

**UNIVERSITY OF WYOMING**

**EMPLOYEE HANDBOOK**

**September 10, 2007**

# UNIVERSITY OF WYOMING EMPLOYEE HANDBOOK

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## **DISCLAIMER**

**THIS HANDBOOK IS NOT AN EMPLOYMENT CONTRACT.**

### **RESERVATION OF RIGHTS**

**INFORMATION IN THIS HANDBOOK IS SUBJECT TO CHANGE AT THE SOLE DISCRETION OF THE UNIVERSITY OF WYOMING.**

**THE UNIVERSITY MAY UNILATERALLY CHANGE THIS HANDBOOK AT ANY TIME WITHOUT PRIOR NOTICE OR CONSIDERATION.**

**Any time frames set in this Handbook may be changed at the Employer's discretion.**

**DURING THE PROBATIONARY PERIOD, A STAFF EMPLOYEE IS AN "AT WILL" EMPLOYEE AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE, WITH OR WITHOUT ADVANCE NOTICE, AND WITHOUT RIGHT OF APPEAL. THERE MAY BE OTHER "AT WILL" EMPLOYEES, DEPENDING UPON THEIR POSITION WITH THE UNIVERSITY OF WYOMING WHO ALSO MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE, WITH OR WITHOUT ADVANCE NOTICE, AND WITHOUT RIGHT OF APPEAL.**

**Individuals with a disability will be provided an alternate format of this document upon request. Contact Human Resources, University of Wyoming (307)-766-2215.**

## **MISSION AND OBJECTIVES OF THE UNIVERSITY OF WYOMING**

The University of Wyoming aspires to be one of the nation's finest public land-grant research universities, dedicated to serving as a statewide resource for accessible and affordable higher education of the highest quality, rigorous scholarship, technology transfer, economic and community development, and responsible stewardship of our cultural, historical, and natural resources.

In the exercise of our primary mission to teach and educate students, we seek to provide academic and co-curricular opportunities that will:

- Expose students to the frontiers of scholarship and creative activity, and the complexities of an interdependent world;
- Ensure individual interactions among students, faculty, and staff;
- Nurture an environment that values and manifests diversity, free expression, academic freedom, personal integrity, and mutual respect; and
- Promote opportunities for personal growth, physical health, athletic competition, and leadership development for all members of the University community.

As Wyoming's only university, we are committed to outreach and service that extends our human talent and technological capacity to serve the people in our communities, our state, the nation, and the world.

The primary vehicles for identifying the specific actions and resource allocations needed to achieve this complex mission are the university's Academic Plan, Support Services Plan, and Capital Facilities Plan, each revised periodically.

## **I. GENERAL INFORMATION APPLICABLE TO ALL EMPLOYEES**

### **HUMAN RESOURCES DEPARTMENT**

The Department of Human Resources is responsible for coordinating such services/programs as employment, compensation, classification, employee relations, leaves, training/development, employee records, disciplinary actions, and insurance and retirement programs for employees. The Human Resources Office also assists employees in solving work-related problems, supplying information, and promoting good employer-employee relations. A major function of the Department of Human Resources is to administer approved personnel policies and procedures.

### **NEW EMPLOYEE ORIENTATION**

All new employees are encouraged to attend the new employee orientation program. The orientation is designed to familiarize employees with benefits (which must be selected within 31 days of eligibility) and other useful information, as well as to provide an overview of University policies and procedures. Individuals who are required to attend will be notified by the Department of Human Resources regarding the dates and times of the orientation session.

### **DUTIES**

Employees are expected to perform the general duties and responsibilities of their position. An employee may be required to perform additional assignments for a limited time. Employees are also expected to discharge their responsibilities in a conscientious manner, complying with University regulations, departmental procedures, and supervisor's directives.

### **UNIVERSITY POLICIES**

#### **A. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION**

The University is an equal opportunity employer. It is the policy of the University to comply with all applicable laws requiring equal employment opportunity to all qualified applicants and employees without regard to race, color, religion, sex, national origin, disability, age, veteran status, sexual orientation or political belief. This policy applies to conditions, terms and privileges of employment. Evidence of practices that are not consistent with this policy should be reported to the Director of Employment Practices.

#### **B. SEXUAL HARASSMENT**

The University will not tolerate sexual harassment or retaliation for reporting sexual harassment. Employees engaging in such conduct will be subject to disciplinary action. Employees who feel they are victims of sexual harassment should contact the Director of Employment Practices or other individuals referenced in UniReg 5; which describes the University policy on sexual harassment.

### **C. DISABILITY**

The University adheres to all federal and state laws regarding individuals with disabilities. If an employee has a disability, the employee may contact The Department of Human Resources to initiate the process used to determine whether the employee has an Americans with Disabilities Act (ADA) qualifying disability and if an accommodation can be made in order that the employee can perform the essential functions of the job. The policy can be viewed in its entirety on the Human Resources website. [www.uwyo.edu/hr](http://www.uwyo.edu/hr) Human Resources can also assist if the employee needs to file a long-term disability claim.

### **D. SAFETY**

Every employee has a responsibility to assist the University in identifying and eliminating safety problems in the University environment. Any employee, who believes there is a safety problem in his work environment or elsewhere in the University, is obligated to bring the problem to the attention of the Risk Management Office. (766-5767)

### **E. SUPPLEMENTAL INCOME**

Full-time employees during their regular terms of service shall not have their salaries supplemented from University grants, contracts, or other University sources except as permitted by Trustee Regulations.

### **F. NEPOTISM**

Relatives (father, husband, son, brother, grandfather, grandson, uncle, nephew, first cousin, and the corresponding feminine relationships) may not be employed in positions which place one in an immediate supervisory relationship to the other. University employees who, through marriage, find themselves in violation of the foregoing statement are given the remainder of the fiscal year, in which the marriage occurred, to comply.

No provision of this Section shall be interpreted or applied so as to prevent the award of a scholarship, fellowship, or graduate assistantship to a student who is a relative of any employee of the University or of the Trustees.

### **G. PARTICIPATION IN POLITICAL ACTIVITY**

The political rights and privileges of all employees of the University are the same as those of any other citizen of the State. However, exercise of those rights and privileges shall not involve the use of University funds, time, services, and facilities unless authorized as part of the educational process. Any unauthorized use may be subject to disciplinary action, including discharge. If an employee's political activity will interfere with performing his/her regular duties, the employee must develop a schedule, in advance, with his/her Dean or appointing authority, which will assure the completion of these duties.

If an employee's political activity involves extended absences, such a schedule must be approved by the President of the University or his/her designee. Employees who are on extended absences for political activity should contact the Payroll Office to determine the salary options.

## **H. CONFLICT OF INTEREST/CONFLICT OF COMMITMENT**

A conflict of interest occurs when any Officer, Faculty, Academic Professional or Staff of the University is in a position to affect significantly the business transactions of the University with an organization in which the employee has an interest. University employees have a duty to disclose any such conflict or any set of circumstances which may give the appearance of conflict of interest.

A conflict of commitment arises when professional service or research contracted outside the University, consultations or other outside activities (e.g., outside teaching or business) of an employee interferes with the paramount obligations to students, colleagues, and the primary missions and policies of the University. Conflicts of commitment primarily involve questions of obligation and effort, but are often tied to financial remuneration or other inducements and, in such cases, may also constitute conflicts of interest.

Conflicts of interest and conflicts of commitment may constitute a breach of the employment contract and, if not properly disclosed and eliminated or managed in accordance with University Regulations, will result in appropriate sanctions, including the termination of employment, if warranted.

