomes part of the employee's Appraisal and Development Plan for the rating period it was initiated. Supervisors should consult with their next line of supervision (Reviewer) when initiating a PIP on an employee since the Reviewer also signs the form at the establishment of the PIP and at the Follow-Up Review. The Follow-Up Review with the employee should be conducted approximately 60 days following the initiation of a PIP. Supervisors may also want to contact the Office of Human Resources for guidance and assistance on the process prior to meeting with the employee.

5.3 PROBATIONARY AND ANNUAL EVALUATIONS

The performance evaluation period is determined based upon the type of evaluation being rendered as described below.

5.3.1 Probationary Period Evaluations

New employees serve a six-month probationary period. During this period, the supervisor will complete two evaluations of the employee's work performance, at the third and sixth months of employment. Probationary evaluations assess the new employee's progress in learning the job.

During the first week of employment, the supervisor should conduct a performance planning meeting to review the job description with the employee and determine the most important duties to be learned and goals to be accomplished during the probationary period. The probationary evaluations are primarily developmental and help the supervisor identify employee strengths and weaknesses and areas where more training is required. In a probationary evaluation, a rating of "3" does not mean competent as it does in the regular performance appraisal system. A rating of "3" means satisfactory progress has been made in learning how to do the job competently. Higher or lower ratings during the probationary

period mean the new employee is progressing faster or slower than expected. An overall score of "3", meaning satisfactory progress is being made, is required for the new employee to be recommended for continued employment. An overall performance rating of 2.00-2.99 (development needed) at the three- or six-month evaluation period indicates that the supervisor should clarify job expectations and performance standards with the employee and together determine which aspects of the job need further explanation or additional training. An overall performance rating of less than 2.00 (unsatisfactory progress) at the end of the probationary period will result in termination of employment with the University. The supervisor can recommend an extension of the probationary period based on documented evidence that the normal probationary period provided insufficient time for the employee's job suitability to be determined. **Alternatively, if work is judged to be unsatisfactory, probationary employees may be dismissed at any time during the probationary period.**

If a new employee has received a three- or six-month probationary evaluation by March 1, that score should be forwarded to the cost center administrator for inclusion in the Compensation Matrix. If a new employee has not received at least a three-month probationary evaluation by March 1, the supervisor should forward a performance rating of "3" to the cost center administrator for inclusion in the Compensation Matrix.

5.3.2 Annual Performance Evaluations

All employees successfully completing the probationary period will receive annual performance evaluations. All annual performance evaluations will occur between October 1 and January 31 of each fiscal year. The results of each year's performance evaluations will be used as input for development of the Compensation Matrix to determine salary increases that will be implemented July 1 (assuming sufficient funding is available for salary increases that year). New employees' three- or six-month probationary evaluations occurring between October 1 and January 31 will be used as input for the Compensation Matrix.

5.3.3 When Change in Supervision Occurs

When an employee changes supervisors during the year, the following guidelines will determine the supervisor responsible for completing the ADP process for that employee. When a change of supervision occurs between:

- January 31st and June 30th – The new supervisor will complete the ADP for the employee.
- July 1st and September 30th – The new supervisor will evaluate the employee at the end of January and may seek input from the former supervisor to complete the ADP. If the former supervisor is not available, input from the next level of supervision should be sought.
- October 1 and January 31st – The former supervisor completes the ADP for his/her former employee. If the former supervisor is not available, input from the next level of supervision should be sought.

5.4 PERFORMANCE EVALUATION APPEALS

If an employee believes that an unfair performance evaluation or inaccurate performance evaluation has been rendered, a written response to the evaluation may be submitted to the Office of Human

Resources with a request that it be placed in his/her personnel file with the performance evaluation. Employees who choose to formally appeal their performance evaluation must follow the appeal process. While the performance rating or evaluation may be appealed, the actual compensation decision (i.e., the salary increase percentage) may not be appealed.

- Step 1 - Employees desiring to appeal a performance evaluation must submit a written appeal to their direct supervisor within 10 workdays of receiving the performance evaluation.
- Step 2 - The employee and supervisor will meet within 10 workdays after receipt of the written appeal to discuss the employee's concerns. If the employee's concerns are not resolved, and the employee desires to escalate the appeal, the employee must submit a written appeal to the next level of supervision within 10 workdays following the employee's appeal meeting with his/her direct supervisor.
- Step 3 - The appeal process may continue to the major cost center administrator (President, Provost, Vice President, Chancellor, or Chief Financial Officer), whose decision will be final.

The Office of Human Resources also is available to advise or counsel employees about expected performance standards and to assist employees in making adjustments regarding performance.

Employees who believe that they have been discriminated against on the basis of race, color, religion, sex, national origin, ancestry, age, disability, or veteran status with respect to rendering a job performance evaluation may consult the Office for Institutional Equity and Compliance.

The following description of benefits available at the University is subject to modification at any time without additional notice by action of the Board of Governors, by the Administration to whom authority to modify benefit programs has been given, or as required by law. While the University expects to continue these benefit plans, it has the right to amend or terminate any benefit plan. All benefits in Chapter 6 are provided to full-time regular employees (as defined in Section 3.9.1 of this handbook).

Part-time employees may receive selected benefits that are extended to full-time employees. ~~To be eligible for these specific benefits, part-time employees must work a minimum of eight consecutive weeks with an average of 20 hours per week. Benefits for part-time employees are limited to the following: direct deposit of salary, Social Security, Workers' Compensation, and unemployment compensation.~~ Certain benefits may also be extended to spouses, dependents and sponsored dependents of employees. "Sponsored dependent" is defined as a person who meets all of the following criteria: (1) be at least 18 years old and mentally competent to consent to contract; (2) have shared the same permanent residence and the common necessities of life with the employee for at least the previous 12 months; (3) not be legally married to anyone else in any state; (4) not be related by blood or a degree of closeness to the employee that would prohibit legal marriage in the State of Missouri; (5) have a single dedicated relationship with the employee of at least 12 months (6) not be a renter, boarder or tenant of the employee.

6.1 INSURANCE BENEFITS

All full-time regular employees are provided the following insurance benefits (insurance benefits are not extended to part-time employees). The descriptive statement provided for each benefit is a summary statement. Detailed information on the various insurance coverages are available in the employee benefit booklets issued during orientation; copies are also available in the Office of Human Resources or on the Human Resources web page. Insurance and Cafeteria Plan claim forms are available in the Office of Human Resources or they can be downloaded from the Office of [Human Resources](#) web page.

6.1.1 Medical Benefits

Full-time employees electing to be covered under the University's medical insurance plan will contribute a portion of the cost for their coverage. The amount of the contribution will be established annually. Employees may decline the University's medical coverage by completing a Declination of Coverage form. Coverage for new employees becomes effective as specified in the *Medical Insurance* booklet. Employees may cover their spouses, **sponsored dependents** and/or eligible children under the University's group medical plan. If dependent coverage is elected, the employee pays the monthly premium through payroll deduction.

6.1.2 Dental Benefits

The University pays the full cost for employee dental coverage. Employees may decline the University's dental insurance coverage by completing a Declination of Coverage form. Coverage for new employees becomes effective as specified in the *Dental Insurance* booklet. Employees may cover their spouses, **sponsored dependents** and/or eligible children under the

University's group dental plan. If dependent coverage is elected, the employee pays the monthly premium through payroll deduction.

6.1.3 Life Insurance Benefits

The University provides and pays for basic group term life insurance and accidental death and dismemberment insurance. Employees may purchase additional term life insurance coverage (called supplemental life insurance) on themselves. Employees also may purchase dependent life insurance coverage on spouses, **sponsored dependents** and/or children. The premiums for any additional coverage are paid by the employee through payroll deduction.

6.1.4 Long-Term Care Insurance

Full-time regular employees and their spouses, parents and parents-in-law as well as retirees and their spouses, are eligible to apply for Long-Term Care insurance. Because the University does not contribute to the cost of an employee's Long-Term Care insurance policy, purchasing a policy is completely voluntary. Long-Term Care insurance provides coverage for a wide range of personal care, health care and social services for people of all ages who can no longer care for themselves due to chronic illness, long-lasting disability, or the effects of aging. Most health care plans do not cover the costs associated with such care, and Medicare provides very limited coverage. Employees who elect to purchase a Long-Term Care policy within 31 days of employment are not required to answer questions about their health. Employees who apply for coverage after 31 days of employment, as well as spouses, retirees, parents, and parents-in-law must answer questions about their health before their applications will be considered by the insurance company.

6.1.5 Long-Term Disability Insurance

The University provides Long-Term Disability (LTD) insurance at no cost to the employee. LTD insurance covers disabilities resulting from accidental bodily injury, illness, or pregnancy, upon completion of an eligibility waiting period. Under this insurance coverage, employees who are disabled for either 180 days or the expiration of their accrued sick leave (whichever is greater) because of injury or illness (as defined in the Long-Term Disability Benefit Booklet) are eligible to receive a benefit equal to 60 percent of their monthly earnings up to a maximum benefit of \$10,000 per month (minus any other income benefits such as workers' compensation benefits, retirement benefits, Social Security Disability benefits).

6.1.6 Cafeteria Plan

The University participates in the Missouri State Employees' Cafeteria Plan which allows full-time regular employees to contribute to certain benefit plans on a before-tax basis. Participation in the plan is voluntary. The plan allows employee contributions for optional insurance coverage and flexible spending accounts for reimbursable health care expenses and child/dependent care expenses to be taken out of each paycheck before taxes are calculated. Other important information concerning the cafeteria plan is available online at <http://www.mocafe.com>.

6.1.7 Voluntary Benefits

The University may make certain “voluntary benefits” available to full-time employees. These voluntary benefits may include, but are not limited to such offerings as vision insurance, short-term disability insurance, accidental death and dismemberment insurance and critical illness insurance. Those to whom such benefits are made available will be allowed to pay for their selections through payroll deductions and when possible through the Cafeteria Plan as described herein.

6.2 RETIREMENT PROGRAM

6.2.1 Retirement

All full-time regular staff employees are enrolled as members of the Missouri State Employees' Retirement System, referred to as MOSERS. Part-time regular employees who work 1,000 hours or more on a regular basis are eligible for enrollment in MOSERS. MOSERS is a non-contributory, public, defined benefit retirement plan and is funded entirely by University contributions. An employee is vested upon reaching five years of creditable service in the retirement system. Eligibility and length of service requirements for normal retirement and early retirement are described fully in the *MOSERS General Employees' Retirement Handbook*. The provisions of the retirement program described in this handbook are subject to change to comply with MOSERS requirements.

Employees are encouraged to schedule an appointment with the Office of Human Resources 90 days prior to their anticipated retirement date to begin preparing the application for retirement. Applications for retirement must be submitted to MOSERS at least 30 days before the desired retirement date; failing to do so can delay retirement. The Office of Human Resources will assist in preparing all relevant retirement paperwork. During the appointment, a representative from Human Resources will explain the various retirement plans and options. Employees should bring proof of age, and if married, a copy of the spouse's proof of age and a copy of the marriage certificate.

6.2.2 Social Security

All employees are required to participate in the Federal Social Security Program. Employee contributions are made by payroll deduction, with the University contributing an equal portion.

6.2.3 Benefits Available to Retired Employees

The University extends a number of employee benefits to retired employees in recognition of their dedication and loyal service to Missouri State University. These benefits include a retired employee's identification card, use of the University's Taylor Health and Wellness Center and pharmacy, personal check cashing privileges at the Bursar's Office (**Business Office on the West Plains campus**), use of the Faculty/Staff Charge Account, library privileges, use of campus recreational facilities, employee discounts on purchases in the bookstore, admission to athletic events and cultural programs at reduced employee rates, and admission to convocations and lectures. Retirees may also obtain an identification card for their spouse **or sponsored dependent**. Retirees may continue to be covered under the University's medical insurance by meeting the eligibility criteria specified in the Medical

Insurance booklet and by making the required contributions. Continuation of the life insurance coverage is available at the time of retirement. Refer to the benefit plan booklets for applicable provisions. Retired employees also may enroll in one college course each semester and have their required student fees paid by the University. If this benefit is used for a course held during an intersession, it will count for the corresponding regular semester. This waiver of fees benefit can be assigned to the eligible dependent children of a retiree as described below, but it cannot be assigned to the retiree's spouse or sponsored dependent.

A retiree's eligible dependent children who enroll at Missouri State University are extended the same educational benefit available to the eligible dependent children of a full-time regular employee as described in Section 7.4.1 of this handbook. Under no circumstances, however, may the retiree and his/her dependent children together receive a waiver of required student fees for more than a total of 15 credit hours per academic year (12-month period beginning with the fall semester). Eligibility of dependent children of a retiree for this benefit will be determined according to the eligibility standards set forth for dependents of employees as listed in Section 7.4.1 of this handbook. This benefit is not applicable to out-of-state fees, book costs, or any special fee pertaining to a specific class or private instruction. The eligible dependent must pay the required student fees for all college-level courses taken over the 15 credit hours per academic year covered under this program. To receive this required student fee waiver benefit for eligible dependent children, the retiree must submit a completed Request for Credit Course Fee Waiver form and course schedule to the Office of Human Resources following registration.

6.2.4 Benefits Available to Emeritus Employees

Emeritus status may be granted to retiring staff and administrative employees as a special recognition for exemplary work performance and outstanding, loyal, and dedicated service to the University. To be eligible for consideration for Emeritus status, the employee must be in retirement status, must have had 10 years of service in a full-time regular position, and must have the approval of the appropriate administrative officials and the Board of Governors. Emeritus staff members are listed in the Missouri State University Directory, are entitled to all the benefits previously listed for retirees, receive invitations to special events held throughout the year, and receive a President's Parking Pass. (See Section 8.8 of this handbook for additional information about Emeritus status).

6.3 TAX-SHELTERED INVESTMENT PROGRAM 403(b)

Full-time and part-time regular employees are eligible to participate in a tax-sheltered investment program authorized under Section 403(b) of the Internal Revenue Code through payroll deduction. The 403(b) program provides employees with the means for setting aside a portion of their current earnings for retirement and having that amount removed from current taxable income. At retirement, when employees receive the benefits from the tax-sheltered investment, they must include those payments as taxable income.

Employees interested in participating in a 403(b) tax-sheltered investment program should contact an agent affiliated with a company that has been approved to offer annuity policies to Missouri State University employees. A list of companies presently approved to offer such tax-sheltered investment programs for Missouri State University employees is available either on the web at <http://www.missouristate.edu/human/approv.html> or from the Office of Human Resources. Decisions about which company, agent, policy provisions, and amount of salary reduction rest with the

employee. The University does not endorse any particular policy or company. Once a company and investment program has been selected, employees must obtain an Agreement to Elect Deferral Reduction Under IRC 403b from the Office of Human Resources, complete the form, and submit it to the Payroll Office prior to the first of the month for which a salary reduction is to be made from their pay.

