



**LOURDES
UNIVERSITY**

**PERSONNEL POLICIES FOR
ADMINISTRATORS AND STAFF**

VOLUME V

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Volume V
Personnel Policies For Administrators And Staff

5.0 Introduction

This Volume V has been developed for use by University employees who do not hold faculty appointments.

This Volume V is to be used for general information only. It is not intended to be comprehensive or to address all possible applications of, or exceptions to, the general policies and procedures described. This manual is not a contract of employment and shall not under any circumstances be so construed. All University employees are employed at-will and may be terminated, according to State law, with or without cause at any time or the employee may resign for any reason at any time. Insurance benefits described here, and in Volume III of the Policy Manual, are subject to the actual plan documents and the University reserves the right to modify or discontinue any program, at any time, as deemed necessary by legislative changes or by University officers. It is the University's expectation and intention that the policies described in this Volume V will from time to time be modified, rescinded or replaced. The University at its own discretion, and as appropriate, will discuss changes with the appropriate committees. All questions regarding the information contained in this Volume V are to be addressed to the Director of Human Resources.

5.1 Definition of Employee Status

5.1.1 Employment at Will

Employment with the University is at-will, which means that employees may choose to resign or may be disciplined or terminated for any reason and at any time, with or without cause. Nothing in Volume V of the Policy Manual is intended or should be interpreted by anyone to promise, offer, or grant employment or benefits for a definite period or for one's lifetime.

Except as provided in Volume III, none of Lourdes' policies, procedures or practices, including those set forth in this and other volumes of the Policy Manual are to be viewed as a contract or as creating any promises or contractual rights of any kind. Rather, they are guidelines that can be changed by the University at its discretion at any time and without prior notice or agreement. The Lourdes Policy Manual supersedes and replaces all previous handbooks and other statements of University policy, rules, and procedures. Only the President of the University and the Provost have the authority to enter into a contract of employment for any specified period or to make any promises contrary to the foregoing. Any such agreement or promise shall not be enforceable unless set forth in writing and signed by the President of the University.

5.2 Definition of Employment Policies

The following definitions will aid in the understanding of the terms used in this Volume V:

A full-time staff employee is one who is scheduled to work 30 hours or more per week on a twelve-month basis; or, a staff employee who is scheduled to work 40 hours per week for a minimum of nine months.

A part-time staff employee is one who is scheduled to work fewer than 30 hours per week on a twelve-month basis; or, a staff employee who is scheduled to work less than 40 hours per week on a nine month basis.

A temporary employee is one who is hired for a pre-established period, usually during peak workloads or for Paid Time Off relief. They may work a full-time or part-time schedule. They are ineligible for University benefits.

The payroll workweek at the University begins at 12:01 a.m. on Sunday and ends at 12:00 midnight on Saturday.

All positions, whether full-time, part-time, or temporary, carry a classification of either exempt or nonexempt. Status as an exempt or nonexempt employee affects an individual's compensation. Those not certain of their classification should ask the Director of Human Resources or their supervisor. In general, exempt employees are employees holding bona fide executive, administrative or professional positions. Additionally, exempt employees meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and are exempt from overtime pay requirements. All other employees are deemed to be nonexempt.

5.2.1 Fair Labor Standards Act Provisions for Administrative and Staff Employees

An employee who feels that his or her job is more properly described by a classification which is different from the existing classification, should discuss this concern with the employee's supervisor. At the discretion of the supervisor, a formal, written request for reclassification should be submitted to the Director of Human Resources. Each request for reclassification will be reviewed by the Director of Human Resources within 60 days of the request. Consultation with the employee, supervisor and the appropriate Vice President will occur as necessary.

5.2.2 Faculty Status

Employees who hold faculty rank but serve in non-faculty positions are subject to the terms and conditions of employment specified in Volume V and in Volume III of this Policy Manual with respect to their non-faculty appointment. Such persons do not accrue any rights to continuing employment or any greater rights than those specified in this Volume V and in Volume III of this Policy Manual with respect to such non-faculty positions.