## **I. PATENTS AND COPYRIGHTS**

The University has Trustee and University Regulations dealing with patents and copyrights. Employees who have questions regarding patent and copyright issues should consult these regulations or contact the University Technology Transfer Office.

## **J. CLASSIFIED RESEARCH AND SECURITY CLEARANCE**

Employees involved in classified research and security clearance should refer to the Trustee Regulations.

## **K. MOTOR VEHICLES**

The unauthorized use by any University officer or employee of any motor vehicle belonging to the State of Wyoming, or the use of any such vehicle for other than official business, is prohibited by state statutes. The prohibitions contained therein apply to motor vehicles owned by the University.

## **L. VACATION**

Employees may accrue a maximum of 352 hours of vacation as follows:

**Full-time exempt** employees accrue 22 days per year.

**Part-time exempt** employees accrue pro-rated vacation days according to the percentage of the appointment.

**Full-time non-exempt** employees accrue 10 vacation days per year for the first 2 years of employment. At the beginning of the 3<sup>rd</sup> year of employment, the employee accrues 16 days of vacation per year. At the beginning of the 7<sup>th</sup> year of employment the employee accrues 22 days per year.

**Part-time non-exempt** employees accrue pro-rated vacation days according to the

percentage of the appointment.

Vacation leave may not be used in advance of accrual, or in the month in which it is accrued.

It is the employee's responsibility to monitor vacation usage to protect against the potential loss of vacation accrual. Vacation must be scheduled in advance and with the approval of the supervisor, who may or may not be the appointing authority. An employee may not use vacation to extend the workday beyond the normally scheduled hours.

Vacation use must be reported as required by the department. Holidays occurring during vacation are not charged to vacation. Each supervisor or appointing authority will consider requests by employees for absences caused by the employees' religious needs. If granted, vacation or unpaid leave may be utilized.

Employees may utilize vacation leave or unpaid leave, with the prior notification of the employee's supervisor, to observe religious holidays that are not official University holidays.

Employees who separate from University service are entitled to be paid at 100% of the current salary rate for all accrued, unused vacation which may not exceed 352 hours. Employees terminating for all reasons other than disciplinary may elect a lump sum payment, terminal leave or a combination of terminal leave and lump sum payment. An employee terminated for disciplinary reasons must take the accrued annual leave in a lump sum unless otherwise determined by the employer. If an employee works in less than a 12 month assignment, terminates at the end of the assignment and elects terminal leave, the terminal leave will be applied immediately.

A staff employee who is appointed to another University position retains any vacation leave accrued in the previous position. The vacation balance becomes the obligation of the administrative subunit of the current appointment. A person appointed to a benefited position after a break in service of less than ninety (90) calendar days from a previous appointment will accrue vacation at a rate consistent with the length of service for which vacation accruals had been credited in the previous appointment unless the new position accrues at a higher rate. A person appointed to a staff position after a break in service of ninety (90) calendar days or more from a previous appointment will accrue vacation at the same rate as a new staff employee.

The value of unused vacation for a staff employee who dies in service will be paid at 100% of the current salary rate.

## **M. SICK LEAVE**

A full-time benefited employee accrues sick leave at the rate of 12 days per year. A part-time benefited employee accrues sick leave in accordance with the percentage of appointment up to a maximum of 100%. The amount of leave accrued per month will vary slightly depending on the number of days in the month.

Sick leave may not be used in advance of accrual, or in the month in which it is accrued.

An employee may also use sick leave for medical, psychological, dental, or optical examinations or treatment. Sick leave is also available for the medical care of immediate family. (Immediate family includes and is limited to parent, spouse/partner, child, or another member of immediate household.)

When using sick leave, an employee must notify the supervisor as soon as possible on the first day of absence and on subsequent days. Failure to report to work and failure to notify the supervisor within twenty-four (24) hours of the first day of absence may result in disciplinary action including termination.

Sick leave will not be charged against the accrued balance whenever a University-observed holiday or other non-working day occurs during sick leave.

The use of sick leave is subject to verification by the appointing authority. The employee must provide appropriate written medical documentation when requested.

Employees who do not provide such documentation may be placed on leave without pay for the period in question, and/or disciplinary action may be initiated by the appointing authority. Sick leave use must be reported to the unit via approved leave reports. An employee does not earn sick leave while on leave without pay or during a break in service. An employee may not use sick leave to extend the workday beyond the normally scheduled hours.

If approved by the appointing authority or designated supervisor, an employee may use sick leave instead of vacation if the employee becomes disabled or ill while on vacation, provided satisfactory medical verification is submitted upon return to work. Such approval must be in writing and provided to the employee with a copy to Human Resources.

An employee who is appointed to another University position with no break in service retains any sick leave balance accrued in the previous position. The sick leave balance becomes the obligation of the administrative subunit of the current appointment. Employees appointed to a benefited position after a break in service within 5 years from a previous benefited appointment will be reinstated upon reemployment with 100% of the previously unused accrued sick leave.

Employees transferring from a State of Wyoming agency will be credited with any remaining accrued sick leave balance in excess of 960 hours if they have no break in service. If the break in service between State and University employment is less than ninety (90) calendar days, one-half (1/2) of the remaining balance over 960 hours will be credited.

No payment is made for unused sick leave at the termination of employment, retirement, or death. However, if an employee is granted Board Retirement per Trustee Regulation VII, Sec. G or has completed fifteen (15) years of continuous service at any age and is eligible for retiree insurance, the employee may convert up to one hundred twenty (120) days of sick leave to be applied toward the state contribution for group health insurance at the rate of 1.5 months coverage for each five (5) days of sick leave. Retirees receiving Board Retirement status are responsible for initiating the process to receive the State contribution to health and dental insurance. The retiree is eligible to participate in the group health and dental insurance plan pursuant to the current University policies and/or insurance carrier's contracts upon completion of the sick leave conversion provision. If the Board Retiree dies after retiring, this benefit will transfer to the spouse if the employee has included the spouse in the insurance coverage.

An employee is eligible to use sick leave only during the employee's obligated period of service which terminates the last day that service is performed.

### **Donated Sick Leave Policy**

**Benefited employees** are eligible for donated sick leave if they are eligible for leave according to the Family and Medical Leave Act (FMLA) and have an immediate and reasonable need for

such assistance on a long- term basis as verified by a medical provider. The medical verification form is available in the Benefits section of the Department of Human Resources. The employee must have exhausted his/her available sick and vacation leave prior to being eligible for donated sick leave. When the Employee returns to work, unused donated sick leave is forfeited.

Employees who receive payments under UW's Long Term Disability (LTD) program are not eligible for donated sick leave; i.e., employees will not receive both donated sick leave payments and LTD payments, however, employees may receive donated sick leave to bridge the 90-day LTD disqualification period.

Employees who wish to donate sick leave must be in an active pay status and have accrued more than 80 hours of sick leave. Donating employees are required to maintain a minimum balance of 80 hours of their own sick leave after making a donation. The University has reciprocity with the State of Wyoming regarding sick leave donations.

Donations are made by notifying the Human Resource-Benefits section.

Donation requests and donations must be received in the Human Resources-Benefits prior to the employee's return to work.

## **N. FAMILY AND MEDICAL LEAVE POLICY**

After twelve (12) months of service and having worked at least 1250 hours in the preceding twelve (12) months, all employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any calendar year of service. The State health insurance contributions will be made for all eligible employees who have elected coverage. Employees retain all accrued benefits while on leave.

Accrued sick leave, vacation leave, or donated sick leave may be used during Family and Medical Leave. If all accrued and donated leave is exhausted, the remaining portion of the twelve (12) weeks can be taken as leave without pay.

