



# STAFF

## EMPLOYEE HANDBOOK

*The Employment Guide for Blue Tiger Staff*



LincolnU.edu  
Human Resources

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***Appendix A***

Receipt for Staff Employee Handbook



## I. Preface

The Employee Handbook provides guidance on the policies, procedures and practices governing employment at Lincoln University. The content of this handbook is not all-inclusive nor a promise or contract between Lincoln University and its employees. All University employees who do not have a written contract for a specific term are at-will employees and may be terminated at any time, with or without cause, and without prior notice, and also may leave employment at any time. These guidelines and summaries are intended to be an introduction to how University policies and procedures apply to Lincoln employees.

The University reserves the right to change, modify, eliminate, or deviate from any policy or procedure in this handbook as it deems appropriate. It is the employee's responsibility to be familiar with information contained in the handbook and seek interpretation or clarification from appropriate administrative authority when necessary.

The University will, at its discretion, make changes and develop new or revised policies and procedures from time to time. When possible and appropriate, the University will seek input from staff committees, employee representatives, and administrators. Differences that result from changes will take precedence over the contents of this handbook.



## II. Lincoln University Code of Conduct, Ethics, and Civility in the Workplace

The Code of Conduct establishes the University's expectation of integrity and ethical and professional conduct that creates and maintains a positive work and learning environment built on mutual respect by the following members of the University community: members of the Board of Curators; executive officers, faculty, staff, and other individuals employed by the University and using University resources or facilities; consultants, vendors and contractors when they are doing business with the University; and volunteers and representatives acting as agents of the University. The code is not an attempt to define specifically what one should and should not do but to communicate that Lincoln University affirms that conduct consistent with accepted standards is an integral part of its mission.

Consequently, each University community member must transact University business in compliance with all federal and state laws and in accordance with the University policies and regulations established by the Board of Curators. Executive officers, managers and supervisors are responsible for knowing the laws and regulations that are relative to their positions and responsibilities and for systematically teaching and monitoring compliance in their areas. Examples include but are not limited to, human resources and employment regulations, conflict of interest policies, confidentiality, security and integrity of University documents and records, computer use and security policies, procurement guidelines, sound business practices, environmental health and safety regulations, and ethical stewardship of the University's property and resources. Located appropriately throughout the Rules and Regulations, these standards of conduct, supported through policies, procedures and workplace rules, provide guidance for making decisions and exemplify the University's commitment to responsible and ethical behavior.

While disagreements can occur between members of the University community, open communication, mutual respect for diverse opinions, freedom of expression, and a climate of civility are essential principles that the University embraces. All University community members should act with integrity, personal accountability, support an inclusive culture, and follow established guidelines for civility and professionalism on the University's campus and where any



such person acts on behalf of the University.

All University employees are expected to conduct themselves in a professional manner that promotes a safe, healthy, inclusive, and productive work environment. Employees are expected to exhibit a high degree of personal integrity, civility, and professionalism at all times while on the job. This expectation applies to all interactions with coworkers, supervisors, subordinates, customers, vendors, contractors, students, and/or visitors. Interactions may be verbal, nonverbal, physical, written, through imagery, electronic or digital means.

All supervisors also are expected to demonstrate leadership in exhibiting and promoting professionalism, civility, and respect. This includes setting clear expectations and managing the performance of those they supervise in accordance with these standards through regular communication and performance feedback. Supervisors are expected to address professionalism, civility and respect concerns and deficiencies through coaching and/or corrective action as appropriate.

Students are not subject to this code unless they are employed by the University but must comply with the Student Affairs chapter of the Rules and Regulations and the official Student Handbook and Code of Conduct.

The University is committed to ensuring compliance with its Code of Conduct, Ethics, and Civility in the Workplace policies. Should any employee believe that a violation of the Code of Conduct, Ethics, and Civility in the Workplace has arisen, the employee should file a complaint under the procedures of the Staff Complaint and Grievance Policy.

### **III. Mission Statement**

Lincoln University in Missouri is a historically black, 1890 land-grant, public, comprehensive institution that provides a diverse population access to excellent educational opportunities through teaching, research and extension services within a nurturing, student-centered environment.

### **IV. Affirmative Action**

The University's Affirmative Action Program shall comply with all other necessary provisions as stated in the federal regulations.