Occasionally, the Office of Human Resources is contacted by employees asking for clarification of the authority of 403(b) representatives to contact them during work time. Representatives of approved companies may contact employees during work hours, provided the representatives comply with the following guidelines:

- Contact by telephone during work hours is permissible; however, the telephone call should only be for the purpose of obtaining an appointment with the employee. The call should not involve a discussion or explanation of the investment program, benefits, or options, or convey the impression of a "sales pitch."
- Contact in person on University property is permissible only if it occurs during the employee's free time.

6.4 EDUCATIONAL OPPORTUNITIES

The University recognizes the important role of continuing education and supports employee participation in university credit, noncredit, and Human Resources Employee Training and Development programs for professional growth. The Employee Educational Opportunity Program is provided to improve employees' skill levels, knowledge, and abilities for maintenance and improvement of their professional level as a member of the University community. Participation in educational programs is **must be** approved by the **proper administrative authorities**. **The employee's supervisor and the proper administrative authorities must approve any employee participation if scheduled between the employee's regular work starting time and the employee's regular work ending time.** The University provides these ~~three~~ educational programs for employees, one of which is also available to spouses, **sponsored dependents**, and eligible dependents.

6.4.1 Credit Course Fee Waivers

Full-time regular employees are eligible to enroll at Missouri State University for a total of 15 credit hours of college-level courses in an academic year (12-month period beginning with the fall semester) and have their required student fees paid by the University. If a husband and wife both are full-time employees of the University, they have a combined total of 30 credit hours for which the University will pay the required student fees during an academic year. In order for the University to pay the required student fees, employees must be employed by the University prior to the start of the semester for which they have enrolled and intend to use the fee waiver benefit. If the employee terminates employment prior to the start of the semester in which the University has paid the required student fees, the University will cancel the payment of those fees and will bill the person who received the fee waiver for the amount due the University.

Employees who have used their 15 credit hour benefit during a given academic year, and who enroll in additional courses at Missouri State University during the same academic year, must pay the required student fees for those additional courses. This benefit is not applicable to out-of-state fees, book costs, or any special fee pertaining to a specific class or private instruction.

Employees may assign part or all of the 15 credit hour benefit to their spouse, **sponsored dependent** and/or their eligible dependent children. For purposes of this policy, the Internal Revenue Code defines an eligible dependent child as an employee's son, stepson, daughter, or stepdaughter. Such children must be a dependent of the employee and must not have attained the age of 24 years at the start of the semester in which the credit hour fee waiver is applied. In addition, children of divorced or separated parents are treated as a dependent of both parents where (1) the parents are divorced, legally separated, or separated under a written separation agreement; and (2) the children receive over half of their support from their parents. The spouse, **sponsored dependent** and/or eligible dependent children must have been admitted to Missouri State University or must qualify for the high school senior early admission program.

Greenwood Laboratory School

Full-time regular faculty and staff employees who are eligible for the credit course fee waivers as described above may apply one-half of the total undergraduate annual credit hour benefit to their eligible dependent children who attend Greenwood Laboratory School toward payment of required student fees.

West Plains Campus Per Course Faculty

Per course faculty who teach at Missouri State University's West Plains Campus are eligible to enroll in a total of 15 credit hours of college-level courses per academic year and have their required student fees paid by the University. The following restrictions apply: (1) the fee waiver is limited to associates degree credit courses offered on the West Plains Campus only; (2) the fee waiver excludes courses for the Missouri Sheriffs' Association Training Academy; and (3) enrollment or assignment of the benefit applies only in the semester in which the per course faculty is actively teaching. Per course faculty may assign part or all of the 15 credit hour benefit to their spouse, **sponsored dependent** and/or their eligible dependent children with the same restrictions.

The purpose of offering credit course fee waivers through the Employee Educational Opportunity Program is to (1) encourage overall employee improvement (2) encourage development of qualifications which may increase an employee's skill in his/her present job or lead to advancement through additional education, and/or (3) enhance the fringe benefit program by extending course enrollment benefits to spouses and eligible dependents.

The following requirements must be met in order for an employee to participate in this program:

- The individual receiving the fee waiver must file an application for admission or readmission with the Office of Admissions and Recruitment and must meet all academic admission requirements stipulated in the Missouri State University Undergraduate Catalog or the Missouri State University Graduate Catalog. (See calendar in Catalog and Class Schedule for deadlines).
- Courses taken by employees (1) must be taken outside assigned scheduled working hours, or (2) an equivalent adjustment must be made in the employee's work schedule to make up the time away from work, or (3) an equivalent adjustment must be made by requesting leave without pay, or (4) the time away from work must be requested as vacation leave.

- Employees are expected to work 40 hours weekly. Work schedule adjustments may be made within the department. However, the adjustment must be approved by the department head or supervisor in advance and should not be considered if it interferes with the normal operations of the department.
- Participation in the program is voluntary. Responsibility for course work rests with the individual and work hours are not to be used for class preparation.
- Employees using this benefit must submit a completed Request for Credit Course Fee Waiver form and copy of course schedule to the Office of Human Resources after registering.

6.4.2 Noncredit Course Fees – My Benefit

Full-time regular employees may receive assistance to help pay course fees to enroll in noncredit courses offered by Missouri State University's approved units for the purpose of professional and personal development. The University will pay \$150 per employee, per fiscal year (July 1 through June 30) for the employee's enrollment in noncredit courses sponsored through these units. ~~The employee must submit a completed Noncredit Course Request for Assistance form to the Office of Human Resources. The fee assistance is for the employee only. It does not extend to members of the employee's family. University departments and/or educational units sponsoring professional and personal development courses may receive Noncredit Course fee assistance from attending employees if their course has been approved in advance by the Office of Human Resources, Employee Development and Performance as an authorized course.~~

My Benefit is an online process for all full-time eligible employees to use in applying their \$150.00 Noncredit Fee Waiver Benefit towards the cost of personal and professional development classes for which they register for through My Learning Connection. My Benefit also allows employees to defer the paying of any remaining balance for such class for later payment through their accounts with the Bursar's Office (Business Office on the West Plains campus). Employees who elect to use My Benefit will be able to apply the balance of their Noncredit Fee Waiver to the cost of class and defer any remaining cost for the class to their University account.

Once an employee has utilized all of their Noncredit Fee Waiver money for the fiscal year; they may use My Benefit code to be able to defer the entire cost with their My Benefit code and pay the amount through their accounts with the Bursar's Office (Business Office on the West Plains campus). Employees will pay for any deferred costs to their accounts through the Bursar's Office (Business Office on the West Plains campus). This fee assistance is for the employee only. It does not extend to members of the employee's family.

University departments and/or educational units sponsoring professional and personal development courses may receive Noncredit Course fee assistance from attending employees if their course has been approved in advance and the employee's registration is through My Learning Connection.

6.4.3 Training and Development Programs

Information on the professional and personal development courses available to employees are published online at <http://www.missouristate.edu/human/training>. Employees register online at this website for attendance in these courses. Employee job skill enhancement and professional development courses can be accomplished through online training, in-class sessions, and University/Professional certification programs. Individual employee attendance at training will be recorded in his/her Individual Development Plan (IDP). The information in the IDP will include University sponsored training, documented education, and certified professional development training. The IDP is established at the time of employment. Questions about the IDP, development programs, and registration can be directed to hrtraining@missouristate.edu or Human Resources Employee Development and Performance at (417) 836-4592.

My Learning Connection

Professional and personal development opportunities are available to employees through My Learning Connection, Missouri State University's online LMS (Learning Management System) located in My Missouri State. My Learning Connection is a centralized library of all development opportunities available to employees that is searchable, designed to support specific learning plans, and accessible 24/7 for information and registration. Employees can view their own comprehensive training record to include historical data, courses for which they have registered for, their training calendar, and courses they are interested in for future attendance. My Learning Connection supports the registration for all classroom, online, and blended learning courses to assist in providing learning opportunities for all employees. The employee's access to the LMS and set up for their training record is established at the time of employment.

Programs will normally be held during the regular workday; however, it is up to the employee to make arrangements with his/her supervisor for job coverage during program attendance. Those arrangements should be made prior to registration for training. There are compliance courses for which an employee's attendance is required in order for the University to meet legal mandates (example HIPAA, FERPA, CPR/AED, HazMat). The requirement to attend such training may be directed either by the University or the employee's department.

Questions about My Learning Connection, training requirements, and development programs can be directed to hrtraining@missouristate.edu or Human Resources Employee Development and Performance at 417-836-4592.

Certified **Administrative Professional (CAP)** ~~Professional Secretary (CPS)~~ Designation

The University recognizes the attainment of the **Certified Administrative Professional Secretary (CAP)** ~~Certified Professional Secretary (CPS)~~ rating by any full-time regular employee (as defined in Section 3.9.1) who is in a non-exempt, administrative support position, as categorized by the University's classification index. In support of this recognized rating for administrative support professionals, the University will (1) pay for the fees for the noncredit classes offered by the University that provide a review for the **CPS CAP** examination; (2) reimburse the employee for the application processing and examination fees for the initial examination attempt; and (3) increase the annual base salary by \$600.00 for any

administrative support employee achieving ~~CPS~~ CAP status. **This increase is not a supplemental increase on top of base salary.** The University will not cover expenses for second or subsequent re-examination attempts or for any other charges incurred by the employee. For more information regarding the **review sessions**, payment and reimbursement process, contact hrtraining@missouristate.edu, ~~the Office of~~ Human Resources **Employee Development and Performance** at 417-836-4592.

6.5 WORKERS' COMPENSATION

All University employees are extended Workers' Compensation coverage which provides payment of medical expenses and salary compensation to employees who suffer the effects of a work-related injury or who incur an occupational disease arising out of and in the course of employment with the University. The amount of compensation authorized under Workers' Compensation is prescribed by law and the State of Missouri and not by the University.

- A work-related injury must be reported immediately to the employee's supervisor.
- The supervisor must ensure that an employee injured in a work-related accident completes a Missouri State University On-The-Job Injury Report form.
- The supervisor must complete the "Supervisor Comment Section" and send the completed form to the Office of Human Resources **within 24 hours of the injury**. If there is a good reason for not reporting the injury within 24 hours, the injury must be reported as soon as possible, but no later than 30 days after the work-related accident.
- Upon receiving a work-related injury requiring medical attention, employees must contact 1-800-624-2354 for the name of an authorized medical care provider prior to seeking treatment. This referral service is available 24 hours a day, 365 days a year.

If the injury is considered to be serious (e.g., potentially life and/or limb threatening), the injured employee should proceed immediately to the nearest hospital emergency room. The employee or supervisor must notify the Office of Human Resources immediately.

The State of Missouri will not pay for medical treatment an employee receives from a medical provider who has not been approved by the Central Accident Reporting Office (CARO). Employees may seek their own medical care with the provider of their choice at their own expense.

Employees injured on the job will be excused from work without loss of pay, vacation, or sick leave in order to obtain medical attention on the day the accident or injury occurs. Additionally, an employee will be excused from work without loss of pay, vacation, or sick leave to obtain further medical treatment related to the injury. An employee must, however, limit absences from work to the time required to receive medical attention only, and may be required to furnish satisfactory proof of having received medical attention.

If an employee is unable to return to work following the accident or injury, the employee will be granted leave without pay. Full-time regular employees may elect to use accumulated vacation or sick leave instead of taking leave without pay. Workers' Compensation law requires a three-day waiting period following an accident or injury before making payments to employees. After the three-day waiting period, an employee may either (1) take the compensation paid through Workers' Compensation only and go on leave-without-pay status, or (2) continue to use accumulated vacation or sick leave to supplement the Workers' Compensation pay in order to receive full salary. Employees must report the type of leave on their timesheet or leave report for the period of time the employee is unable to work. In no case, however, shall an employee receive more than his/her normal monthly

salary amount as a result of receiving both Workers' Compensation pay and vacation or sick leave benefits.

Employees who are off work due to a work-related injury or illness (i.e., one for which the employee has filed a workers' compensation claim) will not accrue any vacation or sick leave if they have not worked or received University paid leave for at least 80 hours during each pay period that they are off work. However, employees who supplement their workers' compensation payments (i.e., the temporary total disability [TTD] payments from the State of Missouri) by using their accrued vacation, sick leave, and/or compensatory time off during the month will accrue vacation and sick leave for that month.

An injured employee who is unable to return to work after incurring a work-related accident or injury is required to provide a doctor's "off work" statement to his/her supervisor and the Office of Human Resources stating the necessity to be off work and the length of time the employee must remain off work. When returning to work, the employee may be required to provide a written release from the doctor.

An employee injured on the job must tell the medical provider that the accident or injury is work-related and will be filed with Workers' Compensation. Any bills for medical and hospital expenses received by the employee must be forwarded to CARO.

Workers' Compensation benefits may be reduced for injuries sustained in conjunction with the use of alcohol or controlled, non-prescribed drugs. Benefits may be forfeited if it is shown that the use of alcohol or controlled, non-prescribed drugs was the proximate cause of the injury. Under Missouri law, the University can request an employee to take a test for alcohol or a non-prescribed controlled substance if the University suspects usage by the employee. All workers' compensation benefits are forfeited if the employee refuses to take a test when requested by the University .

6.5.1 Early Return to Work Program

When an employee of Missouri State University has suffered the effects of a work-related injury or has incurred an occupational disease arising out of and in the course of employment with the University which is covered under the state's Workers' Compensation program, it is the policy of the University to provide the opportunity to maximize recuperation and rehabilitation, thus enabling an early return to work. To this end, the University has established an Early Return to Work Program in compliance with a directive dated October 29, 2001, from the State of Missouri's Office of Administration.

The primary object is to return employees to work at the earliest date when medically feasible, as determined by the authorized treating physician. An authorized treating physician is defined as the physician selected and/or approved by the Central Accident Reporting Office (CARO) under the provision of the Workers' Compensation Act. Additionally, this program endeavors to: communicate that the University cares about each employee and values the important contributions which employees make to the University's success; to foster and enhance the physical and psychological recovery process of injured employees; to reduce medical, lost time and disability costs; to minimize the chance of re-injury by the employee; and to enhance the injured employee's sense of confidence and well-being.

Upon determination by the authorized treating physician that an employee is capable of performing modified duties on a temporary basis, the employee's supervisor and major

administrator, (with the assistance of Human Resources), will review the employee's job duties (tasks) and determine whether the duties can be modified, temporarily suspended, or shared with another employee in order to meet the medical restrictions delineated by the authorized treating physician. If it is determined that job duties can be modified, temporarily suspended, or shared, such that the modified job duties meet the medical restrictions delineated by the authorized treating physician, the employee will be returned to work in that modified position. Employees who refuse to return to work in a position which meets the requirements for modification of duties will be subject to disciplinary action up to and including termination of employment. The supervisor will periodically review the scope of modified job duties to determine whether the duties, as originally prescribed, continue to meet the medical restrictions or if they need to be modified again.