### **Family Leave**

An employee who is eligible for Family Leave through FMLA may take up to 12 weeks of leave due to the birth or placement of a child with the employee. Accrued sick leave, vacation leave or donated sick leave may be used during Family Leave. If all accrued and donated sick leave is exhausted the remaining portion of the 12 weeks can be taken as leave without pay. Family Leave should be taken consecutively unless The Department of Human Resources and the employee's appointing authority approve other arrangements.

The right to Family Leave must be taken within 12 months immediately following the birth or placement of a child.

If an employee is not yet eligible for Family Leave through FMLA, due to length of service, he/she may take up to six (6) weeks of accrued sick leave or vacation leave consecutively during the twelve (12) months following the birth or placement of a child. Leave without pay is available during the six (6) weeks if all paid leave is exhausted. Donated sick leave may be used if eligible for FMLA only.

### **Medical Leave**

Medical leave may be taken because of a serious health condition that makes the employee unable to perform his/her job functions or to care for a spouse, child, or parent if he/she has a

serious health condition. Any questions concerning what is considered a serious health condition should be directed to The Department of Human Resources.

Accrued sick leave, vacation leave or donated sick leave may be used during Medical Leave. If all accrued and donated sick leave is exhausted the remaining portion of the 12 weeks can be taken as leave without pay.

Intermittent medical leave is allowed only when used for medical treatment that is required for eventual recovery or a chronic medical condition.

Human Resources shall require certification issued by a health care provider to support an employee's request for Medical Leave. Certification shall include a statement of: 1) the date the condition began or expected date when medical treatment will begin; 2) its probable duration; 3) appropriate medical facts, and (if applicable) 4) an assertion that the employee is needed to care for a sick family member for a specified time, along with a schedule of the Medical Leave to be taken. The appropriate medical certification form can be obtained through Human Resources.

Employees are expected to give their immediate supervisor at least thirty (30) days advance notice of the intent to take Family or Medical Leave, unless such notice is not practical. Employees should try to schedule planned medical treatment so as to create a minimum disruption for their unit or department. Employees are encouraged to report to their supervisor on a monthly basis of their progress and intent to return to work at the end of their leave.

Employees returning from Family and Medical Leave, in accordance with the federal act, have the right to be returned to their former job position or they may be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

Employees should direct benefit questions to Human Resources.

The following procedures will be implemented by the Department of Human Resources in order to administer this policy:

1. Human Resources will determine whether an employee is eligible for Family or Medical Leave.
2. The University reserves the right to require second and third medical opinions at any time.
3. The employee must provide medical certification of the need for FMLA. Human Resources will provide the appropriate medical certification form.
4. The employee taking leave without pay must make arrangements through Human Resources for continued insurance coverage and premium payments.
5. Employees returning to work from Medical Leave are required to provide Human Resources with medical authorization before being permitted on the job site.

## **O. UNIVERSITY HOLIDAYS**

University holidays are determined by the president. Full-time employees are entitled to observe these holidays at full pay. Part-time employees are entitled to observe these holidays at pay based on their percentage of appointment. Non-exempt staff employees who are directed to work on an official University holiday, will receive holiday pay and overtime compensation for hours worked. Exempt employees directed to work on an official University holiday, will be

permitted to observe the holiday at another time (within the same or following pay period) with appointing authority approval. Employees are eligible to be paid for all UW Administrative holidays falling within the dates of the benefited assignment, provided the employee has been paid for the last scheduled workday either preceding or following that holiday. Holiday compensation is based on the FTE of the assignment. If a holiday falls on a non-scheduled work day, the employee can observe the holiday at another time (within the same or following pay period).

Compensation will not be granted for holidays which are observed immediately preceding the first day of an employee's appointment or reappointment to a position or during a leave without pay. For determination of overtime compensation, official University holidays are considered work time.

Employees may utilize vacation leave or unpaid leave, with the prior notification of the employee's supervisor, to observe religious holidays that are not official University holidays.

## **P. WINTER CLOSURE**

The University closes for three days between Christmas and New Years. Employees are not expected to work during those days; however, some essential services must continue. Employees designated to work for all or parts of winter closure receive an equivalent amount of time off prior to September 30 of the following year. Employees on terminal leave during winter closure have their leave extended. Employees who are not designated to work, but decide to work anyway do not receive time off at a later date. New employees will not have a start date within winter closure unless specifically required to work during that time.

## **Q. LEAVE OF ABSENCE WITH PAY**

Employees may request a leave of absence with pay from the immediate supervisor for the following:

**Legal Duty:** Employees are entitled to leave with pay when required to perform jury duty or to appear as a subpoenaed witness in an official capacity as a University employee. For determination of overtime compensation, time spent on jury duty or subpoenaed as a witness is considered work time.

**Voting:** Employees are allowed up to one hour's time off with pay to cast ballots.

**Work Related:** Employees may request leave to participate in meetings, institutes, conferences, examinations, and other activities directly related to work.

**Emergency Leave:** Employees may apply for emergency leave with pay (for unusual circumstances) if there is good cause and no other leave available. Short-term emergency leaves may be granted for good cause subject to the following approvals:

- For a period not to exceed two (2) weeks--approval of the appointing authority and the Director of Human Resources.
- For a period not to exceed four (4) weeks--approval of the President.
- For a period exceeding four (4) weeks--approval of the Trustees.

- Following a leave with pay, an employee is reinstated to the former position. If an employee fails to return from leave without providing 24-hours notice to the supervisor and a legitimate reason for not returning, the employee will be considered to have abandoned the position and is subject to termination. Extensions of leave with pay can only be made by the President or the Trustees, as the case may be, upon recommendation of the appointing authority. During a leave with pay an employee's position may not be filled except on a temporary basis. Sick leave and vacation credits continue to be earned during a leave with pay.

## **R. LEAVE OF ABSENCE WITHOUT PAY**

Extended leaves of absence without pay may be approved for the following purposes:

**Professional Development:** After the initial probationary period has been completed, extended leaves without pay may be granted to staff employees for purposes of professional development.

Other extended leaves without pay may be granted to employees for purposes consistent with the needs and objectives of the University. Exempt employees please contact the Director of Human Resources.

An appointing authority may approve requests for a short-term leave without pay of up to four weeks per anniversary year when circumstances require absence from work and vacation or sick leave credits are not available or are inappropriate to use. If an employee requires an extended leave (four weeks to one year), the employee may apply to the immediate supervisor for such leave on a Leave Without Pay Request form, which must be completed (at least ten (10) days before the proposed leave) and submitted to Human Resources and responsible vice president for approval. All accrued vacation must be used before leave without pay for non-medical reasons will be granted. All accrued sick leave must be used before leave without pay for medical reasons will be granted, unless the employee is covered by Workers' Compensation and entitled to Temporary Total Disability (loss of wages) for a work related disability or injury. (See Workers' Compensation Section for Workers' Compensation Leave Without Pay.)

A leave of absence without pay which is granted to an employee is with the assurance of reinstatement to the former or comparable position unless circumstances make it impractical. If reinstatement is assured, a person hired as temporary replacement for an employee on leave without pay is to be advised that his/her employment will only continue for the duration of the employee's leave. Where it is impractical to assure an employee of reinstatement to the same position upon return, the leave without pay must be approved with the understanding in writing that the University must fill that position and is under no obligation to hold that particular position for the employee during the extended absence. An employee who fails to return from leave without pay will be considered to have abandoned the position and is subject to termination.

All leave requests must be approved by an immediate supervisor and an appointing authority. Extended leave without pay must be approved by the Director of Human Resources and by the appropriate Vice President or University Officer. While on leave without pay, an employee may continue health and life insurance coverage by paying the full cost of such coverage. The employee must initiate this coverage by contacting the Human Resources Department. (See Workers' Compensation Section concerning health and life insurance while on Workers' Compensation Leave Without Pay.)