The Affirmative Action Program will ensure equal employment opportunity by institutionalizing the University's commitment to equality in every aspect of the employment process. Therefore, as part of its Affirmative Action Program, the University must monitor and examine its employment decisions and compensation systems to evaluate the impact of those systems on women and minorities.

The Affirmative Action Program will also include those policies, practices, and procedures that the University implements to ensure that all qualified applicants and employees are receiving an equal opportunity for recruitment, selection, advancement, and every other term and privilege associated with employment.

The University will also employ affirmative action guidelines towards individuals with disabilities and Vietnam-era and disabled veterans. This compliance will include an attestation of affirmative action policy statements and assurances, plus an opportunity for employees to self-identify. Self-identification is strictly voluntary and confidential and will not result in any form of retaliation.

## **V. Non-Discrimination Notice and Prohibition Against Harassment**

### **Equal Employment Opportunity**

It is the policy of the University to promote and ensure equal employment opportunities for all persons regardless of race, color, national origin (including ancestry or any other subcategory of national origin recognized by applicable law), sex (including marital status, family status, pregnancy, sexual orientation, gender identity, gender expression, or any other subcategory of sex recognized by applicable law), religion, age, disability, veteran status, genetic information or any other basis protected by applicable law. Equal employment opportunity principles govern all aspects of the University's personnel policies, employment practices, and operations. All phases of employment, including recruitment, hiring, evaluation, promotion, transfer, assignment, training, benefits and separation, will be conducted in compliance with equal employment opportunity laws and regulations and to ensure non-discrimination or harassment related to any protected class under federal, state or local law. Supervisors at all levels share the responsibility to ensure equal employment opportunities.

### **Complaint Procedure**

The University has established a discrimination complaint procedure available to any University employee or job applicants who believe they have been discriminated against or harassed on the basis of sex (including discrimination on the basis of marital status, family status, pregnancy, sexual orientation, gender identity, or gender expression). Any University employee or job applicant should immediately report such concern to the Title IX Coordinator at B2 Young Hall at (573) 681-5495 or [TitleIX@lincolnu.edu](mailto:TitleIX@lincolnu.edu).

Any staff employee who believes they have been the subject of discrimination or harassment on the basis of any protected class other than sex or gender should immediately report their concerns to the Campus Complaint Coordinator in 203C Young Hall; (573) 681-5912; or the Human Resources Office at 101 Young Hall; (573) 681-5020; or [informlu@lincolnu.edu](mailto:informlu@lincolnu.edu). If any complaint involves the President of the University, it should be made to the Secretary of the Board of Curators.

Allegations of sexual harassment that meet the definition of jurisdictional requirements of Title

IX of the Education Amendments of 1972 and its implementing regulations will be addressed under the University's Sexual Harassment Policy & Grievance Procedures. All other allegations of discrimination or harassment (including sexual harassment as defined by Title VII of the Civil Rights Act) will be addressed under the University's Discrimination Complaint Policy and Procedures.

All employees are required to report any concerns or allegations of discrimination or harassment involving members of the campus community (i.e., faculty, staff, and students) of which they become aware.

## **VI. Americans with Disabilities Act**

University policy and federal and state law forbid employment discrimination against qualified persons with physical and mental disabilities. The University is committed to providing an accessible and supportive environment for employees with disabilities. Equal access for qualified individuals with a disability is an obligation of the University under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The University does not discriminate on the basis of disability against qualified individuals with a disability in any program, service or activity offered by the University. The University is committed to ensuring that no qualified individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids or other appropriate services; however, accommodations cannot result in an undue burden to the University or fundamentally alter the essential functions of the job. If an employee or applicant has a disability and needs an accommodation to perform the essential functions of his/her position, he/she should complete an Employee Request for Reasonable Accommodation Form and contact his/her supervisor or Human Resources Office to discuss his/her needs.

## **VII. Whistleblower Protection**

A whistleblower is defined as any individual, including but not limited to an employee of the University, who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties set out below. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an individual has knowledge of or a concern about illegal or dishonest fraudulent activity, the employee is to report the illegal or dishonest activity to the University's Complaint Coordinator. Individuals should exercise sound judgment to avoid baseless allegations. If such complaint involves the President of the University, it should be made to the Board of Curators Secretary. Employees who intentionally file a false report of wrongdoing will be subject to discipline up to and including termination.