If it is determined that a temporary modification of job duties (as described above) is not feasible, the supervisor will first attempt to identify a position within the employee's department for which the employee is qualified and which meets the medical restrictions delineated by the authorized treating physician. If such a position is found, the employee will be temporarily assigned to that position. The supervisor will periodically review the employee's work performance to determine whether the new temporary position continues to meet the medical restrictions or if the employee needs to be re-assigned to another position, one for which the employee is qualified and which does not violate the medical restrictions.

If the supervisor cannot identify a position within the employee's department for which the employee is qualified and which meets the medical restrictions delineated by the authorized treating physician, the supervisor, in consultation with the appropriate major administrator, will attempt to identify a position outside the employee's department. If a position can be identified for which the employee is qualified and which meets the medical restrictions delineated by the authorized treating physician, the employee will be temporarily assigned to that position. When an employee is assigned to a position outside his/her home department, the employee's salary will continue to be paid from the home department budget during the period of the temporary assignment. The supervisor will periodically review the employee's work performance to determine whether the new temporary position continues to meet the medical restrictions or if the employee needs to be re-assigned to another position, one for which the employee is qualified and which does not violate the medical restrictions.

The Office of Human Resources may request the assistance of the Office for Institutional Equity and Compliance to aid the supervisor with modifying an existing position or identifying an alternative position for the employee which meets the medical restrictions. Requests are evaluated by the Office for Institutional Equity and Compliance for assistive technology and alternative methods of accommodation for employees in conjunction with the Office of Human Resources. This expertise is intended to facilitate the employee's return to work.

6.5.1.1 Temporary Modified Work

Employees must understand that this type of work is considered to be temporary due to the nature of their medical restrictions. Employees are expected to return to their regular position as soon as they are medically able to do so. The authorized treating physician will identify the employee's temporary restrictions. Temporary modified work is defined as either:

(a) the modification or removal of some job tasks from an employee's regular scope of work responsibilities such that the resulting scope of work is within the capability of the employee to perform and does not violate the medical restrictions imposed by the authorized treating physician, or

(b) the performance of job tasks that may or may not be related to an employee's regular work position, but which can be performed by the employee based upon his/her qualifications and which do not violate the medical restrictions. These job tasks may be activities that have been delayed because staffing was not available to perform them or because they were considered to have less immediacy .

6.6 MILITARY LEAVE BENEFITS

Employees on military leave are extended the same benefits as employees on other paid or unpaid leaves. However, two special provisions are added:

- Insurance

If covered on the University's employee group plans, coverage will be maintained for 30 days after reporting for military duty. The employee may keep the University's insurance for up to a maximum of 24 additional months, even after going on the military's plan, by making the required premium contribution. The University's plan will apply coordination of benefit provisions of the plan and will cover benefits as either primary or secondary pay or as provided by the military program.

- Retirement

Under retirement system provisions, an employee may purchase creditable service for active military service. Contact the Missouri State Employees' Retirement System (MOSERS).

6.7 UNEMPLOYMENT COMPENSATION INSURANCE

The University provides unemployment insurance coverage for employees in accordance with the laws of the State of Missouri. For specific details concerning coverage and benefits, contact the Office of Human Resources, ~~Carrington Hall, Room 118~~, or the local office of the Missouri Division of Employment Security.

6.8 LEGAL DEFENSE OF STAFF EMPLOYEES

Pursuant to and in conjunction with the State Legal Expense Fund, Section 105.711, R.S.Mo., *et seq.*, it is the policy of the University to provide legal defense of any claim covered by Sections 105.711 to 105.726, regarding conduct of any officer or employee of the University arising out of and performed in connection with his or her official duties on behalf of the University. When questions arise as to whether the conduct in question would be covered by Sections 105.711 to 105.726, the University may consult and obtain the advice of the Attorney General of the State of Missouri. The University may also proceed with a defense under a reservation of rights, under which the officer or full-time or part-time employee may subsequently become liable and responsible for the expense of such defense upon a finding that the conduct was not or would not have been covered by Sections 105.711 to 105.726.

6.9 IDENTIFICATION CARD (BearPass Card)

Full-time regular employees are issued a picture identification card (BearPass Card) by the BearPass Office. The Missouri State University BearPass Card can be used as identification for cashing personal checks ~~at the Bursar's Office~~, for admission to various University facilities and events (check with individual event sponsor for specific details about cost or discount), for receiving a discount on purchases in Baker Bookstore, **Drago College Store**, and convenience stores on campus, for use of the University's Taylor Health and Wellness Center, for library services, **the Bill R. Foster and Family Recreation Center, the West Plains Civic Center Pool and Fitness Center** and for access to the employee's debit card account. If the BearPass Card is lost, stolen, or destroyed, the employee may obtain a replacement card ~~for \$10.00~~ by contacting the BearPass **Card Office or the Lybyer Open Lab Help Desk on the West Plains campus and paying the required replacement fee.** ~~On the West Plains campus, the Admissions Office issues employees a picture identification card.~~

Full-time regular employees also are entitled to obtain a Missouri State University BearPass Card for their spouse **or sponsored dependent**. The spouse's, **or sponsored dependent's** BearPass Card can be used for all of the same services and facilities as the employee's card. Contact the Office of Human Resources for a form to obtain a spouse/**sponsored dependent** identification card **also available upon paying the required replacement fee.** ~~Replacements are also \$10.00.~~

~~Part time employees also are entitled to a BearPass Card if they work a minimum of eight consecutive weeks with an average of 20 hours per week. The BearPass Card can be used for the same services listed above for a full-time employee.~~

Part-time employees may be issued a BearPass Card entitling them to the same services listed above for a full-time employee.

6.10 MY MISSOURI STATE PORTAL

The My Missouri State portal (<https://my.missouristate.edu/>) allows the employee access to information about payroll, accounts receivable, and benefits. Access to My Missouri State requires a user ID and password. Self-service instructions for obtaining a user ID and password are available through a link on the My Missouri State login page. Alternatively, the employee may set up an account in person through Computer Services in Cheek Hall, or at one of the open-access computer labs.

6.11 UNIVERSITY SERVICES AND FACILITIES

Employees have access to the following services and facilities in accordance with the rules, regulations, and policies of each department providing the facilities or service. For more information and answers to questions concerning these services, the employee should contact the specific department responsible for the service.

6.11.1 Athletic Events

Employees may purchase reserved or general admission tickets to selected Missouri State University athletic events at a reduced rate. Tickets may be purchased at any of the Missouri State University ticket outlets on campus, online at <http://www.missouristatetix.com/>, or by phone at (417) 836-7678. This benefit is subject to the availability of tickets. It is not valid on

previously purchased tickets. For more information and ticket applications, call (417) 836-7678.

Athletic tickets for the West Plains campus are available at the Drago College Store at (417) 255-7277.

6.11.2 Automated Teller Machines (ATM)

Automated Teller Machines are located ~~at various locations on both the Springfield and West Plains campuses. on the first floor of Carrington Hall, on the second floor of Plaster Student Union, at the entrance to the Bookstore, and in the parking lot south of JQH Arena, and on corner of West Main and Garfield & Front entrance of Lybyer Technology Center on West Plains campus.~~

6.11.3 Bookstore

The Missouri State Bookstore is University-owned and operated as a self-funded auxiliary, where all profits go to support Missouri State University. In addition to textbooks, trade books, art supplies, and school supplies, the bookstore provides a range of retail merchandise including clothing, cosmetics, personal computers, computer software, calculators, toiletries, greeting cards, etc. Full-time and part-time employees are eligible for a discount on purchases upon presentation of their University BearPass Card. Affiliate stores are located across campus including, Bear Necessities, Bear House Entertainment, It's a Greek Thing (located in the Plaster Student Union), The Team Store (located in the JQH Arena), and ETC (located in Hammons House).

On the West Plains campus, many services are provided at the Drago College Store upon presentation of a faculty/staff identification card.

6.11.4 Campus Communications

The primary internal communication tool is the university's portal. My Missouri State. Information about current events, news and announcements is available in My Missouri State Publications in *Missouri State*, a magazine geared primarily to alumni and friends of the university, is produced three times each year; and *The Standard*, a student publication, is published bi-weekly when classes are in session. Faculty and staff accomplishments are recognized through Out in Front, which appears on the Faculty/Staff Web homepage. Other communication vehicles available are the "President's Address to Campus", which is a presidential speech to inform employees about the main issues facing the campus; the Missouri State World Wide Web site; *Board of Governors Review*, which summarizes Board of Governors meetings; *Friday Focus*, a periodic publication sent from the President's office to all faculty, staff and students at the University; the Provost's Communiqué; and other periodic departmental and college newsletters.

6.11.5 Charge Account

The University has a charge account plan which allows full-time employees to use their identification numbers to charge miscellaneous expenses and fines, including Taylor Health and Wellness Center expenses, Missouri State Bookstore charges, and library fines.

Employees interested in requesting this service should contact the Financial Services Office located in Carrington Hall, Room 113.

6.11.6 Check Cashing Privileges

Employees may cash personal checks up to \$50 per day with their BearPass Card at the Bursar's Office between 8:30 a.m. and 4:30 p.m. Monday through Friday. The Bursar's Office has two locations to serve employees: the main office is located on the first floor of Carrington Hall and the second location is inside the BearPass Office in the Plaster Student Union.

On the West Plains campus, employees may cash personal checks up to \$10 per day at the Business Office in Looney Hall.

6.11.7 Convocations and Lectures

Many outstanding cultural programs are brought to the campus each year. These programs vary from drama to music to lectures on many topics and in various academic disciplines. Generally, convocations and lectures are open to the public. Check the Missouri State University Master Calendar on the University's web site <http://www.missouristate.edu/> for details regarding upcoming convocations and lectures.

6.11.8 Copy This

Copy This is a full-service copy center for students, faculty, and staff use. The facility features color and black/white copying, poster/banner makers, lamination, binding, and finishing services. Multimedia production services are available at Copy This. FAX services and a full selection of materials are also available. Copy This is located in Plaster Student Union, Room 210, and is open Monday through Thursday from 8:00 a.m. to 6:00 p.m., and Friday from 8:00 a.m. to 5:00 p.m. The telephone number is (417) 836-5808

6.11.9 Counseling and Testing Center

The Counseling and Testing Center is staffed with experienced professional counselors, psychologists, and social workers who provide individual and group counseling to help resolve personal and relationship difficulties, as well as providing crisis intervention to deal with situations which require immediate attention. First priority is given to students; however, University employees are eligible for consultation and referral services. Additionally, a wide range of nationally standardized tests for college admission and proficiency certification are available through the Counseling and Testing Center. Employees who desire to take advantage of the services offered by the Counseling and Testing Center should call (417) 836-5116 for further information or visit <http://counselingandtesting.missouristate.edu/> for additional information and resources.

6.11.10 Credit Union

All employees are eligible for membership in the Educational Community Credit Union located at 1221 East Grand Street. The Credit Union is sponsored by teachers of the Southwest District of Missouri for the purpose of investment and loans. Employees interested

in general banking, checking, savings, or loans should contact the Educational Community Credit Union at (417) 831-0534.

6.11.11 Emergencies-Contacting an Employee

If there is an emergency which requires that an employee be notified during normal work hours (8:00 a.m. - 5:00 p.m., Monday through Friday), the Office of Human Resources may be called at (417) 836-5102 to help notify the employee. The Office of Human Resources will ensure that the message is delivered promptly. If an employee needs to be notified of an emergency during other than normal business hours, the Safety & Transportation Department may be contacted 24 hours a day at (417) 836-5509 for assistance.

On the West Plains campus, emergency notifications may be directed to the Business Office at (417) 255-7260 (8am - 5pm) and (417) 257-9078 after business hours.

6.11.12 Food Service

All campus contracted facilities, (example, dining halls, food outlets, commercial franchised vendors), and snack bar facilities are available to all employees. Employees may use any of the three dining halls on the campus located in Blair-Shannon, Garst Dining Center, and Kentwood Dining Center. Retail food services are located in the Food Court in Plaster Student Union or Hammons House Boomers. The Union Club, located on the 4th floor of Plaster Student Union, serves soup and salads and a hot entrée during the lunch hour. There are a number of different meal plans that employees may purchase; employees who are interested in purchasing a meal plan should call 836-5660. Catering for large or small events is available by contacting the catering office at (417) 836-5046. Information about food services can be found at: www.missouristate.edu/dining. On the West Plains campus, employees may use the cafeteria at the Putnam Student Center.

6.11.13 Hammons Student Center (HSC)

Hammons Student Center is a multi-purpose sports and recreational complex open to students, faculty, and staff of the University. Among the numerous facilities available are: basketball, volleyball, handball/racquetball courts, and swimming pool. Locker rooms are fully equipped with lockers and showers. HSC also provides use of equipment, towel service, and locker locks. Family and alumni memberships may be purchased that allow spouses, **sponsored dependents**, and dependents to use the facilities. Authorized individuals may bring guests for a \$5 per guest fee. Handball/racquetball courts must be reserved by calling (417) 836-5237. The employee's BearPass Card must be presented to the front desk attendant before using the facility.

6.11.14 Health and Wellness Center

Taylor Health and Wellness Center provides quality health care and promotes lifelong wellness programming for the University community: students, faculty, staff, retirees, and the household members of this group. Taylor Health and Wellness Center employs Board Certified physicians and is nationally accredited by the Accreditation Association for Ambulatory Health Care, Inc. The following services are provided: family medicine, internal

medicine, gynecology, orthopedics, psychiatry, psychology, treatment clinic, pharmacy including pharmacist counseling, laboratory, x-ray services including a radiologist, diabetic education, dietetics, travel medicine, and immunizations. Services are also provided to campus visitors on an urgent care (non-continuous) basis.

Taylor Health and Wellness Center staff will assist employees and retirees with filing health insurance claims. It also provides health care for most *on-the-job* related injuries and illnesses (Workers' Compensation benefits). Most health and pharmacy services are provided at reduced rates as a service to the University Community. Information regarding hours of operation, appointments, or services provided may be obtained by calling Taylor Health and Wellness Center at (417) 836-4000 or by visiting their website at: <http://health.missouristate.edu/>.

6.11.15 Juanita K. Hammons Hall for the Performing Arts

Juanita K. Hammons Hall for the Performing Arts is a 2,220-seat multi-purpose performing arts center. The Hall presents high quality music, theater, and dance programs for Missouri State University students and the community through the Give Your Regards to Broadway series, the Family series, Center Stage at the Hall, and the Don Wessel Emerging Concert Artist series. For information regarding programming and tickets at the Hall, call (417) 836-7678 or visit the Hall's web site at: <http://www.hammonshall.com/>. Discounted tickets for faculty and staff are available on select performances with details available at the ticket office.

6.11.16 Library Privileges

The University System Libraries (Meyer, Music, Haseltine Library at Greenwood, Paul Evans at Mountain Grove, and Garnett Library at West Plains) serve all students, University employees, ~~and~~ their spouses/ **sponsored dependents**. To check out books and other materials, employees and their spouses need to present their University BearPass Card (Spouse BearPass Card) at the Circulation Desk. Information about hours of operation and other services available can be obtained at any library location or at <http://www.library.missouristate.edu/>. Employees should check at the Libraries' Administrative Office regarding library privileges for other members of their households.