Sick leave and vacation credits are not earned during leave without pay. Employees may not claim compensatory time or salary for University holidays which are observed during leave without pay. A leave without pay shall not be considered a break in service.

## **S. MILITARY LEAVE**

Employees are eligible for a leave of absence to go on active duty with the armed forces, voluntarily or involuntarily, during a state of war or declared national or state emergency. Employees should make arrangements with their immediate supervisor to take such leave. Reservists or Guard members called to active duty will be placed on leave without pay if their military salary is higher than their University salary. To the extent authorized by state law, the time spent in national or state service shall count toward University retirement. No retirement contributions or leave accruals will be lost while an employee is on active military duty. Benefited employees will be granted fifteen (15) working days per calendar year of leave with pay for active duty training if such occurs during the employee's normal work schedule.

## **T. BEREAVEMENT LEAVE**

Benefited employees may use up to twelve days of sick leave and three days of bereavement leave upon the death of a family member, or spouse's/partner's family member. (This includes, but is not limited to, parent, spouse/partner, child, sibling, grandparent, grandchild, son-in-law, daughter-in-law, or another member of the employee's immediate household.) This leave shall be used before the use of any other leave authorized for this purpose. Arrangement for this leave shall be made with the employee's immediate supervisor and must be used within 60 days of the date of death unless additional time is approved by the appointing authority in consultation with Human Resources.

## **U. EMERGENCY CLOSURES**

The decision to close a University facility or declare it inaccessible is at the discretion of the president of the university or the president's designee for the facility. Decisions to temporarily close facilities outside of Laramie will be made by the appropriate Vice President.

When a University facility is closed or declared inaccessible, all affected employees not required to work during the declared closure or inaccessibility, including those using vacation or sick leave, will be automatically placed on paid administrative leave for their normally scheduled hours of work during the period of closure or inaccessibility.

An employee who is required to work during a declared period of closure or inaccessibility ("essential employee") will be paid his or her regular salary for work during the employee's normal hours of work. In addition, the employee will be granted compensatory time off equal to the number of hours worked during the declared period of closure or inaccessibility. A list of essential employees will be developed by each department or unit.

If a University facility has not been declared closed or inaccessible, but an individual is unable to report for or remain at work on a particular day because of inclement weather or other emergency not covered elsewhere in the regulations, the employee may decide whether to use accrued vacation time (if available) or take leave without pay. The supervisor may also permit

the employee to use accrued compensatory time, make up time on an hour-for-hour basis, or carry out alternative assigned duties during the period of absence from work.

Nothing in this policy shall be construed to preclude or negate the provisions of the staff retrenchment or academic financial exigency policies of the University (see University Regulation 41, Revision 1 “Financial Exigency” and the Retrenchment section of this Handbook “Retrenchment policy.”)

## **V. BENEFITS**

The employment benefits of the University are contained in **Appendix A**. Many benefits are established by law and can be changed by law. Benefits may be changed with or without notice and without any consideration. All employees employed for at least six months or more and working at least half-time (twenty (20) hours per week) shall be entitled to all benefits of employment except as may be limited by the terms of each condition or benefit of employment. Appointments of less than twenty (20) hours per week shall be considered non-benefited.

## **II. RULES, POLICIES AND PROCEDURES THAT ARE SPECIFIC ONLY TO STAFF EMPLOYEES – (INCLUDES AT-WILL, CONTRACT AND CLASSIFIED POSITIONS.)**

### **A. STAFF SENATE**

Staff Senate is an elected representative body that serves the functions set forth in UniReg 34.

In completing its stated purposes and functions, the Staff Senate serves in an advisory capacity to the President of the University. The Senate consists of 40 elected members and three ex-officio non-voting members: the Director of Human Resources, a Faculty Senate representative, and a representative of the Associated Students of the University. Staff employees are eligible for election as long as certain criteria are met to ensure proper representation. For details on Staff Senate, please refer to UniReg 34 or call the Staff Senate office 307-766-5300.

### **B. APPOINTING AUTHORITY**

Individuals designated by the President shall have the power to appoint staff (Appointing Authority). Each appointment to a Staff position shall be on a continuing, temporary or limited temporary basis unless otherwise specified by University rules. Employees appointed to Staff positions are designated as exempt or non-exempt according to the Fair Labor Standards Act (FLSA). This determination is made by Human Resources in consultation with the appropriate appointing authority.

### **C. SUPERVISOR**

A supervisor may or may not be an appointing authority. Supervisors are authorized to give work-related directions and are responsible for evaluating other employees' performance.

### **D. ANNIVERSARY DATE**

A staff employee's anniversary date is the date his/her initial appointment becomes effective. If there is a break in service of less than 90 calendar days between appointments, the initial anniversary date will be reinstated.

### **E. CLASSIFICATION/COMPENSATION**

Staff positions are classified to reflect the nature of the work performed as detailed in the Position Description Questionnaire (PDQ). All classified staff positions shall have an accompanying PDQ on file in the Department Human Resources. If an employee does not agree with a reclassification decision he/she may appeal through the classification appeal process; a copy of the appeal procedure can be obtained in Human Resources.

Appeals of classification decisions must be within 10 working days of the receipt of the decision to reclassify an employee's position.

Rates of pay are based upon the position's classification and pay grade in the University's Classification/Compensation process as well as other factors such as knowledge, skills and abilities.

## **WORK POLICIES**

### **A. PROBATION**

Commencing with initial employment, all staff shall be required to serve a probationary period of one (1) year. Under certain circumstances, the probationary period may be either extended or reduced. Employees, who are promoted, transferred, reassigned, or reappointed after a break in University service of ninety (90) calendar days or more, may be required to serve an additional probationary period. Notice of successful completion of the probationary period will be given in writing to the employee by the Department of Human Resources. Staff employees serving probationary periods are considered at-will employees during the term of probation and may be terminated without cause and shall have no right to appeal. The probationary period may be either extended or reduced for a period of up to 6 months when the responsible Vice President determines that such extension or reduction would be in the best interest of the University.

### **B. WORK WEEK AND OVERTIME.**

Staff employees will normally work a 40-hour, five-day week, Monday through Friday. Variations may occur due to work requirements. For University employment purposes, the standard work week is 12:01 a.m. on Sunday through 12:00 p.m. (midnight) the following Saturday night. Part-time work schedules for part-time employees may be authorized by appointing authorities. Non-exempt employees under the terms of the Fair Labor Standards Act are eligible for overtime compensation pursuant to the terms of the Act, and when authorized by an appointing authority. Employees who are exempt from the Fair Labor Standards Act are not eligible for overtime compensation.

It is the policy of the University to make overtime payments in the form of compensatory time off at the rate of time and a half. When it is in the best interests of the University, overtime may be paid in lieu of compensatory time. Overtime must be approved and directed by the supervisor. Compensatory time should be taken within a reasonable period of time after it is earned. Maximum accumulated compensatory time is 160 hours worked (240 hours paid, i.e., 160x1.5). Overtime that may be occasionally accumulated beyond this maximum will be paid.

### **C. ATTENDANCE POLICY**

Attendance at work must be reliable, predictable, regular and prompt. Such attendance is essential to the performance of any University position. Notwithstanding the leave benefits offered to employees, habitual tardiness, and absenteeism are considerations in the evaluation of performance and are cause for corrective action up to and including dismissal.

Regular attendance is particularly important to planning and organizational efficiency and employee morale. As such, employees must notify supervisors of requested leave as promptly as possible.