5.2.3 Re-Employment

A former employee seeking re-employment with the University is required to show previous employment on the application. Former employees who departed from the University under satisfactory circumstances may be re-employed in the same type of work or in another type for which they are qualified. Previous service will be considered in calculating salary and fringe benefits as might be determined by length of continuous service with the University. Benefits eligibility, if any, will be determined in accordance with Plan documents.

5.3 Employment Policies

5.3.1 Recruitment and Selection of Employees

The University is committed to hiring the most qualified person for any available position. As the need arises, job postings are made through the University web site, campus wide email, and advertisement in the local papers and other publications as appropriate for the position.

An employee may apply for a transfer or promotion if the employee has completed six (6) months of service. In exceptional cases, the appropriate Vice President may intervene and endorse an early transfer for an employee. The University strives to promote the most capable and experienced individuals, based on demonstrated ability to assume greater responsibility. At the same time, the University reserves the right to recruit and hire outside the University.

A transferring employee may also be subject to an introductory period of 60 days. At the end of the introductory period, a written evaluation may be completed.

5.3.2 Initial Employment Period

A new employee will serve a 60-day employment probationary period. At the end of the 60-day probationary period an evaluation of the employee's work may be given. The supervisor can, however, 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.

Employees may be terminated at any time during this probationary period if the employer deems the employee is unable to successfully complete the work for which they were hired. Completion of the probationary period does not guarantee employment for any length of time.

During the first few days of employment, employees will attend an orientation conducted by the Human Resources Department. During orientation, employees receive information regarding University policies, compensation and benefits programs, and other general information about the University. Employees should use the orientation program to learn about the University and applicable employment policies and benefits. Departments are expected to provide their employees with a more specific orientation about the department and the employee's position.

5.3.3 Promotion Policies

Promotion is a movement to a position carrying a higher job classification. While promotions are frequently accompanied by an increase in compensation, in some cases there is no increase, particularly if an employee's compensation is already within the range of the higher classification. In some cases an increase may be temporarily deferred until the employee demonstrates capacity to fulfill the added responsibilities and duties of the new position.

The University strives to promote the most capable and experienced individuals, based on demonstrated ability to assume greater responsibility. At the same time, the University may need to recruit and hire outside the University. An employee's indication of an interest in a promotion/transfer will in no way affect the employee's current position.

5.3.4 Transfer Policies

A transfer is a movement carrying the same or a lower job classification. Transfers in the same job classification normally involve no change in rate of compensation. Transfers to a lower job classification normally involve a lower rate of compensation.

An employee may apply for a transfer if the employee has completed six (6) months of service. In exceptional cases, the appropriate Vice President may intervene and endorse an early transfer for an employee. Internal candidates will be considered only if the qualifications, as listed in the job description, are met. Candidates must submit a cover letter and an updated resume to the Human Resources Department. It is the employee's responsibility to give notice to the employee's immediate supervisor. It is expected that an employee seeking a transfer will have given serious consideration to the move. The interests of the University and the individual must be considered. A transferring employee will also be subject to an introductory period of 60 days. At the end of the introductory period, a written evaluation may be completed.

Any employee who is transferred from one staff position to another with equivalent salary shall maintain the assigned salary, benefits, and credited service of the former position.

5.3.5 Performance Reviews

Normally, employees will receive a performance evaluation from their supervisor after their 60th day of employment. Thereafter, in most cases, they will receive a performance evaluation once a year on or before August 1. The performance evaluation allows employees and supervisors to discuss overall performance and summarize both formal and informal performance discussions held throughout the review period. It will review employees' strengths, performance against goals, and also point out ways to improve performance.

5.3.5.1 Job Counseling

If employees are concerned about their job performance, or if they wish to talk about job prospects in line with career interests and abilities, they may arrange for a counseling discussion with the Director of Human Resources. Such a discussion will be confidential.