6.11.17 Notary Public

Notary services are provided free of charge. A complete listing of notaries, their office room numbers and telephone numbers can be found at <http://www.missouristate.edu/dos/notaries.htm>.

6.11.18 Parking

A current Missouri State University parking permit is required and must be displayed in order to park in any University parking lot. Parking permits must be purchased at the Transit Operations Center located at 700 East Elm Street, (417) 836-4825. Designated parking spaces are provided for the disabled in accordance with the Americans with Disabilities Act. A University permit (commuter, residence, reserved, vendor, special, presidents, etc.) and a state issued disabled placard or license plate is required to park in a designated disabled parking space. Visitor parking is available in metered lots and spaces throughout campus.

Details on the location of visitors' parking areas can be obtained at the Transit Operations Center. Vehicles that are illegally parked or which do not display a University parking permit will be ticketed by University Safety & Transportation personnel. All parking tickets issued by the Safety & Transportation Department must be paid at the Bursar's Office ~~located in Carrington Hall~~.

Parking tickets may be appealed to the Parking Appeals Office, located in the Transit Operations Center at 700 E. Elm Street, within 15 days of the date of the ticket. Failure to pay the fine or appeal the ticket within 15 days will result in the parking fine being assessed to the employee's Accounts Receivable account. Failure to pay the fine will also subject an employee to appropriate action through administrative channels. Missouri State University reserves the right to temporarily close any parking lot/area for University purposes. When possible, advance notice will be given.

On the West Plains campus, parking permits may be purchased and tickets paid at the Business Office ~~in Looney Hall~~. Parking tickets may be appealed to the Coordinator of Student Life & Development, located in Putnam Student Center at 127 ½ Jefferson Avenue or online at <http://www.wp.missouristate.edu/CampusSafety/> within 15 days of the date of the ticket.

6.11.19 Plaster Sports Complex (PSC)

Plaster Sports Complex is a sports event and recreational facility for students, faculty, and staff of the University. Available recreation facilities are a fitness center, handball/racquetball courts, outdoor jogging track, and locker rooms with showers. The fitness center houses cardiovascular machines, free weights, and circuit training. An aerobic/dance studio is equipped with full-length mirrors, a ballet bar, and a stereo system. An employee's BearPass Card must be presented to the attendant on duty in order to use the facility. Equipment may be checked out for use. Campus Recreation, located in Plaster Student Union, offers many classes that utilize the complex. For more details, contact the Plaster Sports Complex Office at (417) 836-4640. On the West Plains campus, the pool and fitness center are located at the West Plains Civic Center; for more information, contact (417) 255-7966.

6.11.20 Plaster Student Union (PSU)

The Plaster Student Union (PSU) is a multipurpose facility, primarily for students, faculty, and staff of the University. The PSU has numerous lounges, large and small conference rooms, ballroom, arcade and bowling center, theater, convenience store, technology store, bank, and food court. It provides many educational, recreational, and co-curricular activities for the campus community. Rooms and equipment can be reserved by contacting the Conference Services Office in the PSU at (417) 836-5653. For more information, visit their web page at: <http://www.missouristate.edu/union/>.

6.11.21 Postal Service

The University operates a U.S. Postal Services Contract Station in Plaster Student Union, Room 210, (417) 836-5342. Hours of operation are Monday through Friday from 8:00 a.m. to 5:00 p.m. Services include stamps, money orders, and mailing packages as well as certified, registered, insured, international, and express mail. Stamps and other postal items can only be purchased with cash. The Contract Station is closed during all official University holidays.

6.11.22 Recreational Facilities

All employees of the University may use the University tennis courts, Plaster Student Union, Hammons Student Center, Plaster Sports Complex, McDonald Arena, and other recreational facilities of the University, under the conditions and applicable rules and when scheduling permits.

6.11.23 Safety and Transportation

The Safety & Transportation Department, (417) 836-5509, provides a variety of services for employees and students including authorized access to buildings, battery jump for vehicles parked on campus or on University-owned streets and protective accompaniment service on campus during the hours of darkness. Persons who park their vehicle on campus and find that they are unable to gain entry because it is locked, may contact the Department for assistance. While the Department no longer provides emergency unlocking services, they will contact a firm to unlock a vehicle under such circumstances. This firm will charge for the unlocking service. On the West Plains campus, contact the West Plains Police Department at (417) 256-2345.

Common sense rules of safety will help do much to make Missouri State University a safe and pleasant place to work. Any potentially unsafe condition should be reported immediately to a supervisor or the Department.

6.11.24 Savings Bond Purchases

United States Savings Bonds, types EE and I, may be purchased through payroll deduction. For more information about the amount and types of bonds available, contact the Payroll Office at (417) 836-6578. Payroll deductions must be in an amount sufficient to purchase at least one savings bond per month of participation. The smallest amount is \$50 to purchase an EE Bond that will mature at \$100 after several years.

6.11.25 Shuttle Bus Service

Missouri State University provides regular shuttle bus service for students, faculty, staff and guests at no cost for the Springfield campus. All buses are modern, comfortably air-conditioned and heated, with display signs that designate them as the "Bear Line."

Shuttle bus routes and other information are available in the Plaster Student Union, Transit Operations Center, Safety & Transportation Department, in various other student service locations around campus, and on their website: <http://www.missouristate.edu/SafeTran/shuttle.htm>.

6.11.26 Telecommunications Service

The University's long-distance network is intended for official business only. Use of the long-distance service for personal calls is discouraged and should only be done in an urgent or emergency situation. It is the responsibility of the employee to keep a record of all personal calls made using the University's long-distance service and to pay the telephone charges for such telephone calls. Payment can be made at the Bursar's Office. A copy of the paid receipt for personal telephone calls and the itemized phone call report should be maintained in the

department files. Instructions for operating the University's voice systems and other related information are located at <http://www.telecom.missouristate.edu/>, and in the front section of the *Missouri State University System Directory*. For assistance, employees should contact Telecommunication Services at (417) 836-8580.

6.11.27 Wellness Program

The University supports the culture of employee wellness based upon healthy lifestyles choices and offers all employees the opportunity to take advantage of Wellness Programming offered through the Taylor Health and Wellness Center and Campus Recreation. The components of the University's Wellness Program include the following:

- Health Risk Assessment (HRA).
- Tobacco Use Statement.
- MSU Health Insurance Utilization Education Program.
- Periodic health and wellness screenings (lipid profiles, fitness assessments, blood pressure checks, nutrition analysis, etc.).
- Non-credit fitness and wellness classes (CPR/First Aid, yoga, tai chi, aerobics, water aerobics, meditation, financial peace and more).
- Smoking Cessation Programs.
- Wellcoaching via group and one-on-one meetings.
- Weight Management Program - Weight Watchers at Work.
- Educational programs and presentations (Women's and Men's health forums and lunch-and-learn opportunities).
- Resource materials (pamphlets, handouts, CD's, DVD's, websites, etc.).
- Immunizations and travel medicine assistance.

Participation in the Wellness Programs includes both fee based and non-fee based opportunities. Some programming entitles full time faculty and staff to utilize the non-credit fee waiver benefit. Information regarding specific programming and services provided may also be obtained by contacting the Employee Wellness Coordinator at Taylor Health and Wellness Center at (417) 836-4064 or by visiting the Employee Wellness Website at their website: <http://missouristate.edu/wellness>.

7.0**LEAVE BENEFITS****7.1 VACATION LEAVE**

All full-time regular employees are eligible to receive paid vacation leave. Employees will accrue leave with a minimum of 80 hours paid time in a pay period.

Employees who terminate employment or retire from the University will accrue vacation in the month of termination/retirement provided that they have 80 hours of paid time for that pay period; no partial monthly accruals are allowed.

Employees who are off work due to a work-related injury or illness (i.e., one for which the employee has filed a workers' compensation claim) will not accrue any vacation leave if they do not have 80 hours paid time during each pay period that they are off work. Employees may supplement their workers' compensation payments (i.e., the temporary total disability [TTD] payments from the State of Missouri) by using their accrued vacation, sick leave, or compensatory time off during the pay period in order to meet the minimum 80 hours of paid time.

Employees accrue vacation monthly and may carry days forward from one month to the next. The maximum amount of vacation that can be carried forward from one fiscal year to the next cannot exceed two times the employee's annual allowance. For example, if an employee earns vacation at the rate of 6.67 hours each pay period, or 80 hours per year (10 days), the employee may carry forward up to a maximum of 160 hours (20 days). Any amount of leave over the maximum accumulation of two times the annual allowance is lost at the end of the fiscal year (June 30) in which the maximum accumulation amount has been reached.

7.1.1 Accrual - Nonexempt Employees

For nonexempt employees on regular 12-month appointments, vacation leave accrues every pay period based upon the schedule shown in the following table. The leave is posted to the leave balance at the end of each month. The schedule shown in the following table also applies to employees who transfer from an exempt to a nonexempt position. Staff members with appointments of less than 12 months (e.g., nine-month positions), will accrue vacation leave on a basis pro-rated to full-time, 12-month appointments.

| Nonexempt Employee Vacation Accrual Summary | | | |
|--|------------------------|-----------------------|----------------|
| Years of Service | Monthly Accrual | Annual Accrual | Maximum |
| Less than 5 years | 6 hrs 40 mins | 10 days | 20 days |
| At least 5 but less than 10 years | 1 day 2 hrs | 15 days | 30 days |
| 10 or more years | 1 day 5 hrs 20 mins | 20 days | 40 days |

The effective date for the increase in the vacation accrual rate to the next higher rate will be the pay period in which the years of service milestone is reached and is posted to the leave balance at the end of the month. (Note: Employees who were accruing vacation leave in 1987 at a greater annual rate due to former policy provisions will remain at the annual rate in effect at that time.)

7.1.2 Accrual - Exempt Employees

The vacation leave accrual rate for exempt employees is established at the time of employment. Typically, exempt employees accrue vacation at the rate of 20 days annually. The department head, with approval from the appropriate vice president and the Director of Human Resources, may establish the annual allowance at 15 days, with justifiable reasons. In such cases, the accrual rate for the exempt employee will increase to 20 days at the two year anniversary of the exempt employee's date of employment. The department head is responsible for notifying the Office of Human Resources of the effective date of the increase in the accrual rate. The department head may, however, withhold the increase to the higher accrual rate, based upon objective considerations, if approved by his/her vice president and the Director of Human Resources. The schedule below also applies to employees who transfer from a nonexempt to an exempt position.

| Exempt Employee Vacation Accrual Summary | | |
|---|-----------------------|----------------|
| Monthly Accrual | Annual Accrual | Maximum |
| 1 day 2 hrs | 15 days | 30 days |
| 1 day 5 hrs 20 mins | 20 days | 40 days |

The accrual rates shown above apply to employees on full-time, 12-month appointments. Staff members with appointments of less than 12 months (e.g., nine-month positions), will accrue vacation leave on a basis pro-rated to full-time, 12-month appointments.

7.1.3 Using Vacation Leave

Vacation may be taken only after time is accrued and recorded at the end of each month. It can not be taken before it is accrued or in anticipation of it being recorded at the end of the month. Vacations may be taken as weekly periods, individual days, or in quarter-hour increments as long as the period chosen meets with departmental approval, and there is a sufficient leave balance available. An absence of less than 15 minutes will be counted as a quarter hour. Vacation leave will be granted at the convenience of the University. Due to work scheduling and workload, some departments will specify periods of time when no vacations will be approved or will specify the number of employees who may be on vacation at any given time. Some departments will request that leave be taken in defined increments of half days, whole days, or weeks. Employees must adhere to any departmental policies and/or restrictions regarding vacation scheduling. Employees should request leave from their supervisor at least two weeks prior to the date the vacation is to begin. In certain departments, requests for summer vacation may be required early in the spring so the complete summer vacation schedule can be established in advance.

7.1.4 Unused Vacation Leave

Employees terminating employment for any reason are entitled to payment for their accrued, unused hours of vacation, up to a maximum of two times their annual accrual.

7.2 SICK LEAVE

All full-time regular employees are eligible to accrue paid sick leave. Sick leave may be used for an illness, pregnancy, injury, or for medical/dental appointments. Employees whose normal work

location is on the Springfield campus are not required to use sick leave when they have a medical appointment or seek medical treatment at one of the University's on-campus healthcare providers (e.g., the Taylor Health and Wellness Center, the Physical Therapy clinic, the Speech Language clinic), including filling or re-filling a prescription at the Taylor pharmacy. If the treatment or appointment at one of the University's on-campus healthcare providers results in a referral to another healthcare provider who is located off campus and the employee wants the time away from work for that subsequent appointment off campus to be paid, then sick leave can be used and the provisions of paragraph 7.2.2 apply.

Whenever employees seek medical treatment or have medical appointments off campus, the provisions of paragraph 7.2.2 apply. If the on-campus treating healthcare provider determines that the employee should not return to work but should be sent home, the employee may use sick leave for the time he/she is at home due to the medical illness or injury. Otherwise, the time away from work while at home will be unpaid unless it is a work-related injury or illness (see Section 6.5 of this handbook for information about Workers' Compensation benefits). The provisions of paragraph 7.2.2 apply regarding the use of sick leave under these circumstances.

Employees may also use sick leave, up to a maximum of 96 hours (12 days) in a calendar year, due to an illness or injury of the employee's spouse, **sponsored dependent**, children, parents, mother-in-law, father-in-law, or other family members who require the employee's personal care and attention. If employees need more than 96 hours in a calendar year to care for a family member who is ill or injured, they may use vacation or compensatory time. Employees may use unpaid leave under the Family and Medical Leave Act (FMLA) to care for a family member who is ill or injured (see Section 7.8 in this handbook for details about applying for Family and Medical Leave.) Sick leave may also be approved as provided in the policy provision for personal leave. Sick leave, whether for personal illness, family illness, or personal leave, shall be deducted from the employee's accumulated sick leave.

7.2.1 Accrual

Sick leave accrues at the rate of eight hours per pay period (one day); there is no limit on the number of sick leave days that may be accrued or carried forward. The accrual rate applies to full-time 12-month appointments. Staff members with appointments of less than 12 months (e.g., nine-month positions) will accrue sick leave on a basis prorated to full-time, 12-month appointments (e.g., 72 hours per year (nine days) for nine-month appointments). Employees will accrue leave with a minimum of 80 hours paid time in a pay period. Employees who terminate employment or retire from the University will accrue sick leave in the month of termination/retirement provided that they have 80 hours of paid time for that pay period; no partial monthly accruals are allowed.

Employees who are off work due to a work-related injury or illness (i.e., one for which the employee has filed a workers' compensation claim) will not accrue any sick leave if they do not have 80 hours paid time during each pay period that they are off work. Employees may supplement their workers' compensation payments (i.e., the temporary total disability [TTD] payments from the State of Missouri) by using their accrued vacation, sick leave, or compensatory time off during the pay period in order to meet the minimum 80 hours of paid time.