### **D. PAY PERIOD**

Salaried employees are paid on the last working day of each month. Hourly non-benefited employees are paid on the fifteenth day of each month and the last working day of each month. All full-time and part-time nonexempt staff employees are required to submit a signed Time and Leave Report each month. Failure of an employee to submit a report may delay the employee's

paycheck. Time and Leave deadlines are posted on the Payroll Office website (<http://www.uwyo.edu/payroll/Payroll> Deadlines).

#### **E. PERFORMANCE PLANNING AND PERFORMANCE APPRAISAL**

During the months of January and February of each year, supervisors are expected to hold an annual face-to-face performance planning and performance appraisal meeting with each classified employee. Performance planning will establish qualitative and/or quantitative goals and objectives and standards for the coming year. Performance appraisals are based on the employee's job performance, assignments and success in achieving objectives, and standards established by the performance planning process for the previous year, and will be forwarded to Human Resources by March 15<sup>th</sup> of each year. The Position Description signed by both supervisor and employee must be attached to Performance appraisal. Employees have the right to place written comments or objections concerning the appraisal into their official personnel file. Employees shall also have an opportunity to discuss the appraisal with the immediate supervisor or appointing authority. Performance appraisals are not subject to appeal.

#### **F. PROMOTIONS, TRANSFERS, AND REASSIGNMENTS**

Promotion and transfer decisions are made according to demonstrated individual merit. Qualified employees may receive first consideration for vacant positions within their department.

Employees may apply for other positions on campus without prejudice to their current position. University employees may be given priority consideration over external applicants.

Reassignment resulting in a salary reduction may occur due to a redistribution of work or a reduction in force. A Reassignment resulting in a salary reduction may be grieved under the procedure described in Section II, Paragraph K 4 of this Handbook.

An employee may also be reassigned to a position in the same or lower pay grade due to job performance or disciplinary action following approved staff disciplinary procedures.

#### **G. RESIGNATIONS**

Employees should give as much notice as possible of their intent to vacate a position by notifying their appointing authority and the Department of Human Resources of their projected date of resignation. The employee should also arrange for an exit interview with the Department of Human Resources.

When an employee separates from University service, the employee is entitled to be paid 100% of the current salary rate for all accrued unused vacation credits. Such payment will be either a lump sum, terminal leave, or a combination of terminal leave and lump sum payment. However, an employee who is terminated for disciplinary reasons must take a lump sum payment, unless otherwise determined by the employer. In the case of death of a current employee, payment for University service will be made up to, and including, the complete work day on the date of death.

#### **H. EMPLOYMENT RECORD**

Each staff employee shall have an employment record in the form of a personnel file in Human Resources. All staff employees may review their own personnel file except as restricted by law;

and may insert written responses, comments, or objections as specified in this Handbook.

## **I. RETRENCHMENT**

**Purpose:** To establish a procedure for reorganization that results in the involuntary loss of existing staff positions. This policy is not available to Grant Funded Staff see definition Pg 29.

### **Procedures** \_\_\_\_\_

- a. The appointing authorities, or their designees, must provide to Human Resources, a written Retrenchment Plan, outlining the reasons for the reduction in work force, and including copies of the department's organizational chart prior to retrenchment, and the proposed organizational chart after retrenchment. The Retrenchment Plan must also include the name and position number of the employee(s) who are being retrenched, and a statement of how the duties of the retrenched position will be fulfilled. Human Resources will require new Position Description Questionnaires (PDQs) for the positions, which will assume the duties of the retrenched position.
- b. The Retrenchment Plan will be reviewed by the Employment Practices Office to ensure retrenchment decisions are not related to protected class status (race, color, age, gender, national origin, disability status, sexual orientation, political belief, veteran status, and religion) in violation of UniReg 5 or federal or state law. The Employment Practices Office shall advise Human Resources of the results of the review.

### Retrenched Employees' Benefits.

- a. Retrenchment rights shall last 12 months after the employee's retrenchment date or until the employee has refused one (1) offer of University employment, whichever comes first.
- b. If a retrenched employee's position is reestablished within 12 months after employee's retrenchment date, the employee shall be offered reinstatement at his/her previous salary, regardless of present employment status.
- c. The University will pay the state's share of the health insurance benefits under the group plan for University employees, separated from service because of a retrenchment, for a period of 6 months following separation or until the retrenched employee acquires employment which offers health insurance, whichever occurs first, if the employee was covered under the plan prior to retrenchment.
- d. A retrenched employee shall be given reemployment referrals to positions for which he/she meets the established knowledge, skills, and abilities qualifications.

e. Unless the appointing authority chooses to promote internally to fill a vacancy, the appointing authority shall interview all retrenched employees referred through the reemployment register who meet knowledge, skills, and abilities qualifications. Any appointing authority who does not hire from the reemployment register shall justify the decision in writing to the responsible Vice President

f. As stated in the current University affirmative action plan, any retrenched employee who is a member of a protected class and who is being considered for rehire will be identified to the appointing authority for affirmative action purposes.

g. Unless reinstated to the employee's former position, any employee rehired may be required to serve an initial probation of up to 6 months.

h. Any retrenched employee who is rehired within 5 years shall have sick leave balances reinstated. An exempt employee under the FLSA who is retrenched and later rehired into a nonexempt position will have the leave accrual rate grandfathered.

i. Any retrenched status employee is immediately eligible for "outplacement services" which may be established by the University through Human Resources. Outplacement services will be available to retrenched employees upon notification of retrenchment. Outplacement services may include the following, for example:

- (1). Access to computer for job search assistance.
- (2). Direct referrals to position openings at the University.
- (3). Limited use of University facilities and equipment to produce resumes and seek employment; includes access to personal computer and copier services.
- (4). Tuition waivers at 3 hours per semester for retrenched fulltime benefited staff and 1.5 hours per semester for retrenched part-time benefited staff. The benefit shall be available for up to 12 months.

j. Upon separation, a retrenched staff employee may take accrued annual leave as terminal leave or receive a lump sum payment, or choose a combination of the two.

## **J. DISCIPLINE**

Employees are expected to follow all established rules and policies of their departments, the University, and the Trustees of the University. This disciplinary policy does not apply to probationary, at-will, and contract employees.

The University practices progressive discipline beginning with an oral warning, followed by a written reprimand in conjunction with disciplinary probation and/or a performance improvement plan, and finally, demotion, suspension or termination of employment. The University reserves the right to allow a supervisor to skip stages of the disciplinary process up to termination subject to the nature of the infraction.

Violations of University rules prohibiting discrimination and sexual harassment shall be addressed by the Employment Practices Office in accordance with procedures established in UniReg 5.

### **1. Cause for Discipline or Corrective Action**

All employees are expected to carry out their duties honestly, in good faith, and with diligent care. Cause for discipline shall include, but is not be limited to, poor work performance, dishonesty; drunkenness; absenteeism; damage or unauthorized use of State or University property; refusal to work; harassment; carelessness; assault; insubordination; discourteous treatment of other employees, students or the public; neglect of duty; violations of state or federal law; university rules and regulations; and other actions of misconduct.