5.4 Employee Responsibility Policies

All administrative and staff personnel, by virtue of their employment by the University, agree to accept the responsibilities of membership in the University community, and adhere to the Code of Ethics and Rules of Conduct set forth in this Volume V.

5.4.1 Job Description

Job descriptions are used at the University to aid in staffing, wage and salary administration, and training. They also help employees and supervisors communicate about job responsibilities. However, job descriptions are not fixed University policy; they are only guidelines and can be expected to change over time.

5.4.2 Code of Ethics

1. Proper operation of the University requires that employees provide responsible service and use the designated organizational channels when seeking decisions and policy determinations.
2. Employees of the University are bound to observe, in their official acts, the highest standards of ethics and morality and to faithfully discharge the duties of their position regardless of personal considerations.
3. Employees should not act in any way to breach the law, nor should they ask others to do so.
4. No employee shall engage in business or transactions or have a financial interest, direct or indirect, which is not compatible with fully independent judgment in the performance of the employee's duties for the University.
5. Employees shall not disclose confidential or proprietary information concerning the business of the University, or its personnel or students.

5.4.3 Rules of Conduct

Employees shall comply with all University requirements, policies and procedures, and shall:

1. Perform specific tasks as defined by the supervisor or as outlined in the job description to the satisfaction of the supervisor.
2. Perform a full day's work in an efficient and diligent manner in accordance with accepted methods and standards.
3. Be at work on scheduled working days at a proper starting time and remain at assigned work places during normal periods, unless permission to leave has been granted.
4. Observe lunch periods without abuse.
5. Notify the supervisor as quickly as possible if absence from work is necessary.
6. Use carefully, considerately, and keep in proper condition computers, tools, machines, cars, and other University property and equipment.
7. Cooperate in keeping the premises and equipment clean and in maintaining sanitary conditions.
8. Follow established safety practices and report all accidents promptly to the appropriate supervisor.
9. Observe established organizational channels.
10. Maintain a positive attitude and address all human relations with patience, tact and diplomacy.
11. Not promote discord among fellow workers, students, faculty and staff.
12. Cooperate with other University offices to assure prompt and efficient services for students.

13. Cooperate with the supervisor to ensure efficient operation of the office, group, or task, and inform the supervisor promptly if problems occur.
14. Avoid gossiping and furthering rumors.
15. Refrain from practices or activities that may interfere with the job performance of others or impinge upon their health and welfare.
16. Honor the confidentiality of files, records and documents.
17. Follow all University policies outlined in Volumes II and III of the University Policy Manual.

5.4.4 Outside Activities and Other Employment

The University encourages employees to take active roles in Church and community service.

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. Professional service, such as a membership on governing bodies, as a University delegate, and as a professional consultant or speaker are generally encouraged as long as such activities do not hamper the effective performance of University responsibilities.

Questions about whether an outside activity or other employment would constitute a conflict of interest should be directed to supervisors.

5.4.4.1 Conflicts of Interest

Employees must recognize that full-time employment by the University requires that they dedicate such hours and energy as are necessary to efficiently perform their duties. No employee of the University shall engage in any activity, employment, business, professional work, or enterprise which is inconsistent, incompatible, or in conflict with efficient performance of the employee's duties, functions, and responsibilities as judged by the employee's supervisor.

A full-time employee wanting to engage in outside employment on a continuing basis shall request permission from the employee's supervisor and the appropriate Vice President, noting the nature of employment, the name of the prospective employer and the approximate time of day of employment.

5.5 Employee Working Conditions

5.5.1 Attendance Standards

Punctuality and regular attendance are essential to the proper operation of any business. They also help employees establish a good working reputation and increase their opportunity for advancement.

If employees are unable to report for work for any reason, if they will arrive late, or must leave early, they should notify their supervisor or, in the supervisor's absence, the designated department head or Vice President before starting time.

The University may require a written doctor's excuse or a job-related medical examination when an employee returns to work following a disability or illness.