7.2.2 Using Sick Leave

Sick leave may be taken only after time is accrued and recorded at the end of each month. It cannot be taken before it is accrued. Sick leave will be recorded in quarter-hour increments.

An absence of less than 15 minutes will be counted as a quarter hour. Employees whose regular work week consists of four 10-hour days will need to record 10 hours of sick leave on their timesheet or leave report which will be deducted from their sick leave balance for each day of sick leave that they take.

Employees who are unable to report to work because they are ill must promptly notify their supervisor (See Section 9.2.1 of this handbook for the policy on employee absence). A supervisor may require an employee who has been absent from work due to illness or injury to provide a doctor's statement or other acceptable proof of illness or injury. Supervisors may require a doctor's statement that includes a release to return to work. Supervisors may also require proof of illness if employees have a poor attendance record or have exhibited a pattern of misusing sick leave.

7.2.2.1 Unused Sick Leave Applied at Retirement

Employees terminating employment for any reason *other than qualified retirement* are not paid for their unused sick leave. However, the Missouri State Employees' Retirement System (MOSERS) requires that the University report the number of unused sick hours that an employee had at the time the employee terminated employment with the University. If the employee is vested in MOSERS (i.e., worked at least five years in a MOSERS eligible position) at the time of termination of employment, MOSERS will convert the reported unused sick leave hours into retirement service credit; 168 hours equals one month of service credit. When the employee applies for retirement at some future date when he/she is qualified to retire, MOSERS will include those months of service in the calculation of the retirement benefit amount.

The provisions of this section regarding treatment of sick leave by MOSERS are subject to modification in order to comply with MOSERS requirements. Employees who retire under one of the University's public retirement plans will be paid for 40 percent of any accumulated unused sick leave rounded up or down to the nearest full day (up to a maximum of 384 hours (48 days), and the remaining unused sick leave will be reported to MOSERS for inclusion as creditable service in accordance with MOSERS' policies regarding the reporting of unused sick leave. A qualified retirement is one in which the employee is eligible for and receives a monthly retirement benefit from one of the University's retirement plans (Missouri State Employees' Retirement System).

7.3 STAFF CHANGES TO FULL-TIME, REGULAR FACULTY

Staff employees who are appointed to a full-time, regular faculty position no longer earn vacation or paid sick leave. Vacation and sick leave accrual ceases upon the effective date of appointment to their faculty position responsibilities. Employees who have accrued vacation days are encouraged to use such vacation prior to the start of the faculty position responsibilities. Any earned, unused vacation days not taken prior to the start of the faculty position responsibilities will be paid as a supplemental payment. Any unused sick leave days not taken prior to the start of the faculty position responsibilities will be retained until the employee resigns or retires from the University. Upon resignation or retirement, the unused sick leave days will be reported to MOSERS for inclusion as creditable service in accordance with MOSERS' policy regarding the reporting of unused sick leave.

7.4 LEAVE RECORDS

All full-time regular employees who are entitled to paid leave benefits must request leave from their supervisor in advance and record leave taken on their timesheet or leave report. Employees may gain access to their personal information on <http://my.missouristate.edu>. The Office of Human Resources maintains leave records for all employees.

7.5 LEAVE BENEFITS FOR ACADEMIC ADMINISTRATORS AND TWELVE MONTH ACADEMIC PROFESSIONAL EMPLOYEES

7.5.1 Eligibility

All full-time 12-month administrative and professional employees who hold faculty rank are entitled to paid vacation and sick leave benefits described in this policy. The 12-month academic employees include executive/administrative, deans, academic department heads, and other administrative and professional employees. Leave benefits take effect at the time an employee is appointed to an eligible 12-month position. Generally, a 12-month academic appointment coincides with the fiscal year (July 1 to June 30).

7.5.2 Vacation Leave Accrual and Use

Employees will accrue leave with a minimum of 80 hours paid time in a pay period. Vacation time will accrue at a rate of 13.34 hours per pay period or 160 hours per year (20 days). Employees accrue vacation monthly and may carry days forward from one month to the next. The maximum amount of vacation that can be carried forward from one fiscal year to the next cannot exceed two times the employee's annual allowance. For example, if an employee earns vacation at the rate of 13.34 hours each pay period, or 160 hours per year (20 days), the employee may carry forward up to a maximum of 320 hours (40 days). Any amount of leave over the maximum accumulation of two times the annual allowance is lost at the end of the fiscal year (June 30) in which the maximum accumulation amount has been reached.

Vacation may be taken only after time is accrued and recorded at the end of each month. It can not be taken before it is accrued or in anticipation of it being recorded at the end of the month. Vacations may be taken as weekly periods, individual days, or in half-day increments as long as the period chosen meets with departmental approval and there is a sufficient leave balance available.

7.5.3 Sick Leave Accrual and Use

Upon assuming their duties as academic administrators or professionals, faculty will be extended an initial allotment of sick leave. Sick leave can be either “earned” or “unearned”. Earned sick leave is referred to simply as sick leave and is defined as follows:

- An allotment of days (at the rate of one day per month) that was given to all academic administrators/professionals who were serving in their positions on July 1, 1992 based upon the appropriate amount of sick leave they would have accumulated prior to implementation of the sick leave system for academic administrators/professionals on that date. The allotment of sick leave for service prior to July 1, 1992 was capped at 120 days and was previously referred to as “back-up” sick leave and/or

- The accrual of days (at the rate of one day per month) after July 1, 1992, while serving in an academic administrator/professional position.

Unearned Sick Leave is defined as an allotment of sick leave days, based upon the faculty member's months of service at Missouri State University (exclusive of any months of service as an academic administrator/professional), granted at the rate of one day of sick leave for each month of service and is capped at a maximum of 120 days.

Sick leave accrues at the rate of eight hours per pay period (1 day); there is no limit on the number of earned sick leave days that may be accrued or carried forward. This system allows employees the opportunity to accumulate a substantial amount of paid sick leave in the event of an accident or long-term illness. Employees will accrue leave with a minimum of 80 hours paid time in a pay period. Employees who terminate employment or retire from the University will accrue sick leave in the month of termination/retirement provided that they have 80 hours of paid time for that pay period; no partial monthly accruals are allowed.

Sick leave may be taken as leave accrues for employee illness or injury which renders the employee incapable of performing the duties of the position and for preventative medical and dental care. A limited amount of sick leave may also be used due to the illness or injury of the employee's spouse, **sponsored dependent**, child(ren), parents, mother-in-law, father-in-law, or other family members who requires the employee's personal care and attention. A maximum of twelve days each calendar year can be used for such illness or injury. Sick leave may be taken only after time is accrued and recorded at the end of each month. It can not be taken before it is accrued or in anticipation of it being recorded at the end of the month.

One day of sick leave per calendar year may be granted for any reason deemed important to an employee and is referred to as personal leave. Personal leave does not accumulate from one calendar year to the next. If personal leave is not taken in any given year, it is accumulated as sick leave. Personal leave must be taken in a full-day increment. Any portion of a day will count as one day of personal leave.

Employees who are off work due to a work-related injury or illness (i.e., one for which the employee has filed a workers' compensation claim) will not accrue any sick leave if they do not have 80 hours paid time during each pay period that they are off work. Employees may supplement their workers' compensation payments (i.e., the temporary total disability [TTD] payments from the State of Missouri) by using their accrued vacation, sick leave, or compensatory time off during the pay period in order to meet the minimum 80 hours of paid time.

7.5.4 Leave Records

An academic administrator or 12-month academic professional may elect not to complete the Leave Report if he/she signs an agreement that he/she will not ask for payment for unused vacation or sick leave upon retirement or return to a nine-month faculty position.

Academic Administrators/Professionals who are entitled to paid leave benefits must request leave from their supervisor in advance and record leave taken on their leave report. Employees may gain access to their personal information on <http://my.missouristate.edu>. The Office of Human Resources maintains leave records for all employees.

7.5.5 Changes in Employment Status

7.5.5.1 Retirement

A qualifying retirement is one in which the academic administrator or 12-month academic professional, at the time he/she leaves the University, is eligible for and receives a monthly retirement benefit in the University's retirement plans: Missouri State Employees' Retirement System (MOSERS) and College and University Retirement Plan (CURP). Academic administrators and professionals who retire from the University while serving in a 12-month position are entitled to payment for all accrued, unused vacation time. They will also be paid for forty percent up to a maximum of 384 hours (48 days) of their accumulated earned, unused sick leave. Employees retiring under the MOSERS plan will have the remaining earned, unused sick leave reported to MOSERS for inclusion as creditable service in accordance with MOSERS' policies. However, the remaining earned, unused sick leave days will not be reported to the CURP retirement plan for service credit because CURP does not recognize service credit as a component of its retirement benefit calculation. Calculation of the unused sick leave upon which the forty percent payment is based will not include the days allotted as unearned sick leave.

7.5.5.2 Transfer/Return to a Nine-month Faculty Position

When an academic administrator or 12-month academic professional transfers from a 12-month position to a nine-month faculty position, he/she is no longer entitled to paid leave benefits under this policy. Upon assuming the responsibilities of the nine-month faculty position, faculty leave benefits as described in the *Faculty Handbook* will apply. The employee is expected to use all accumulated vacation leave before the nine-month faculty appointment begins. Any earned, unused vacation days not taken prior to the start of the nine-month faculty position responsibilities will be paid.

Academic administrators and 12-month academic professionals transferring from their 12-month position to a nine-month faculty position are not entitled to receive payment for any unused sick time; however, they will retain their earned, unused sick days while serving as faculty. If an academic administrator or professional, who has transferred from a 12-month position to a nine-month faculty position, subsequently retires from the University, he/she will not be paid for the forty percent of his/her earned sick leave days. However, if the retirement occurs after July 1, 2000 and is under MOSERS, the University will report to MOSERS the number of earned, unused sick leave days the employee accrued while serving in the 12-month position in accordance with MOSERS' policy regarding the reporting of unused sick leave for service credit. The days allotted as unearned sick leave will not be reported to MOSERS.

7.5.5.3 Resignation

Academic administrators and 12-month academic professionals who terminate their employment with the University while serving in a 12-month position are entitled to payment for all unused vacation time, but are not entitled to payment for forty percent of the earned, unused sick leave. For MOSERS participants the University will report the number of earned, unused sick leave days the person accrued while serving in the 12-month position in accordance with MOSERS' policy regarding the reporting of unused sick leave. For CURP participants the University will not report

the number of unused sick leave days earned because CURP does not recognize service credit as a component of its retirement benefit calculation.

7.6 PERSONAL LEAVE

Full-time, regular employees may use one day of accrued sick leave each calendar year as a day of personal leave. Personal leave may be granted for any reason deemed important to the employee. Examples of occasions for which employees may want to use a day of sick leave as a day of personal leave might include: legal business; household repairs; pallbearer for funeral; personal or family birthday, anniversary, graduation; other personal business or significant event.

Personal leave will not be granted for an absence due to inclement weather conditions when the University needs all employees possible to report to work.

Personal leave must be taken in a full-day increment. Any portion of a day will count as one day of personal leave. Employees whose workweek consists of four 10-hour days will have 10 hours charged against their accrued sick leave balance when taking personal leave.

If an employee decides to use a day of sick leave as a day of personal leave, the day will be deducted from his/her accrued sick leave balance. Personal leave does not accumulate from one calendar year to the next. An employee who does not use a personal day one year will not have two days of personal leave the next year; only one day of sick leave can be used as a day of personal leave in any calendar year. If an employee does not use a day of sick leave as a day of personal leave, the day of sick leave will remain as a day of accrued sick leave.

7.6.1 Guidelines and Procedures

Personal leave will be approved by the department unless the absence would cause a severe work scheduling problem or an unreasonable hardship on the other workers in the department. Requests for personal leave must be submitted to the employee's supervisor. The request must be submitted at least three working days before the anticipated personal leave. Exceptions to this three-day advance notice will be allowed when the absence is of a true emergency nature due to illness in the immediate family or other urgent personal business. An explanation of the emergency nature of the leave must be satisfactory to the supervisor if an exception to the three-day advance notice requirement is to be approved.

7.7 FAMILY AND MEDICAL LEAVE

Missouri State University provides Family and Medical Leave (FML) in accordance with the federal Family and Medical Leave Act (FMLA) of 1993 and subsequent amendments. FMLA provides eligible employees who work for covered employers the right to take unpaid, job-protected leave for absences due to a qualifying event. This policy outlines information also obtained in the [Department of Labor poster](#). The terms referenced in this policy are defined as outlined in Department of Labor regulations and any inconsistencies between this policy and the regulations are resolved in favor of the regulations (29 CFR Part 825).

Employee Eligibility

Eligible employees who have a qualifying event and provide appropriate notice and requested certification(s) are entitled to a total of 12 weeks of unpaid, job-protected leave and health insurance continuation during a rolling 12-month period, except military caregiver leave which can be up to 26 weeks. The minimum requirements for an employee to be eligible for FML:

- (1) worked for the University for at least 12 months;
- (2) worked at least 1,250 hours in the 12 months prior to when the leave will commence;
- (3) has not used all available FML in the 12 months prior to when the leave will commence; and
- (4) has a qualifying event.

Qualifying Event

A qualifying event under FMLA includes:

- (1) Birth and care of the employee's newborn child;
- (2) Placement of a child with the employee for adoption, or by the State for foster care;
- (3) To care for the employee's spouse, **sponsored dependent**, child or parent with a serious health condition (this does not include in-laws);
- (4) The employee's own serious health condition that prevents him or her from performing the employee's job;
- (5) "Any qualifying exigency" for an employee's spouse, **sponsored dependent**, child, or parent on active military duty or being called to active military duty; or
- (6) To care for a spouse, **sponsored dependent**, child, parent, or next-of-kin who is a member of the Armed Forces and who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness suffered in the line of duty on active duty.

Amount and Timing of Leave

Eligible employees may take up to 12 weeks of FML during a rolling 12-month period for the first five qualifying events above. Only military caregiver leave, the 6th qualifying event above, provides an entitlement to 26 weeks. The 12-month period is defined as the 12 months prior to when the leave will commence. Eligible employees may take leave in the following manner:

- Family leave for the birth or adoption of a child must be taken within 12 months of the birth or adoption of the child.
- Leave for birth or adoption shall be limited to one consecutive leave period; it may not be taken on an intermittent or reduced time basis, e.g., every other day or a couple of hours every day.
- As consecutive weeks or on an intermittent basis when medically necessary, or for qualifying exigencies. Employees must attempt to schedule intermittent leave to minimize disruption of normal operations

Employee Request and Notice

The Family and Medical Leave Act not only mandates certain protections and benefits for employees who apply for it, but also specifies that it is the employer's responsibility to determine when an employee's absence should be considered as protected leave under this law. Thus, the University has the legal authority to consider an employee's absence as family and medical leave when it has sufficient evidence that the absence is due to an FMLA-qualifying reason, or the circumstances of the absence are such that the University should reasonably suspect that the absence is for an FMLA purpose, even if the employee has not applied for family and medical leave.