### **2. Disciplinary Procedure**

- A. A written reprimand may be imposed by the supervisor. In conjunction with the written reprimand, a supervisor may utilize disciplinary probation and/or a performance improvement plan in order to correct an employee's performance. Disciplinary probation is used to address employee misconduct that may or may not be related to job performance. If disciplinary probation is recommended by a supervisor, the terms and conditions of the disciplinary probation must be approved by Human Resources.
- B. When an employee's work performance is not satisfactory, the supervisor may prepare a written plan, that must be approved by Human Resources, designed to assist the employee in improving his/her performance. The plan should remain in effect for at least 30 days but not longer than 90 days. The supervisor is expected to evaluate the employee's performance on a regular basis to ensure that the employee is afforded the appropriate level of supervisory guidance and counseling in order to maximize the successful completion of the plan. If the employee's performance does not improve, he or she may be terminated.
- C. The supervisor, after consultation with the appointing authority, will provide a letter to the employee imposing the discipline and providing reasons for such action. If the employee disagrees with the discipline, the employee may meet with the supervisor within 7 working days of the date of the disciplinary letter. If the discipline is not reversed by the supervisor after such meeting, the employee may provide a written response to the disciplinary letter. The written response must be provided to Human Resources and the supervisor within 14 days of the date of the disciplinary letter.  

Copies of the disciplinary letter and the employee's written reply will be placed in the employee's personnel file. No other appeal is available to the employee.
- D. An employment action involving loss of pay, suspension without pay, or termination may be imposed by the appointing authority. The appointing authority, after consultation with Human Resources, shall inform the employee in writing of the

notice of intent to take a negative employment action and the reasons for the action. An employee shall have the right to respond in writing or meet with the appointing authority within 7 working days of the date of the notice of intent. The appointing authority may extend the deadline for the meeting beyond 7 working days.

- E. A final written disciplinary decision shall be given to the employee within 14 working days from the date of the notice of intent to take disciplinary action unless the appointing authority requires additional time to finalize the discipline.
- F. Appeal Procedure. An employee has the right to appeal any decision of any employment action involving loss of pay, suspension without pay or termination. The employee must file a notice of appeal within 7 working days of the date of the final, written disciplinary decision. The notice of appeal must include a brief statement of the events giving rise to the discipline and the relief sought.
- G. Within 7 working days, Human Resources shall submit the appeal to a Hearing Officer retained by the University, with notice to the parties.

### **3. Hearing Procedures**

- A. The Hearing Officer shall schedule the hearing within 20 days of his appointment and shall establish a file and docket the case. Once the matter is scheduled, the Hearing Officer may issue a continuance in order to accommodate scheduling or other matters.
- B. The employee has the right to legal counsel at the employee's expense.
- C. Discovery shall be limited to an exchange between the parties of relevant documents and a list of witnesses. The Hearing Officer shall establish the time limits for discovery.
- D. No depositions may be taken unless a witness is unavailable for testimony in person or by telephone and the Hearing Officer determines that a deposition is necessary.
- E. Interrogatories are not permitted. No written pre-hearing motions are permitted.
- F. The parties may jointly communicate with the Hearing Officer by telephone.
- G. The Hearing Officer may permit opening and closing statements by the parties.
- H. The parties may call witnesses and cross-examine witnesses.
- I. Hearsay is permissible with relevancy and credibility as determined by the Hearing Officer.
- J. The University shall have the burden of proof by "substantial evidence" that is, evidence that a reasonable mind might accept as adequate to support a conclusion.
- K. The Hearing Officer shall issue a written decision within 15 days of the adjournment of the hearing and shall file the decision with Human Resources with copies to the parties.
- L. The decision of the Hearing Officer shall be limited to a finding of whether the evidence was sufficient to support the discipline.
- M. The decision of the Hearing Officer shall be final and binding upon the parties. There shall be no further right of appeal.

## K. DISPUTE RESOLUTION

The Dispute Resolution process involves employment matters which are NOT disciplinary matters. Employees are encouraged to work through day-to-day problems in the workplace as they occur. When assistance is needed employees are encouraged to contact Human Resources for information regarding available process or policies to assist the employee.

1. Mediation Alternative – Human Resources is available to assist classified staff employees in resolving employment problems and grievable issues at the request/agreement of the individuals involved. Mediation may be requested through Human Resources at any time. The initiation of mediation temporarily suspends the grievance procedure time limits until mediation is declared ended by the employee, the responsible appointing authority, or Human Resources. Details of the Mediation Process are found on the Human Resources web site.
2. UniReg 5 -- Workplace discrimination or harassment, based upon protected class status, is resolved through the Employment Practices Office in accordance with UniReg 5 and may result in discipline subject to the disciplinary procedures in this Handbook.
3. UniReg 44 -- Incidents or threats of workplace violence are resolved through the Employment Practices Office in accordance with UniReg 44. In addition, incidents of workplace violence should be reported to the police. Incidents or threats of workplace violence may result in discipline subject to the disciplinary procedures in this Handbook.
4. Staff Grievance Procedure -- The staff grievance procedure is for instances when a non-probationary employee is subject to an action constituting a violation of University policies or rules. The grievance process is administered through Human Resources. The time lines for the grievance process may be extended upon request of the employee and for good cause shown or upon the unilateral discretion of Human Resources.

**a. Retaliation.** The University recognizes the right of individuals to file grievances without fear of retaliation. Any employee, who, in good faith, exercises the right to file a grievance or cooperates in the investigation of a grievance as outlined in this regulation, is protected from retaliation. Charges of retaliation will be treated as separate and distinct from original grievances, and will be investigated by the Employment Practices Office.

**b. Eligible Employees.** Any non-probationary, classified staff employee of the University appointed and serving in a position pursuant to the Regulations of the Trustees of the University of Wyoming is eligible to use the Grievance Procedure. The grievance procedure does not apply to probationary, at-will, and contract employees.

**c. Grievance Definition.** A grievance is an alleged violation of a University or Department rule, policy or procedure that has a material and significant effect on the conditions of the employee's employment.

**d. Non-Grievable Issues.** Employees do not have the right to grieve (appeal) (a) performance evaluation rating; (b) job classification; (c) salary grade; (d) pay assignment; (e) disciplinary actions; (f) content of policies and

regulations of the Trustees of the University, the University, or any department thereof; (g) salary decisions; (h) retrenchment; (i) civil rights complaints properly addressed under UniReg 5; (j) threats or acts of workplace violence properly addressed under UniReg 44; (k) reassignment without loss of pay.

**e. Formal Grievance Process.**

(1). Time Lines.

The grievance procedure sets forth time lines for initiation of action at each step. If a grievance is not forwarded by the complainant within the time allowed in any step, the grievance will be considered discontinued and no further review will take place. Any written grievance not answered by the respondent within the time allowed may be sent on to the next step by the complainant.

(2). Step 1 – Written Complaint

The employee shall file a written grievance with Human Resources on the form provided by the Human Resources Office. The written grievance shall contain a brief statement of the rule, policy or procedure that was violated, the date the violation occurred, a brief statement of the facts, and the relief sought, and any other information that may be requested by the Human Resources Office. A written grievance must be filed within 7 working days of the alleged violation.

Human Resources will provide a copy of the written grievance to the responsible appointing authority, who will respond in writing to the allegations raised within 14 working days of receipt of a copy of the written grievance. The written response shall be submitted to Human Resources and a copy shall be provided to the employee by the appointing authority. Human Resources may conduct additional fact finding as necessary. All employees shall cooperate with any request by The Department of Human Resources.

After receipt of the response, Human Resources may call a face-to-face meeting of the employee and other individuals involved. All employees, including supervisory personnel, shall participate in any meeting called by Human Resources for the purpose of effecting resolution of the grievance. Time spent in attendance at a meeting called by Human Resources shall be considered as hours worked. If the matter is not resolved in a face-to-face meeting, Human Resources shall make a written recommendation on resolution, which recommendation shall be delivered to the employee and to the appointing authority. Human Resources's written recommendation shall be completed within a reasonable time after the face-to-face meeting, or if none was called, after receipt of the appointing authority's written response.