Upon a report of illegal or dishonest activity, the University will conduct a prompt and thorough investigation of the allegations and take any appropriate action. The University and its employees will not retaliate or discriminate against a whistleblower, and any whistleblower who believes that he/she is being subjected to retaliation should immediately report such alleged retaliation or discrimination to the University Complaint Coordinator. The right of a whistleblower to protection under this policy does not include immunity to the whistleblower for any personal wrongdoing that is alleged and investigated.

### **VIII. Genetic Information Discrimination**

The University prohibits discrimination and harassment on the basis of genetic information. The University and its representatives may not request, require, or purchase genetic information about an individual subject to limited inadvertent acquisitions described below.

The University prohibits using genetic information, including information obtained inadvertently, to discriminate against any employee or applicant in regard to hiring, termination, promotion, compensation, benefits, job assignments, training, or any other term, condition, or privilege of employment. The prohibition extends to making employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals on the basis of genetic information. For purposes of this policy, the term "genetic information" means information about an individual's genetic tests, the genetic tests of that individual's family members, and the manifestation of disease or disorder in family members of the individual (family medical history).

Even the inadvertent acquisition of genetic information (i.e., if an employee casually mentions that a family member has cancer) or the acquisition of genetic information in the medical information provided to support a medical leave request related to a request for a reasonable accommodation under the Americans with Disabilities Act or in any other lawful manner cannot be disclosed, nor can it be considered when making employment-related decisions.

If an employee believes that he/she has been the victim of genetic information discrimination or harassment or observes such discrimination or harassment at the University's workplace, the employee should immediately report such conduct to the University Complaint Coordinator in the Human Resources Office. If such complaint involves the President of the University, it should be made to the Board of Curators Secretary. A prompt investigation will be conducted. Appropriate discipline will be imposed against offenders, ranging from warnings to termination, depending on the severity of the conduct.

Regardless of the outcome of the investigation, no retaliation against any employee or other person making a good-faith report of suspected harassment or discrimination or participating in an investigation will be tolerated. If an employee believes he/she has suffered retaliation, the

employee should follow the above complaint procedure to report such alleged retaliation.

## **IX. Rules and Regulations**

Appointment and employment of all University employees is in accordance with the Board of Curators' approved University Rules and Regulations. A complete copy of the Rules and Regulations can be found on the University website, [www.lincolnu.edu](http://www.lincolnu.edu). Periodic updates to the Rules and Regulations will occur as a result of Board of Curator actions.

## **X. Time of Hire**

### **Notice of Employment**

A new employee begins employment after the President signs the Personnel Transaction Form (PTR) that authorizes employment. An employment offer letter signed by the President that states the employee's official job title, date of hire, and salary or wages will be mailed to them by the Human Resources Office.

### **Immigration and Employment**

The University will comply with the Immigration Reform and Control Act of 1986 ("IRCA") and subsequent related laws pertaining to employment eligibility verification to ensure it hires only U.S. Citizens and foreign nationals authorized to work in the United States. The University participates in the E-Verify Program. All new employees require approval by the Department of Homeland Security ("DHS") to determine eligibility to work in the United States.

The Vice President for Academic Affairs (VPAA) may recommend sponsorship of faculty for professional visas to the President for approval. All immigration sponsorship is considered on a case-by-case basis, with consideration given for hard-to-fill or high-need faculty positions and departmental ability to fund University costs associated with such sponsorships. All approved applications and petitions sponsored by the University will be processed through the University's designated immigration counsel. The filing of an immigrant or nonimmigrant petition is not a guarantee of continued employment, nor a guarantee of any fixed terms or conditions of employment, nor a guarantee that a petition will be granted.

### **New Employment Orientation**

New employees will be asked to participate in an orientation session conducted by the Human Resources Office. During orientation, employees will be asked to verify employment authorization through an I-9 form, University policies, payroll and benefit requirements, and other general information about the University. Individual departments will provide their new employees with a more specific orientation for their specific area.

This Staff Employee Handbook will be an important tool for proper employee orientation. Please read it and use it as a resource when an employee has employment policy questions.

Staff members will be required to sign an Employee Handbook Acknowledgement Form indicating he/she has been given a copy of, reviewed, and understands the handbook.

### **Probationary Period**

A new staff employee who receives a full-time regular appointment at the University will serve a ninety (90)-day employment probationary period. The departmental administrator or supervisor will conduct an evaluation of the employee's work performance during the probationary period, occurring at the end of the employee's ninety (90) days of employment. During the probationary period, the University reserves the right to terminate employment, with or without notice, without obligation.