An employee requesting leave under the FMLA provision will complete a FMLA Leave Request form or letter of request and submit it to the Office of Human Resources and a copy to his/her department head. The Office of Human Resources will inform the employee about the procedure and the need to submit complete and sufficient supporting medical and/or military documentation. If the University requires medical certification to support a request for Family and Medical Leave, the employee will have 15 calendar days from the date he/she receives the FMLA packet from the Office of Human Resources to provide the University with such certification. **Failure to provide the medical certification may result in a delay or denial of the requested leave.** The Office of Human Resources shall have final approval of all family leave requests.

When leave is foreseeable, an employee must give the University 30 days advance notice. In addition, when foreseeable leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the University's operations. If it is not possible to provide 30 days notice, as much notice as is practical must be provided.

An employee on leave is required to report any change in his/her status, duration of leave, or intent to return to Office of Human Resources. During the leave, the University may require periodic recertification supporting the need for leave.

Pay and Benefits During Leave

The Office of Human Resources will promptly inform the employee of the status of pay and benefits.

FML is usually unpaid, but the employee may use accrued, unused paid time off, such as vacation or sick leave, during the absence. An employee electing to use any type of paid leave concurrently with FML must follow the same terms and conditions of the leave policies that apply to other employees for use of paid leave.

If an employee elects not to use accrued paid leave or has none available, the FML will be unpaid. While on an unpaid FML, employees will not accrue sick or vacation time during a month in which they have not been paid for 80 or more hours. Additionally, employees on FML will not be paid for a holiday(s) that occurs during the period that they are on Family and Medical Leave.

Continuation of Benefits during Family and Medical Leave: For the duration of the approved Family and Medical Leave, the University will maintain the employee's benefits at the same level and under the same conditions as if the employee had continued work. The employee is required to continue to pay his/her contribution to dependent insurance or other elective benefit costs. If on paid leave, premiums will be deducted from pay as usual. If some or all of the leave will be without pay, information on how and when to make premium payments will be provided to the employee. If necessary, employees will be allowed to discontinue coverage and be reinstated to the plan, if they return to work on or before expiration of the Family and Medical leave.

If the employee does not return to work with the University, or returns for less than a period of 30 days after the leave has ended, the employee will owe the University the cost of any benefits provided during the entire duration of the Family and Medical Leave, including the employer contribution to the employee's health benefits. No such amount shall be owed if there is a reoccurrence or onset of a serious health condition, or if, in the opinion of the University, there is a change of circumstances beyond the employee's control.

Return to Work

Employees should notify the Office of Human Resources of their intent to return to work two weeks prior to the anticipated date of return, or of any medically necessary changes in the date of return. If the leave was due to a serious health condition as defined by the FMLA, the University will require a "fitness for duty" certification from the health care provider, verifying the employee's ability to return to work, with or without restrictions. Employees may also be required to submit to a medical examination before returning to work. If employees return to work on or before the expiration of available FML, they will normally be returned to their former position or an equivalent job. If, however, they do not return at the expiration of FML, there is no guarantee of reinstatement.

7.8 CATASTROPHIC MEDICAL LEAVE

The University provides a paid leave benefit for full-time, regular employees who have exhausted all of their sick, vacation, and compensatory time, yet are unable to work due to suffering an extreme, life-threatening illness, injury or impairment (physical or mental) which requires continuing treatment/supervision by a health care provider and which is likely to cause the employee to take a prolonged leave without pay or likely to result in a substantial permanent disability leading to termination of employment with the University. Catastrophic medical leave may only be granted for an employee's extreme, life-threatening illness, injury or impairment; it cannot be granted to an employee to care for an injured or ill family member.

Catastrophic medical leave may be granted for a maximum of four weeks (i.e., 20 work days, exclusive of any University holiday) during any 12-month period and will only be granted as consecutive, full days. It cannot be approved as intermittent leave (e.g., every other day off) or under a reduced work schedule arrangement (e.g., just working four hours daily). Employees on an approved catastrophic medical leave will also be paid for any University holiday that occurs during the approved period of the catastrophic medical leave. The holiday will not count as a day in the approved catastrophic medical leave period.

Employees on an approved catastrophic medical leave will continue to receive their salary, and all of the fringe benefits available to full-time, regular employees will be continued. The monthly premiums for all voluntary or supplemental benefits (e.g., family medical, family dental, dependent life insurance, supplemental life insurance) elected by the employee will be paid through the regular payroll deduction method.

Catastrophic medical leave will count toward the allowable period of Family & Medical Leave as delineated in Section 6.6 of this handbook. Availability of allowable Family & Medical Leave time is not a determining factor in eligibility for catastrophic medical leave.

Employees granted catastrophic medical leave must apply for long-term disability. Catastrophic medical leave cannot be continued once an employee is approved for long-term disability even if the approved period of the catastrophic medical leave has not been completed.

7.8.1 Catastrophic Medical Conditions

The determination of whether an employee's medical condition qualifies as a catastrophic medical condition will be based upon the documentation provided by the employee's licensed health care provider that the employee suffers from an extreme, life-threatening illness, injury or impairment (physical or mental) which requires continuing treatment/supervision by a health care provider and which is likely to cause the employee to take a prolonged leave without pay or to terminate employment with the University. While a comprehensive list of specific medical conditions that would qualify an employee for catastrophic medical leave is not provided in this handbook, the medical conditions listed here could be so extremely serious as to qualify for the leave. This list should not be considered as all inclusive or a guarantee of leave approval because each request is reviewed and considered on its own merits.

- Cancer
- Stroke
- Serious heart conditions
- Organ failure/transplant
- Fetal endangerment
- Coma

7.8.2 Applying for Catastrophic Medical Leave

Applications for Catastrophic Medical Leave are available in the Office of Human Resources. To apply for catastrophic medical leave, an employee must complete a Catastrophic Medical Leave Request form and provide a certification from the his/her physician regarding the extreme, life-threatening illness, injury or impairment (physical or mental) which requires continuing treatment/supervision by a health care provider. Detailed information about Catastrophic Medical Leave can be found on the Human Resources' web page at: www.missouristate.edu/human/HumResForms.htm.

7.8.3 Catastrophic Medical Leave Review Committee

In order to promote University-wide consistency in the granting of catastrophic medical leave and the length of such leaves, all requests for catastrophic medical leave will be reviewed by the Catastrophic Medical Leave Review Committee. If necessary, the committee may request that the employee or other persons familiar with the employee's situation or who can offer expertise on the matter being considered meet with the committee. The committee should render its opinion and recommendation to the Office of Human Resources within 10 working days of receipt of the request and all relevant documentation and information.

7.8.4 Approval of Catastrophic Medical Leave

Approval authority for granting a request for catastrophic medical leave rests with the requesting employee's Cost Center Administrator. Cost Center Administrators will be required to fund any additional costs incurred by granting of catastrophic medical leave, such as the costs in hiring a temporary employee or the costs for supplemental salary paid to an employee who picks up the work load of the employee on catastrophic medical leave. The

Cost Center Administrator should render his/her decision within five working days of receipt of the request.

7.8.5 Appeal of Catastrophic Medical Leave

If the decision by the Cost Center Administrator is to deny the request for catastrophic medical leave or to grant a period of leave different (i.e., fewer days or more days) from the period recommended by the committee, the employee requesting the leave may appeal the decision to the University President.

7.9 FUNERAL LEAVE

Employees may be excused from work, with pay, in the event of a funeral for their spouse, **sponsored dependent**, children, mother, father, mother-in-law, father-in-law, brother, sister, step-mother, step-father, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandchildren, grandparents and great-grandparents, spouse's/**sponsored dependent's** grandparents and great-grandparents, step-brother, step-sister, step-children, step-grandparents, and step-grandchildren. The employee's supervisor may grant funeral leave for up to five consecutive work days for each funeral involving a family member listed in this policy. Time not worked because of funeral leave will be paid at the employee's regular, straight time, hourly rate.

7.10 MILITARY LEAVE

The University recognizes the important role of the National Guard and Reserves and supports employee participation. The following provisions apply for military leave of absence when an employee is required by a branch of the armed forces to attend an annual training session or serve under emergency mobilization orders.

Employees are entitled to a leave of absence, without the loss of pay, position, seniority, accumulated leave, impairment of performance appraisal, pay status, work schedule, and any other right or benefits to which the employee is entitled in order to perform military service. Such military leave may not exceed 120 hours during a federal fiscal year (Oct – Sept), and only those hours when the employee would otherwise be required to work had it not been for such military leave will be counted toward the 120 hour limit. In the event of an emergency mobilization order, the employee is eligible to be retained on leave of absence status without pay for the duration of the mobilization orders. An employee may choose, but is not required, to use accumulated vacation leave before going on leave of absence without pay. Employees must furnish the University with a copy of their official military orders in order to receive paid military leave or approved unpaid leave of absence status. If reservists or members of the National Guard are called to active duty, they will have rehire and other benefits as prescribed by federal law in Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA). See Section 6.6 of this handbook for insurance information.

7.11 COURT LEAVE/JURY DUTY

An employee will be granted leave with pay if selected for jury duty or subpoenaed to serve as a witness in a court of law. Any compensation received for service as a juror or as a witness (except the payment of mileage) must be turned in to the University if paid court leave is requested. The employee must provide a copy of the summons or subpoena and the compensation received from the court to the Office of Human Resources. In addition, the employee must record the leave on their timesheet or leave report. Court compensation can be retained by the employee if the employee chooses to take leave without pay. Paid court leave is not available to an employee when the employee is the named plaintiff or defendant.

7.12 VOTING LEAVE

If an employee is eligible to vote in any local, state, or national election in the State of Missouri, the employee will normally be able to vote before or after work. If an employee does not have three successive hours between the opening and closing of the polls on election day when he/she is not scheduled to work, the employee will be excused from work with pay for up to three consecutive hours between the time of opening and the time of closing the polls for the purpose of voting. If the employee plans to take time off for voting, arrangements must be made with the supervisor prior to election day, and the University may specify any three hours between the time of opening and closing of the polls during which the employee may be absent to vote.

7.13 LEAVE WITHOUT PAY

An employee may be granted leave without pay for a prolonged period but may not exceed six months in any 12-month period. A Personnel Action Form must be initiated and approved by the proper authority prior to the leave. Any unpaid leave taken as Family and Medical Leave shall be subtracted from the six months of leave without pay allowable in any 12-month period. Leave without pay is intended to be taken in full-day increments. Leave without pay may be granted under the following conditions:

- When such leave is for prolonged illness or injury extending beyond accumulated vacation or sick leave. Family and Medical Leave will count toward the six-month leave without pay.
- When an employee will attend a college, university, or other school for the purpose of training in subjects relating to a job where there will be benefits to both the employee and the University.
- Because of seasonal fluctuations in the work schedules at the University.
- Under special circumstances, an employee may be granted leave without pay for a specific purpose other than those listed above with the approval of the appropriate major administrator.

Leave without pay is not intended to be granted when the employee has paid vacation, sick leave, or compensatory time off available to be used, except under those circumstances listed above.

Employees on leave without pay will not earn paid sick leave or vacation, will not have their insurance coverages paid by the University, nor will they be paid for a holiday that occurs during the period that they are on leave without pay. Nine- and ten-month staff employees, however, will have their basic insurance coverages (employee medical and dental, life, accidental death & dismemberment, and long-term disability coverages), paid by the University during the summer months when they are otherwise not at work but are expected to return to work. Nine- and ten-month employees are considered to be on leave without pay during the summer when they are otherwise not at work. The Department must complete a Personnel Action Form documenting the period of their absence while on leave without pay. If an employee desires to maintain insurance coverages during a leave without pay, arrangements must be made with the Office of Human Resources at least 60 days prior to the leave, and premiums must be paid one month in advance of the month of insurance coverage.

7.14 SEVERE WEATHER

Refer to Section 2.15 on Severe Weather for information pertaining to absence during inclement weather.

7.15 UNIVERSITY CLOSINGS

Refer to Section 2.15 for information pertaining to absences when the University is officially closed.

7.16 ON-THE-JOB INJURIES/WORKERS' COMPENSATION

Refer to Section 6.5 of this handbook for information pertaining to absence due to on-the-job injuries covered by Workers' Compensation Insurance.

7.17 HOLIDAYS

The University observes several paid holidays throughout the year during which all employees, except those engaged in continuous operations, will be excused from work. Seven holidays always observed include the following days:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- The Day After Thanksgiving
- Christmas Day

Each year, additional days off may be designated by the University President. These days are referred to as “extra given days”.

An employee shall be paid for a holiday only if it falls during the employee's pay period and the employee worked or was on an approved paid leave (e.g., vacation or sick), including compensatory time off, on his/her regular scheduled work day prior to the holiday.

- Employees who are not scheduled to work during their pay period in which a holiday occurs (for example, nine or ten-month employees or employees on leave without pay) will not be paid for the holiday.
- Employees scheduled to work but absent without pay on the day before a recognized University holiday will not be paid for the holiday.
- Employees who are on Family and Medical Leave or a leave without pay on a day that is a recognized University holiday will not be paid for that holiday.
- Employees who are off work due to a work-related injury or illness (i.e., one for which the employee has filed a workers' compensation claim) will not be paid for the holiday. However, employees who are supplementing their workers' compensation payments (i.e., the temporary

total disability [TTD] payments from the State of Missouri) by using their accrued vacation, sick leave, or compensatory time off will be paid for the holiday.

- Employees whose regular work week consists of four 10-hour days will receive eight hours of holiday pay for all recognized University holidays. The employee will need to use vacation, compensatory time, or actual work hours during the week in which the recognized University holiday occurs in order to be paid for the remaining two hours of the holiday.

Nonexempt employees who are eligible to receive overtime compensation will be paid additional compensation if required to work on a holiday. The rate of compensation will be one and one-half times the regular straight-time rate for the hours worked on any of the seven holidays listed above or one times the regular straight-time rate for the hours worked on any "extra given day." This overtime compensation is in addition to the regular day's pay. The seven holidays listed above will be counted as "hours worked" toward 40 hours for the purpose of payment of overtime.

This policy does not apply to employees who are terminating employment or retiring: see Section 3.20.2 of this handbook.

7.18 SUMMER LEAVE

At the President's discretion, the University may allow full-time staff employees to take a maximum of four days (32 hours) of paid leave during the summer months beginning the Monday following May graduation up to the week before the week in which the Fall Semester begins. The purpose of this policy is to provide a work/life benefit for employees in order to have more time for families and personal responsibilities during the summer. It is also important to understand that, in all cases, departments need to maintain normal operational work hours. Employees must be scheduled to work and not on unpaid leave during this time frame to be eligible for the leave days. The summer leave days will not be charged against vacation, personal or sick days and will not carryover from summer to summer or be paid if not used. The leave can be taken in increments no less than four hours and must be entered as summer leave on the employee's time sheet or leave report.