The recommendation by Human Resources Office is not binding upon the appointing authority, however, if the appointing authority with concurrence from the responsible Vice President, does not implement all

or any part of the recommendation, the appointing authority shall provide written explanation to Human Resources and the employee within 10 working days after receipt of the Human Resources recommendations.

(3). Step 2 – Appeal

If the employee disagrees with the proposed resolution of the grievance the employee may appeal the decision to the responsible Vice President of the division in which the employee is employed. For purposes of this Paragraph, the Athletic Director shall be considered a Vice President. If the appointing authority, with the concurrence of the responsible Vice President disagrees with all or any part of the resolution an appeal shall be made to another Vice President appointed by the President of the University.

All information gathered by Human Resources, including the original complaint, response, and recommendations, along with any other pertinent information gathered by Human Resources shall be delivered to the Vice President who shall hear the appeal. The Vice President may conduct additional fact-finding or rely solely on the information provided by Human Resources.

The Vice President shall issue a ruling which shall be final and binding upon both parties. The Vice President may delegate the responsibilities of Step 2 to a designee.

(4). Representation

Neither the employee nor the appointing authority is permitted to have legal representation during this process.

(5). Recommendations and Resolutions

All recommendations and resolutions shall conform to University rules and regulations and with applicable law.

(6). Disposition of Records

Human Resources shall be the custodian of the official records. The files of all Grievance and Mediation proceedings shall be maintained in a file separate from employee's personnel file and shall not be released to members of the public, except as required by law.

### III. – RULES, POLICIES AND PROCEDURES GOVERNING STUDENT EMPLOYEES

Student employees as defined here are excluded from provisions applicable to staff employees and are not eligible for the benefits of staff employment. A student employee shall be any person enrolled, as an undergraduate or professional student, for at least twelve (12) credit hours per semester during the academic year or as a graduate student for at least nine (9) credits per semester during the academic year or six (6) credit hours during the summer session or any person with a graduate assistantship which has been awarded in accordance with procedures established by the Vice President for Academic Affairs.

1. **General Information.** The Department of Human Resources and the Office of Student Financial Aid administer the area of Student Employment to provide centralized on-campus employment services for student applicants and departments seeking part-time employees.
2. **Goals.** The primary goals are to recognize the contribution of student employees to the University's mission, to provide for equitable compensation commensurate with individual responsibilities and job duties, and to provide employment opportunities. This is an important and necessary program, since a large number of University students seek employment. The objectives include:
  - a. To list part-time (non-benefited) positions with Human Resources.
  - b. To assist University students who have a need for employment while attending school.
  - c. To make students and the academic community aware of Student Employment.
  - d. To match employment with career goals/skills as often as possible.
  - e. To provide a central location and contact for administration of student employment on campus.
  - f. To ensure that the appropriate and required guidelines are being fulfilled, including equal pay for equal work.
  - g. Responsibility. General responsibility for implementation and administration of Student Employment rests with Human Resources. Responsibility for implementation and administration of the Federal College Work-Study Program of Student Employment rests with the Director of Student Financial Aid. Questions relating to other than work-study student employment should be directed to Human Resources. Questions relating to the Work-Study Program should be directed to the Work-Study Coordinator (Student Financial Aid).

## **IV. OTHER EMPLOYEES**

### **1. Grant Funded Staff**

Grant Funded Staff whose salary is funded at least 50% from grant or contract money are at-will employees and do not have retrenchment, grievance, or disciplinary procedure rights. However, a classified Staff employee who occupies or accepts a position that is or becomes funded in whole or in part from grant or contract money will retain classified Staff status and the accompanying procedural rights unless the employee voluntarily accepts designation as Grant Funded Staff. Grant Funded Staff may have other University benefits such as retirement, sick leave, and vacation leave as required by law or agreed to in writing by the Appointing Authority. Job descriptions and salaries of Grant Funded Staff shall be consistent with the University's classification/compensation system for Staff employees. Grant Funded Staff will remain in that designation even if the grant/contract funding for the position is reduced to less than 50%.

### **2. Contract Employee**

Contract employees are staff employees whose employment terms and conditions are controlled exclusively by the terms of a contract. They do not have retrenchment, grievance, or disciplinary procedure rights. The contract may incorporate University benefits such as retirement, sick leave and vacation leave as required by law or agreed to by the Appointing Authority.

### **3. At-Will Administrative Professionals**

At-will administrative professionals are at-will staff employees who do not have retrenchment, grievance, or disciplinary procedure rights. They may have other University benefits such as retirement; sick leave and vacation leave as agreed to in writing by the Appointing Authority.

## **APPENDIX A. UNIVERSITY BENEFITS**

### **HEALTH INSURANCE**

The University offers a comprehensive plan for medical benefits for benefited employees and dependents. The State of Wyoming contributes approximately 85% of the cost of individual and dependent coverage. Employees must be in a pay status at least 80 hours per month in order to maintain the state contribution. Participation in the health insurance program is not automatic. If a benefited employee wishes to enroll, he/she must complete the proper application materials available in Human Resources Insurance Office. If a benefited employee fails to enroll within 31 days of eligibility, the employee will be required to wait until the next open enrollment period. Health insurance coverage begins the first day of the month following the employee's benefited hire date. Insurance coverage ends on the last day of the calendar month in which employment terminates. A split-coverage premium is available to benefited employees if the employee's spouse is also employed by the University or another State agency and has dependent coverage. If employment terminates, a benefited employee may choose to continue in the group health insurance plan through COBRA. The employee may contact the Insurance Office for more information. An employee may be able to continue dental, life and health insurance into retirement, if an employee has had coverage in the insurance plan one year prior to retirement, and has at least 4 years of service and have reached age 50 or have 20 years of service. Benefited employees must make any changes in insurance coverage by the published payroll deadlines.

### **LIFE INSURANCE**

The University offers a group life insurance plan for employees and dependents. The plan is a decreasing term policy. Dependent coverage for families is also available. Participation in the life insurance plan is not automatic. If a benefited employee fails to enroll within 31 days of eligibility, the employee may be required to provide proof of insurability, and coverage becomes subject to approval by the insurance carrier. Coverage is effective the first of the month following enrollment. Insurance coverage ends on the last day of the calendar month in which employment terminates. The life insurance policy has no cash value upon termination of employment. A benefited employee may elect to continue life insurance upon retirement. Accidental death and dismemberment coverage terminates at retirement.

### **LONG-TERM DISABILITY INSURANCE**

Long-term disability insurance provides a guaranteed income in the event of an extended disability. The plan covers accidents and sicknesses both on and off the job. A benefited employee must be disabled ninety (90) calendar days to be eligible to receive benefits. The monthly disability benefit shall be equal to 66.667% of the employee's monthly compensation less any offsets (e.g., Social Security Disability, WRS disability retirement benefits, or Workers' Compensation). The premium is based on the employee's salary and is paid by the University. Benefited employees are automatically enrolled on the first day of benefited employment, and coverage is effective the first of the month following enrollment. All earned sick leave must be exhausted prior to receiving any LTD payments.

### **WYOMING RETIREMENT SYSTEM GROUP LIFE INSURANCE**

All active members of the Wyoming Retirement System are eligible to participate in group-

decreasing term life insurance with extra coverage for accidental death and dismemberment. The plan covers employees and dependents at one rate. The premium is a payroll deduction and may be continued while drawing benefits from the Wyoming Retirement System. The State of Wyoming makes no contributions to the payment of the monthly premium.