5.5.2 Absence without Notice

For the University to operate effectively, employees must keep the University informed of their status when they are off work because of illness or accident from any cause. If they fail to notify the University after three days of consecutive absence, it will be presumed they have resigned, and they will be removed from the payroll. Likewise, employees must call their supervisor daily while off work due to short-term illness or accident, or it will be presumed they have resigned, and they will be removed from the payroll. If employees must leave work for any reason before the end of the day, they must inform their supervisor.

5.5.3 Lunch Period

The lunch period for office employees is flexible and usually one-half hour to one hour in duration. Lunch time is not paid and employees are encouraged not to remain at their desks or work space during lunch. Lunch schedules should be arranged with the supervisor.

5.5.4 Dress and Personal Appearance

The University expects all employees to dress in a professional manner and consistent with the positions they hold. Supervisors are responsible to enforce reasonable dress standards for their employees consistent with the professional image the University wishes to display to students and visitors.

5.6 Separation Policies

5.6.1. Types of Separation

5.6.1.1 Resignation

Resignation is voluntary termination of employment initiated by the employee. If for any reason an employee decides to resign, it is requested that the employee give at least two weeks notice in writing to the department supervisor.

5.6.1.2 Retirement

Employees retiring from the University are asked to give at least 60 days notice so that appropriate arrangements can be made for retirement paperwork and transition of duties.

5.6.1.3 Budget Constraints/Program Changes

The University reserves the right to eliminate positions, for any reason, including budgetary constraints or program changes. A demonstrable effort will be made to give employees thirty days notice of such terminations.

5.6.1.4 Discharge from Employment and Disciplinary Action

Discharge is a separation initiated by the University. The University reserves the right to immediately dismiss an employee, even without warning, for no reason or for any reason,

including but not limited to: Cause (serious misconduct, dishonesty, unethical or dangerous behavior), Performance (incompetence, failure to meet set standards, causing problems with others that may adversely affect the institution), or Record (omission of specified information or falsification of employment records). Additional reasons for disciplinary action and discharge are set forth below. The University may use progressive discipline at its sole discretion on a case-by-case basis.

The following warning procedures may be used by supervisors to alert employees as to unsatisfactory behavior, performance or record:

1. **Oral Warning:** This is a private explanation and discussion of the deficiency, including how this deficiency is to be rectified and indication of time by which the deficiency must be corrected.
2. **Written Warning:** This is in writing and may be accompanied by the Performance Evaluation. This warning must clearly identify the problem and outline a course of corrective action within a specified time frame.
3. **Final Written Warning and/or Suspension Without Pay:** This can be a notice of termination unless the deficiency is immediately rectified. Suspension without pay will be at the sole discretion of the University and be administered on a case-by-case basis. Length of suspension will be determined by the severity of the conduct, record, action or performance. This will also be acknowledged by the employee, as evidence that the employee has seen the document.

All written warnings will be retained in the employee's personnel file in the Human Resources Department. The University retains the right to take disciplinary action up to and including termination for serious infractions, misconduct, violations of rules or safety measures, or for other serious performance issues. Actions which may result in immediate dismissal include, but are not limited to:

1. Falsification of personnel records, including time records and applications for employment;
2. Incompetence or inefficiency;
3. Inexcusable neglect of duties, insubordination, or disobedience;
4. Unauthorized possession of or drinking of any alcoholic beverages, or the misuse, sale or dispensing of prescription drugs, or the use, sale, dispensing, or possession of any illegal drugs on University owned or operated property or while conducting University business;
5. Unexcused absence for three (3) days without notification or reasonable cause;
6. Theft, unauthorized use or removal of University property;
7. Unauthorized possession of firearms, knives, or explosives; in violation of the site No Weapons Policy.
8. Stealing from fellow employees, students or others on University owned or operated property;

9. Immoral or indecent conduct on University premises or conviction by a court of law of such conduct off the job;
10. Threatening, intimidating, coercing, or interfering with fellow employees on University owned or operated property;
11. Conviction of a serious criminal offense, including murder, armed robbery, arson, or assault, whether or not on University owned or operated property;
12. Any act of fighting on University owned or operated property;
13. Refusal to perform assigned duties or follow instructions of a supervisor;
14. Failure to correct conditions covered in written warnings;
15. Release of confidential or proprietary information to unauthorized persons;
16. Abusive or threatening language;
17. Sexual harassment, misconduct or other discriminatory behavior.