7.19 SHARED LEAVE

7.19.1 Purpose

To provide a safety net against salary interruption for eligible employees who have a qualifying event causing them to be unable to perform their assigned job duties. Donations of leave hours by employees provide income to an affected employee who would otherwise be on unpaid leave. The purpose is not to provide unlimited sick leave for any medical reason. By Board Resolution this program will be effective for use July 1, 2012 and will be subject to review at the end of two years.

7.19.2 Scope

This policy applies to all full-time benefit eligible employees in a leave earning position.

7.19.3 Policy

Eligible employees may voluntarily donate accumulated vacation as defined by the Employee Handbook to a Shared Leave Pool (SLP) to aid eligible employees who are unable to work

due to a qualifying event. Donations shall not be made directly from one employee to another, but shall be made to the University pool established for this purpose.

The donation of leave is strictly voluntary. No employee may intimidate, threaten, or coerce any other employee with respect to donating or receiving leave under this program. Individual leave records that apply to Shared Leave are confidential and no individual employees shall receive remuneration of any kind for leave donated. Shared leave is for employee's health condition only.

7.19.4 Eligibility

a. Receiving Shared Leave

1. *Employee must have worked at least one year at Missouri State University continuously from the date of employment and be in a leave earning position to apply for SLP benefits.*
2. Employee must have donated at least 24 hours of earned leave to the bank prior to requesting leave from the pool in order to receive donations from the SLP.
3. Employee must have experienced a qualifying event.
4. Employee must have exhausted all accrued vacation and sick leave.
5. Employee must return to work for six continuous months following the last day of use of the donated time, if maximum amount of approved SLP benefits were used, before becoming eligible to apply for additional benefits from the pool.

b. Donating Shared Leave

1. Vacation leave may be donated upon accrual.
2. Employee contribution may not exceed 32 hours, unless the Office of Human Resources has communicated a need for additional days. In that case, employee(s) may contribute additional day(s) up to the limit requested at that time.
3. Time must be donated in whole hours with a minimum donation of 8 hours.

7.19.5 Shared Leave (SL) Committee

- A. The SL Committee shall be comprised of six (6) members: two (2) administrators, one (1) Office of Human Resources representative and three (3) Staff Senate members. The Director of Human Resources will act as an ex officio member of the Committee. The Committee will be categorized as a University Committee.
- B. Members of the Shared Leave Committee shall serve a two year calendar term with the exception of one (1) Staff Senate member, which will serve a one year term. The other Staff Senate members will serve a two year term. Thereafter, the one year Staff Senate appointee will serve a two year term which will allow the Staff Senate membership to be replaced on alternate years. In the event that the appointed Staff

Senate member's term on Staff Senate ends before the term on the Shared Leave Committee, a new appointee will be appointed by their respective body.

- C. Committee appointment will be determined as follows:
 - 1. Staff Senate members will be appointed by the Staff Senate
 - 2. Human Resources representative will be appointed by the Vice President of Administrative & Information Services.
 - 3. Two (2) administrators will be appointed by the University President
- D. The Committee will vote a new Chair and Vice Chair each year at the first meeting in July. Terms will run July-June.
- E. The Committee must sign a HIPAA Compliant Confidentiality Agreement promising to maintain all information on a confidential basis. Any breach of confidentiality will result in the committee member being excused and a replacement member being appointed. In addition, disciplinary action, up to and including termination of an employee may be taken as a result of any breach of confidentiality.

Examples of a breach of confidentiality include, but are not limited to:

- 1. Speaking of applicant's name and/or health condition outside of committee
 - 2. Speaking of applicant's number of hours requested outside of committee
 - 3. Speaking of the committee's decision and reasoning for granting or not granting benefits from the leave pool outside of committee.
- F. The SL Committee will determine whether the employee request falls under the qualifying events guidelines.
- G. The Committee will review all applications for the SLP and shall follow the criteria set out in this policy to approve or disapprove the request for SLP benefits. The Committee's decision is final.
- H. The Committee will convene as needed to review applications and approve or disapprove a SLP request. A minimum of four (4) committee members must be present to constitute a quorum. Name of applicant will remain anonymous.
- I. In the event that the SLP falls below 200 hours or \$25,000.00, no more shared leave will be authorized until more hours are available. Lower leave levels may determine leave distributions. If insufficient balances are experienced, the Office of Human Resources may send a communication to eligible employees indicating such a need but may not under any circumstances coerce an employee(s) to contribute leave time.

7.19.6 Procedures

A. General

1. The maximum amount of SLP benefits accessible to a recipient cannot exceed one-third of the balance of the pool, or 320 hours leave time, whichever is less.
2. If an employee receives a medical release to return to work prior to using all hours granted, the unused balance of hours granted returns to the SLP.
3. Employees receiving a medical release for return to work on a part-time basis (i.e., fewer hours per day per week than the regular work schedule), may continue to use donated leave for the balance of the regular work schedule until medically released for full duty.
4. If intermittent treatment is required, unused approved SLP benefits may be provided on an as-needed basis until the employee has been approved by their attending physician to return to work full-time.
5. It is not possible to make back-payments to a SLP recipient who may have already taken some leave without pay. Donated time will be available for use by the recipient in accordance with regular payroll procedures and deadlines.
6. SLP hours may not be converted to cash.
7. The estate of a deceased employee is not entitled to payment for approved unused SLP hours.
8. If an employee earns additional leave benefits while drawing from the SLP, employee must use those hours before additional SL pool hours are used.
9. Eligible employees must apply for FMLA leave in conjunction with leave used from the SLP.

B. Requesting Leave

1. Employees will request leave from the SLP at the My.MissouriState portal. Designees for the employee may request leave by completing the Request for SLP Leave available in the Office of Human Resources.
2. Any employee requesting leave from the SLP must sign a HIPAA release and provide an attending physician's statement indicating the reason for the leave, beginning date of health condition and anticipated date employee will be able to return to work. These forms will be provided by the Office of Human Resources.
3. After receiving an application, the Office of Human Resources will verify the employee's eligibility and status, including current accumulated vacation.
4. The Director of Human Resources will notify the employee of the decision within five (5) business days of a decision by the Committee.

5. If the application is approved, the Office of Human Resources will make the transfer of hours from the University's SLP to the employee's leave balance. The time sheet or leave request should be submitted with hours designated as shared leave at the recipient employee's rate of pay. Shared Leave time may not be recorded for payroll purposes until the application has been approved.
6. The application form may be submitted up to 30 days in advance of need.

C. Donation of Leave

1. An employee wishing to donate leave to the shared leave donation bank will submit their donation online through the portal at MyMissouriState.edu.
2. After receiving a donation form, the Office of Human Resources will verify the employee's eligibility and status, including current accumulated leave balances and, upon verification, transfer donated leave from employee's balance to the SLP.
3. The Office of Human Resources will, upon completing an exit interview at the time an employee ends his or her employment with Missouri State University, ask the employee if he or she wishes to donate leave to the SLP.

7.19.7 Qualifying Events

The determination of whether an employee's medical condition qualifies for the SLP will be based upon the documentation provided by the employee's licensed health care provider that the employee suffers from an illness, injury or impairment (physical or mental) which requires continuing treatment/supervision by a health care provider and which is likely to cause the employee to take a prolonged leave without pay from the University. While a comprehensive list of specific medical conditions that would qualify an employee for leave is not provided in this handbook, the medical conditions listed here could qualify for the leave. This list should not be considered as all inclusive or a guarantee of leave approval because each request is reviewed and considered on its own merit.

Major medical procedures
Cancer treatments
Stroke
Serious health conditions

| | |
|------------|--------------------------------------|
| 8.0 | EMPLOYEE RECOGNITION PROGRAMS |
|------------|--------------------------------------|

8.1 PURPOSE

The University recognizes the contributions and service of its employees through several programs and University-wide communications: Service Awards program, the Excellence in Community Service Awards, the Staff Excellence in University Service Award, and recognition of retirees.

8.2 SERVICE AWARDS PROGRAM

The Service Awards Program recognizes full-time regular employees in non-academic administrative, professional, and support staff positions for their service to Missouri State University as they reach each five-year milestone of service.

8.2.1 Eligibility

Service awards are presented annually to all full-time regular employees in non-academic administrative, professional, and support staff positions. Faculty members who transfer to non-academic positions become eligible for an award based on their total years of service at Missouri State University.

8.2.2 Recognized Service

- Recognized service is based on an employee's total service with the University and includes all periods of full-time regular employment; this does not mean the service must be consecutive years.
- Periods of service in part-time appointments, including appointments as a student worker or graduate assistant, are not counted.
- Employees in full-time, nine-month positions receive credit for one year of service for each nine-month period completed.
- An approved leave of absence (including lay-off) of one year or less is not deducted from the length of service.

8.2.3 Circumstances Affecting Service Recognition

- Retirement - Employees who retire during the year in which they reached a service recognition milestone and who were in an active payroll status at the time of reaching that milestone will be recognized for their service. Employees who had not reached a service milestone date prior to being removed from active payroll status will be recognized as retirees but not as service award recipients.
- Deceased employee - The immediate family (i.e., spouse, **sponsored dependent**, daughter, son, daughter-in-law, son-in-law) of an employee who dies after having reached a service milestone will be recognized for the service of the employee.
- Lay-Off or Leave of Absence - An employee who is laid-off from work or is on an approved leave of absence during the year in which a service recognition milestone is reached will be recognized upon his/her return to work.

- Termination of employment – If an employee terminates employment with the University in a year that he/she also reaches a service awards milestone, the employee will be eligible for service recognition provided the employee remains employed the entire calendar year, i.e., through the University's last official work day of the year in which the service milestone was reached.

8.3 COMMUNITY SERVICE

The University encourages employees to participate in charitable, civic business, or other community service activities in the community. Community service ordinarily occurs outside the regular work day and should not interfere with an employee's on-the-job responsibilities. It is recognized, however, that community service activities may occur during the regular work day. When this occurs, employees may be granted occasional time away from work to participate in service activities or programs of value to the University or to one or more of its component parts.

Before accepting any responsibility for community service activities that may require time away from work, an employee must receive approval from his/her supervisor and vice president. After approval has been granted, an employee may be able to rearrange his/her work schedule or take a paid or unpaid leave of absence to fulfill the community service responsibilities. If paid or unpaid leave is taken, the time off must be approved by the employee's immediate supervisor.

The priority for each department is to accomplish its mission. Approval for time away from work for community service must not decrease a department's productivity, increase staffing costs including overtime, or reduce the service provided by the department to the University, students, or other constituencies. Administrators should consider fairness and work equity among all employees in the department when approving a request for time away from work for community service.

8.4 EXCELLENCE IN COMMUNITY SERVICE AWARD

The Excellence in Community Service Award is designed to recognize employees who have made a significant contribution to the community through volunteering their time to serve worthy causes.

8.4.1 Eligibility

All full-time regular employees in administrative, professional, and support staff positions are eligible to receive the Staff Excellence in Community Service Award. In order to qualify for the award, recipients shall be required to develop and prepare a statement regarding their service and to participate in university in-service and other University related functions to encourage and assist other employees in similar service.

8.4.2 Nomination and Selection of Award Recipients

Excellence in Community Service Award recipients must be nominated for the award and can be nominated by any person knowledgeable about the community service of the nominee. Selection of recipients is done by the Excellence in Community Service Selection Committee and is based upon the following criteria:

- Employment with the University for a minimum of three years
- Demonstrated personal action to serve community causes

- A significant and sustained record of volunteer service
- A significant contribution to improve the quality of community life
- Demonstrated values consistent with the betterment of society
- Good standing with the University community.

Awards are available for full-time regular staff employees and are awarded based upon the recommendation of the Selection Committee and University administration. Excellence in Community Service Award recipients are not eligible for nomination for a second award.

8.5 STAFF EXCELLENCE IN UNIVERSITY SERVICE AWARD

The purpose of the Staff Excellence in University Service Award is to recognize excellence in service to the University among staff employees. These awards are intended to provide incentives for continued workplace performance for full-time staff employees who evidence significant contributions to the University community. There is no limit on the number of times that an individual employee may receive an award, but individuals may not receive an award in two consecutive years.

8.5.1 Eligibility

Full-time, regular employees in administrative, professional, and support staff positions from the Springfield, Mountain Grove and West Plains campuses who do not hold faculty rank and have at least one year of full-time employment at Missouri State University are eligible to receive an award. In order to qualify for the award, recipients shall be required to develop and prepare a statement regarding their service and to participate in University in-service and other University related functions to encourage and assist other employees in similar service.

8.5.2 Nomination and Selection of Award Recipients

Staff Excellence in University Service Award recipients must be nominated for the award and can be nominated by currently enrolled students, employed staff, faculty, administrators or groups. Selection of recipients is done by a Review Committee. Superior service can be demonstrated in many forms such as:

- consistently superior service over an extended period of time
- superior service for a significant project or program during a specific time period
- performing duties above and beyond the call of duty in a special situation
- exceptional job performance on a daily basis

Awards are available for full-time, regular staff employees and are awarded based upon the recommendation of the Review Committee and University administration.

8.6 WALL OF FAME

In 2003, the University established the Wall of Fame award to recognize the rich heritage of outstanding faculty and staff who have contributed much to the success of the University. The Wall of Fame, which is located outside of the ballroom in the Plaster Student Union, recognizes and honors

employees who have excelled at the University and significantly contributed to success and positive collegiate experience of students. While the University has had many outstanding employees, the intention of the Wall of Fame award is to recognize those employees who have had an impact on students which is considered to be truly noteworthy.

8.6.1 Eligibility

To be eligible for the award, a person must no longer be an active, full-time employee of the University, have had at least 10 years of full-time employment with the University at any time during the University's existence, and five years must have passed since the individual was last employed full time at Missouri State. Individuals who have been honored by having a University facility named for them and/or who are recipients of the Bronze Bear Award are not eligible for the Wall of Fame award

8.6.2 Nomination and Selection of Award Recipients

Wall of Fame recipients must be nominated for the award and can be nominated by any person from within or outside the University community. Selection of Wall of Fame award recipients is done by the Wall of Fame Selection Committee. Up to six award recipients are selected each year, with not more than four recipients being staff employees. Additional information may be obtained at <http://alumni.missouristate.edu/WallofFame.htm>.

8.7 RETIREE RECOGNITION

The University recognizes the contributions and service of retiring employees as part of the University service awards program.

8.8 EMERITUS STATUS

Emeritus status may be granted to retiring staff and administrative employees as a special recognition for exemplary work performance and outstanding, loyal, and dedicated service to the University. To be eligible for consideration for Emeritus status, an employee must be in retirement status from the University, must have at least 10 years of service in a full-time regular position, and must have the approval of the appropriate administrative officials and the Board of Governors.

All employees of the University are also employees of the State of Missouri. Employees are expected to conduct themselves in a manner which reflects credit both on the University and on the State. Employment is at the will of the University. Performance, work habits, conduct, or demeanor that fails to maintain standards applicable to an employee of the University will subject the employee to disciplinary action up to and including dismissal, as determined appropriate by the University.