## **RETIREMENT**

Participation in either the Wyoming Retirement System (WRS) or TIAA/CREF is mandatory for all University benefited employees. All employees must sign a retirement option form at the time of hire designating the retirement plan in which they wish to participate. Any employee who has completed twenty-five years of service with the University, or who has attained the age of 60 with fifteen years of immediately preceding University service, or who elects an early retirement program authorized by state statute shall be designated a Board Retiree at the time of retiring. A list of retired personnel shall be maintained in The Department of Human Resources; each retiree shall receive such University privileges as have been customary and as may appear appropriate from time to time in the future.

## **WYOMING RETIREMENT SYSTEM**

The contribution rate for benefited employees and employers is based on gross salary. The contribution rate for an employee is 5.57% and the contribution rate for the employer is 5.68%. The University pays the employee contribution for a total contribution of 11.25%. After a minimum of 48 months of participation in the WRS, a benefited employee is "vested" which means that the employee's rights to benefits at retirement age cannot be rescinded. If the employee terminates employment, contributions may be left on deposit and if vested, the employee may apply for a monthly retirement allowance after reaching the age of 50. If an employee terminates employment, he may request a refund of the employee contributions. To obtain a refund, the employee must complete the appropriate form available in the Human Resources Department. Refunds cannot be made until the final contributions are reported by the employer. An employee forfeits all employer contributions and all service credit with the WRS when the employee withdraws. There is no provision for making partial withdrawal or borrowing against the account. Reinvestment options may be available upon return to work with an agency covered by the WRS.

Under WRS normal retirement benefits may begin at age 60. Employee should contact WRS to determine the exact benefits to which an employee is entitled. An employee's account on deposit in the WRS cannot be attached or garnished. No additional funds may be contributed in excess of the contribution rate. Employees will receive a statement annually from the WRS.

## **TIAA/CREF**

Teachers Insurance and Annuity Association/College Retirement Equities Fund is available to employees. The contribution rate to TIAA/CREF is the same as WRS, employee 5.57% and employer 5.68% for a total of 11.25%. The University pays the employee contribution. Under TIAA/CREF the employee may transfer the annuity contract to other institutions participating in the plan. An employee is vested immediately in TIAA/CREF.

Contributions to TIAA/CREF will remain on deposit with TIAA/CREF as long as the employee remains employed by the University. Employees selecting TIAA/CREF may be eligible to receive a cash payment in lieu of an annuity upon termination of employment.

## **RETIREMENT INFORMATION**

If an employee would like information concerning retirement (WRS, Social Security benefits, disability retirement, pre-retirement seminars, or retirement counseling), please contact the Benefits Office in the Human Resources Department (307-766-2437).

## **SOCIAL SECURITY**

Employees are required to participate in the federal Social Security System unless participating in an alternate federal program.

## **TAX-SHELTERED ANNUITY PROGRAM**

Benefited employees may wish to participate in tax-sheltered supplemental retirement annuity programs 403(b), or deferred compensation plans 457(b). The University will match up to \$20.00 per month toward either the 403(b) or the 457(b). Please contact the Human Resources Benefits Office for details concerning information on limits, enrollment, and salary reductions

## **TUITION WAIVER**

Tuition waivers are granted to eligible employees in accordance with UW Regulation 4-175.

<http://www.uwyo.edu/generalcounselsupport/clean%20uw%20regulations/UW%20Reg%204-175.pdf>

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## **UNEMPLOYMENT INSURANCE**

All staff employees of the University are covered by unemployment insurance. The purpose of this coverage is to protect employees from complete loss of pay during periods of unemployment. The University pays the total cost of this benefit by reimbursing the State of Wyoming for claims paid. Contact Workforce Services for claims.

## **WORKERS' COMPENSATION**

Workers' Compensation covers all employees. Employees are entitled to Workers' Compensation Benefits for injuries as defined by the Workers' Compensation Act, arising out of and in the course of their employment with the University.

Employees injured in the performance of their duties need to notify their employer immediately, and no more than 72 hours following an injury. Employees covered under the Workers' Compensation Act shall complete and submit a "Wyoming Report of Occupational Injury or Disease" when injured on the job. The employee's department shall submit a "Wyoming Report of Occupational Injury or Disease" within 10 calendar days of the injury regardless of whether the employee files a report. Within 10 calendar days from the occurrence of the injury these reports shall be forwarded to The Department of Human Resources where they will be submitted to the Division of Workers' Safety and Compensation.

Wyoming law defines benefits under the Workers' Compensation Act. The act provides for reasonable and necessary medical and hospital costs directly related to the injury. Partial compensation for lost work time is available when an eligible employee is hospitalized or absent from work for more than 3 workdays because of a work-related injury. In addition, the act may provide compensation for permanent partial or permanent total disability, additional compensation for dependents in permanent total disability cases, compensation to dependents in case of fatal injury, compensation for disfigurement resulting from an industrial injury, and compensation for artificial replacement of lost limbs, eyes, etc.

An employee may qualify for Temporary Total Disability (TTD) benefits, partial coverage of lost wages, if he is unable to report to work as a result of a covered injury. TTD is determined by the State of Wyoming Workers' Safety and Compensation Division. Benefited employees may use 3 days of sick leave based upon their normal workday. An employee may apply for TTD if his or her leave extends beyond 3 days. Contact Human Resources at 307-766-2438, for information regarding application for TTD. It is the employee's responsibility to apply for TTD.

Employees who are receiving TTD benefits may report sick leave, vacation leave or compensatory time beyond the initial 3 days in order to bring the combined value of TTD benefits and the leave to 100% of the employee's usual salary. Use of donated sick leave (after exhausting earned sick leave and vacation leave) may not continue for more than 60 work days beyond the employee's TTD start date, per absence. If the employee remains on TTD beyond 60 work days, he/she can use only earned sick or vacation leave or compensatory time to supplement TTD to a maximum of 100% of the usual salary. Vacation leave, sick leave and compensatory time will not be used to exceed 100% of the usual salary when supplementing TTD payments.

Appropriate Leave Without Pay (LWOP) forms shall be completed for LWOP due to a work-related injury. The injured employee shall provide the appointing authority and The Department of Human Resources with a medical certification that the employee is unable to perform the job duties if LWOP due to a work-related injury exceeds 90 days. The injured employee shall also provide the expected date of return to employment. An employee will be considered to have abandoned his/her position and be subject to termination of employment if the employee fails to comply with the provision within 90 days. The employee will be notified in writing by the appointing authority at the time the LWOP resulting from a work-related injury is approved. LWOP resulting from a work-related injury may be extended beyond the 90 days upon the recommendation of the appointing authority, with the consent of Human Resources, and with

medical certification every 30 days. The University may accept medical certification from the employee's physician(s) or the employee may be required to submit to a medical examination at University expense by a University-selected physician(s) in lieu of certification from one's own physician(s). LWOP due to work related injury may not exceed 6 months unless an extension is approved by the responsible Vice President. Before returning to work the employee should be able to perform the essential duties of the position, with or without a reasonable accommodation. When LWOP resulting from a work-related injury has been exhausted and the employee is unable to return to the position, the employee will be separated from the University, unless an extension is granted as provided above.

Contact the Human Resources Department for an explanation of benefits an injured employee may receive. The University will continue the employer's contribution for the group health and life insurance plans, and the employee's retirement plan for 2 months following an injury covered under Worker's Compensation. The following 4 calendar months, the University will pay both the employer's and the employee's contributions to the group health and life insurance plans, and the employee's retirement plan.

Occasionally it is clearly impractical to assure an employee of reinstatement to the same position upon return from LWOP resulting from a work-related injury. When this is the case, the LWOP may be approved with the understanding, in writing, that the University must fill that position and is under no obligation to hold that particular position for the employee during the extended absence.