Actions which may result in dismissal for more than one occurrence include, but are not limited to:

1. Wasting time or loitering;
2. Leaving University premises or work area without permission during working hours;
3. Misuse of sick leave privileges and benefits;
4. Tardiness;
5. Negligence in the performance of duty;
6. Negligence or abuse in the use of University property or equipment;
7. Failure to report an incident or injury to student, self, or visitor;
8. Sleeping during working hours;
9. Violation of or disregard for fire safety or common safety practices, or smoking in unauthorized areas; or
10. Gambling on University premises.

In unusual circumstances, the President may order immediate discharge if continued employment of an individual by the University would, in the President's judgment, be detrimental to the best interests of the University or the employee.

An employee terminated for disciplinary reasons will receive neither notice nor pay in lieu of notice, and may not be eligible for unemployment benefits.

5.6.2 Separation of Employment

The following benefits are available to departing employees, and will be described in greater detail at the exit interview:

1. **Health Insurance:** If involuntarily terminated from the University, the employee may continue to participate in the program for twelve months after departure from the

University. The employee will be responsible for the entire cost of the health insurance, and coverage will cease should the employee fail to make timely payments. Continued participation is not available to those who voluntarily leave University employment.

2. Life Insurance: If the employee is enrolled in the University's life insurance program, the employee may convert the policy to an individual policy within 31 days of the termination date.
3. Unemployment Benefits: Employees may be eligible for unemployment benefits.

See Volume III of this Policy Manual for more information on benefits.

5.6.3 References Following Separation of Employment

Former employees of the University seeking to have personnel records or employment references from University personnel forwarded to prospective employers or schools must first submit a written request for release of the information or documents to the Human Resources Department.

Supervisors should not respond to verbal requests for references and should refer such requests to the Director of Human Resources.

5.6.4 Exit Interviews

When an employee leaves the University, the employee will have an exit interview with the Director of Human Resources or a designated representative on or before the employee's last day. This exit interview documents the reasons for leaving and solicits constructive feedback to improve the University.

Arrangements to return items belonging to the University, such as keys, files, computer passwords, I.D. cards, etc., should be made with the immediate supervisor.

5.7 Problem Resolution and Grievance Policies

If an employee has a job-related problem, question, or issue, it should be discussed with the employee's supervisor. The simplest, quickest, and most satisfactory solution will often be reached at this level.

If the discussion with the supervisor does not answer the employee's question or resolve the matter to the employee's satisfaction, the employee may then present the issue, orally or in writing, to the next higher level of management. If the matter is still not resolved satisfactorily, the employee may present the issue in writing to the Vice President in the employee's area that will render a decision on the matter after an appropriate investigation.

When the issue personally involves the supervisor with whom an employee would ordinarily discuss a problem, the employee may bypass that individual and proceed to the next person in authority without fear of reprisal. Employees may seek the advice and guidance of the Director of Human Resources at any time. Difficulties in using this procedure should be brought to the attention of the Director of Human Resources.

The procedure for personnel who report directly to the President requires initial presentation of the issue to the President. If resolution cannot be reached at the presidential level, the issue may be presented in writing to the Board of Trustees. The Board of Trustees may appoint a member to look into the issue and make recommendations to the Board for resolution.

Employees may file a grievance appeal through the Director of Human Resources to the President. The President will render a final decision on the matter.

Grievances are limited to allegations of one of the following:

1. Violations of state or federal discrimination or related statutes;
2. Violations of University policy, or circumstances involving an inconsistent application of policies;
3. Violations of any constitutional rights.

Disciplinary actions and terminations, transfers, promotions, raises, performance reviews, and similar personnel actions are not grievable unless the employee is alleging that the actions taken constitute one of the three reasons above.