9.1 PERSONAL APPEARANCE

The University, as a matter of policy, does not dictate a particular dress code. Employees are expected to practice good personal hygiene and use good judgment in their choice of clothing and personal grooming. Departments may specify additional reasonable requirements appropriate for their operation. Supervisors will inform employees of any uniform dress code that may be required of the position. In addition, a personal interest should be taken to ensure that work areas are kept neat and orderly. Employees should be mindful that the University is a public institution and personal and work area appearance is a reflection on the University.

9.2 ATTENDANCE

The University expects all employees to assume diligent responsibility for their attendance and promptness. Recognizing, however, that illnesses and injuries may occur, the University has established sick leave and long-term disability benefit plans to compensate full-time regular employees for certain time lost for legitimate medical reasons. (See Chapter 6 of this handbook for information regarding leave benefits.)

9.2.1 Absence

Employees must notify their supervisor or other designated department personnel, in advance, (but no later than 30 minutes after their starting time), of their inability to report for work as scheduled. Employees in custodial, grounds, and mechanical maintenance positions are required to notify their supervisor or other designated personnel in the department no later than 30 minutes before the start of their regular work schedule. In providing notification, employees should give a reason for their absence and an indication of when they will return to work.

Notification is the procedure for reporting an absence and does not serve as the supervisor's approval of the absence. Failure to properly notify the University may result in an unexcused absence. Absenteeism that is unexcused or excessive in the judgment of the University is grounds for disciplinary action, up to and including dismissal.

9.2.2 Tardiness and Leaving Work Early

Employees must notify their supervisor if they anticipate being late to work. Tardiness that is unexcused or excessive in the judgment of the University is grounds for disciplinary action, up to and including dismissal. Employees must obtain prior permission from the supervisor in order to leave work early.

9.3 PERSONAL DEBTS

University employees are expected to meet their financial obligations in a timely manner. If an employee's wages and/or other amounts due from the University are seized by a court order of Writ of Sequestration (garnishment), the University is required to comply with such an order. Governmental liens, such as those resulting from claims for unpaid taxes, child support, bankruptcy claims and other personal debt, also must be honored.

When the University's Payroll Office receives such a court order or lien, it must pay the appropriate amount to the clerk of the court or to the governmental agency. Any defenses the employee wishes to make must be made to the court or the governmental agency and not to the University.

9.4 DISCIPLINARY GUIDELINES FOR MISCONDUCT

Employees whose work performance does not meet required standards or who violate rules, regulations or policies of the University may be disciplined according to the seriousness or repetition of the violation. While formal disciplinary steps usually are not required for dismissal of probationary or part-time employees, supervisors and department heads must contact the Office of Human Resources regarding appropriate dismissal procedures for all employees including probationary or part-time employees before taking such action.

Certain actions can cause employees to be disciplined, including but not limited to the following:

- Insubordination
- Refusal to obey directions or accept assignments; refusal to work required overtime
- Inefficiency, incompetency, or inability in the performance of duties
- Careless workmanship or negligence in the performance of duties
- Disregarding safety and/or security regulations
- "Horseplay" which endangers self or other employees
- Sleeping, loitering or loafing during working hours
- Reporting to work under the influence of drugs or alcohol; refusal to consent to drug or alcohol testing
- Unlawful manufacture, distribution, dispensing, possession or use of controlled substances on University property or as part of University activities
- Possession, use or distribution of alcohol on University property. The possession, use or distribution of alcohol in conjunction with University activities not on University property shall be in compliance with applicable federal laws, state laws, and local ordinances
- Excessive, unnecessary or unauthorized use of University supplies, materials, equipment, or vehicles particularly for personal purposes
- Unauthorized use or misuse of all computer systems, equipment, and software
- Careless, negligent or improper use of University property including official vehicles
- Conducting personal business on the job
- Excessive or unauthorized use of telephones
- Habitual or flagrant improper use of leave privileges; failure to return from approved leave of absence
- Continual tardiness or chronic absenteeism; failure to notify supervisor of absence
- Leaving the job during working hours without permission

- Dishonesty, or **misrepresentation** including falsifying employment application or work records or other University work records: including their own or another employee's work record such as falsifying time records
- Conviction of a criminal act or illegal activity reasonably related to conduct relevant to the workplace
- Fighting or using obscene, abusive, or threatening language or gestures
- Theft or **not reporting one's knowledge of theft of University property**
- Gambling during working hours
- Unauthorized possession of ammunition, firearms, explosive weapons, other weapons as defined in Missouri Revised Statutes Section 571.010(2),(6),(10),(11),(13),(17) and (18), on University premises or while on University business. Authorization to possess such items on University property may be granted by the Director of Safety and Transportation or his/her designee
- Violating the University's nondiscrimination and/or sexual harassment policy
- Violating University rules, policies or regulations, or departmental work rules
- Unauthorized release of confidential information from official records
- Disorderly or immoral conduct on the University premises
- Smoking where prohibited
- Misconduct off duty which reflects discredit on or causes embarrassment to the University or to the State of Missouri

9.5 PROGRESSIVE DISCIPLINARY ACTION

The University, at its discretion, may determine that disciplinary action less than dismissal may be appropriate in some circumstances. Any of the following disciplinary actions may be imposed by the University depending upon the University's judgment of the necessary action to address employee conduct in violation of appropriate standards.

9.5.1 First Warning

A first warning brings the problem to the attention of the employee, emphasizes the seriousness of the situation, and presents suggestions or instructions to resolve or correct the problem.

9.5.2 Written Reprimand

A written reprimand documents the occurrence and the severity and usually warns that further violations will result in suspension without pay or termination. It may be a final opportunity to improve.

9.5.3 Suspension Without Pay

A suspension without pay may be used to impress upon the employee that a behavior or work performance level must be changed or dismissal will be inevitable. Suspension results in the loss of pay for a specified period of time (usually three days).

9.5.4 Disciplinary Suspension

A disciplinary suspension may be used in cases when the infraction is of such seriousness (theft, fighting, insubordination or similar infraction) that it may warrant dismissal pending

review of the facts. Disciplinary suspension should be followed immediately by a thorough investigation of the situation to determine the appropriate action to be taken.

9.5.5 Dismissal

A serious offense and repeated disciplinary problems will require dismissal. While employment may be terminated at any time without cause, examples of conduct that can result in dismissal for a single incident are dishonesty, insubordination, immoral conduct, theft, use of drugs or alcohol, or other serious conduct as outlined in the University's disciplinary guidelines (See Section 9.4).

9.6 OTHER DISCIPLINARY ACTIONS

Depending on the severity of the offense, other forms of disciplinary action may include:

9.6.1 Transfer

An employee who constantly fails to perform the duties of his/her job according to established standards may be transferred to another position for which he/she is qualified. See Section 4.3.5 of this handbook for transfer procedures.

9.6.2 Compensation Reduction

An employee who violates University rules, regulations, or policies may be subject to disciplinary action in the form of a reduction in compensation without a change in salary grade.

9.6.3 Withholding Salary Increases

If an employee has unsatisfactory behavior or job performance, the employee may not be eligible for an annual salary increase. See Section 4.3.2.

9.6.4 Demotion

An employee may be demoted to a lower salary grade for poor performance or conduct violations.

9.7 GENERAL PROVISIONS FOR DISCIPLINARY ACTIONS

All disciplinary actions administered by the University must be documented in writing. With the exception of first warnings, a copy of the report of disciplinary action must be given to the employee involved and a copy shall also be included as a permanent part of the employee's personnel file.

Employees represented by the bargaining unit and covered under the Memorandum of Agreement between the University and The International Brotherhood of Electrical Workers (IBEW) and/or The International Brotherhood of Teamsters Local Union 245 have the right to request the presence of the union steward at a disciplinary meeting in which the employee is to be issued any written discipline.

If the disciplinary action taken is termination of employment, an employee will be provided a written notice stating the reason(s) for the proposed termination and afforded an opportunity to respond to the proposed action prior to the termination.

It is the policy of the University to be fair and impartial in all its relations with employees and to recognize the dignity of the individual. Fairness and consistency require that certain general principles of administering discipline be followed by all supervisors. Representatives in the Office of Human Resources are available to discuss the appropriate course of action in a particular case. Disciplinary action involving transfer, compensation reduction, withholding salary increases, demotion, suspension or dismissal are accomplished upon the recommendation of the department head, appropriate vice president, and with the approval of the Director of Human Resources.

By approval of this *Employee Handbook*, discretion in the administration of discipline is vested by the Board of Governors in the University Administration, and subject to review by the Board of Governors in certain circumstances, as authorized through the grievance procedure. An employee who feels he/she has been dealt with unfairly regarding disciplinary action is referred to the Grievance Procedure (See Chapter 10 of this handbook).

This grievance procedure applies only to non-union employees. Union employees are covered by the grievance procedure established in the Memorandum of Agreement between the University and The International Brotherhood of Electrical Workers (IBEW), AFL-CIO, Local No. 453 and The International Brotherhood of Teamsters Local Union 245. In the case of a grievance by a part-time employee, or in any case where the subject matter of the appeal is other than termination from employment, the decision of the President shall be final. Further appeal to the Board of Governors is not available unless the Board, as a matter within its discretion, takes action to hear the appeal.

This grievance procedure is designed to address complaints and disputes between the employee and the University over working relationships, working conditions, employment practices or differences in interpretation of policies. Employees who believe they have a legitimate grievance may undertake the following procedure in order to resolve the matter. In certain circumstances, employees may be suspended either with or without pay, as determined appropriate by the University, pending the outcome of the grievance procedure. In cases of employment termination, the grievance procedure may be utilized after the termination effective date.

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As outlined in the *Missouri State University Nondiscrimination Policy* (see Chapter 2), the University also maintains a separate grievance process for any employee who believes they have been subject to discrimination or harassment on any basis not related to the applicable job related requirements (e.g., race, sex, disability, veteran status, etc). In such cases employees may elect to utilize the *Office for Institutional Equity and Compliance Complaint Procedures*. For additional information, employees may contact the Office for Institutional Equity and Compliance at (417) 836-4252 or via e-mail at equity@missouri.edu. Information about the *Office for Institutional Equity and Compliance Complaint Procedures* is also available online at <http://www.missouristate.edu/equity>. Link it to the website not necessarily to the complaint proc.

10.1 STEP 1 - IMMEDIATE SUPERVISOR

Discussion of the problem with the immediate supervisor is encouraged as a first step with the objective of resolving the matter informally. The majority of disputes, complaints, or misunderstandings can be resolved at this level. Employees should bring their grievances to the attention of their supervisor in a timely manner in order to resolve it as quickly as possible. Generally, in order for a grievance to be timely, it must be presented within 10 work days of occurrence. The supervisor will have 10 work days to inform the employee of the decision regarding the grievance. There may be situations that employees feel cannot be discussed with their immediate supervisor. In these instances, employees are encouraged to request a meeting with their department head or administrator. The Office of Human Resources is available to assist or advise employees regarding grievance procedures.

10.2 STEP 2 - APPEAL TO THE DEPARTMENT HEAD LEVEL

If the problem is not resolved as provided in Step 1, then the employee may formalize the grievance by submitting it in writing to the department head level. The written grievance will identify the policy or regulation which is alleged to have been violated, will contain the remedy sought, and will be signed and dated by the employee. A written grievance should be filed by the employee within 10 work days after the supervisor has rendered a decision to the employee. In an effort to resolve the problem, the department head level will consider the facts, conduct an investigation, may give the employee the opportunity to present the case orally, and also may review the matter with a member of the Office of Human Resources. The department head level may affirm, reverse or modify the supervisor's decision, and will notify the employee of the decision in writing within 10 work days after receiving the appeal.

10.3 STEP 3 - APPEAL TO THE VICE PRESIDENTIAL LEVEL

If an employee is not satisfied with the decision of the department head level, he/she may appeal to the appropriate vice presidential level within five (5) work days after receiving that decision. The appeal will be in writing and will include all of the information included in the initial grievance and subsequent appeals, all the decisions related thereto, and any other pertinent information the employee may wish to submit. The appeal will be signed and dated. The vice presidential level will investigate the grievance and will allow the employee to present the case orally. The vice presidential level has the option of appointing a three-member panel from the University community to also hear the case and review the actions to ensure that University procedures have been followed and due process has been afforded to the employee. The vice presidential level may affirm, reverse, or modify the previous decision in writing within 10 work days after receiving the appeal. On the West Plains campus, this appeal step is made to the Chancellor.

10.4 STEP 4 - APPEAL TO THE PRESIDENT

If an employee is not satisfied with the decision rendered at Step 3 of the grievance procedure, he/she may appeal to the President within five (5) work days after receiving that decision. The appeal will be in writing, and will include all of the information included in the initial grievance and subsequent appeals, all decisions related thereto, and any other pertinent information the employee may wish to submit. The appeal will be signed and dated.

The President will initiate an investigation into the matter and may give the employee the right to present his/her case orally. The President may affirm, reverse, or modify the previous decision and, within a reasonable time frame, will notify the employee of the decision in writing. The appeal, together with the President's findings, may be reported to the Board of Governors. In the case of a grievance by a part-time employee, or in any case where the subject matter of the appeal is other than termination from employment, the decision of the President shall be final. Further appeal to the Board of Governors is not available unless the Board, as a matter within its discretion, takes action to hear the appeal.

10.5 STEP 5 - APPEAL TO THE BOARD OF GOVERNORS

An appeal to the Board of Governors must be made in writing by the employee, and must be filed with the University President within ten (10) work days following the issuance of the findings by the University President; otherwise the findings become final. Upon receipt of the written appeal, the University President will notify the President of the Board of Governors. The President of the Board will schedule the grievance appeal for hearing at the next regular Board meeting, or as otherwise determined appropriate by the President of the Board. The Board may refuse the appeal, thereby affirming the findings of the University President; or it may hear the appeal. The appeal may be formal or informal, and the time and place of such appeal will be communicated within a reasonable time to all parties involved. The Board, or its designated committee, shall have access to all facts and information it may feel are relevant and material to the issue. Parties involved in the appeal may be represented by counsel. The presiding officer selected by the Board of Governors will rule on all questions of evidence and procedure. Upon conclusion of such appeal, the Board or its designated committee will render a finding in writing which will be final.

10.6 GENERAL GRIEVANCE PROVISIONS

The decisions received during the Grievance Procedure will be considered final unless the employee asks for further review as previously described. If the employee does not ask for further review of the grievance, within the specified time limit, the grievance will not be considered further. The time limits established for each step in the process allow expeditious resolution of grievances. These time limits are firm unless the parties involved in the grievance mutually agree in writing to extend the time limit. Such extensions of the time limits may be justified by the complexity of the case or by the availability of individuals involved. The University will not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting, or delaying the University from taking disciplinary action against any individual, up to and including termination, in circumstances (such as those involving problems of overall performance, conduct, attitude, or demeanor) where the University deems disciplinary action appropriate.

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