### **Confidentiality**

Employees recognize and acknowledge Confidential Information (as hereafter defined) constitutes valuable, secret, special and unique assets of the University. Employees covenant and agree that during their employment with the University and following termination of their employment with the University for any reason, whether voluntary or involuntary, and whether with or without cause, employees will not disclose Confidential Information to any person, firm, corporation, association, or other entity for any reason or purpose without the express written approval of the University and will not use Confidential Information except in the University's business. It is expressly understood and agreed that Confidential Information is the property of the University and must be immediately returned to the University upon demand, or, in the case of electronic information, be certified in writing to the University that electronic copies of Confidential Information have been deleted.

Confidential Information includes, but is not limited to:

- Student or personnel information--employment records, health records, social security numbers, grades or other personally identifiable student information, including performance evaluations, disciplinary actions, investigations, grievance appeals, etc.
- Third-party information--information protected by non-disclosure agreements or other contractual obligations.

In certain circumstances, the following may also be considered Confidential Information:

- Lincoln University information--financial and statistical records, job applications, unpublished strategic plans, internal reports, memos, contracts, peer review information, communications, proprietary computer programs, source code, proprietary technology, etc.
- Copyrighted material and other intellectual property
- Third-party information--computer programs, client and vendor proprietary information, source code, proprietary technology, etc.

The aforementioned list of items comprising Confidential Information is not exhaustive. If an employee has any questions about whether the information they receive is confidential, they should ask their supervisors or the University's Human Resources Office.

Confidential Information is valuable and sensitive. It is protected by law and by the University policies now in effect or later adopted. The intent of these laws and policies is to ensure that Confidential Information is used only as necessary to accomplish the University's mission.

Employees are required to conduct themselves in strict accordance with applicable laws and the University policies regarding Confidential Information. As a condition, and in consideration, of employee access to Confidential Information, employees must agree to:

1. Use Confidential Information only as needed to perform an employee's legitimate duties.
  - a. Only access Confidential Information that an employee needs to know.
  - b. Do not divulge, copy, release, sell, loan, review, alter or destroy any Confidential Information except as properly authorized.
  - c. Do not otherwise misuse or carelessly treat Confidential Information.
  - d. Understand that an employee will be held responsible for his/her misuse, carelessness or wrongful disclosure of Confidential Information.
  - e. Do not reproduce Confidential Information except as necessary to perform an employee's legitimate duties.
  - f. Do not remove any proprietary legends from any materials containing, disclosing or embodying Confidential Information.
2. Safeguard and prevent disclosure of employee passwords and/or access codes or any other authorization that enables access to Confidential Information. Employees will be held responsible for any failure to safeguard such passwords, codes or authorizations.
3. Report activities to their supervisor, the University's Human Resource Office or President who employees suspect may compromise the confidentiality of information or related to any loss of confidentiality of Confidential Information. Reports made in good faith, including the employee's name, will be held in confidence to the extent permitted by law.
4. Abide by employee confidentiality obligations even when an employee is no longer affiliated with the University.
5. Understand that employees have no right or ownership interest in any Confidential Information.
6. Understand that any materials provided to an employee to perform his/her legitimate duties will remain the sole and exclusive property of the University and must be returned to the University

after an employee's affiliation with the University ceases.

All employees should sign a Lincoln University Access and Confidentiality Agreement to be maintained in the employee's individual personnel file.

### **Parking**

University employees have the opportunity to purchase a parking permit. To purchase this parking permit, an employee should complete a Vehicle Registration form at the Cashier's Office located on the first floor of Young Hall and pay the annual published parking fee. A current driver's license, University identification number (see University Identification Card section), proof of insurance acknowledgment and license plate number are required to obtain a tag at the Cashier's window.

Employees parking on the University campus must comply with all University vehicle, traffic and parking regulations located at <https://www.lincolnu.edu/police/parking/index.html>.

### **E-mail Account Set-up**

Employees are required to obtain and use a University email account. Email accounts are requested by the Human Resources Office by submitting a ticket to the Information Technology Services (ITS) help desk.

### **Computer Set-up**

Departments submit a request to the ITS help desk requesting a computer set up for employees. ITS staff will come to the employee office and install all necessary software and operational functions based on the department's request.

### **Telephone Set-up**

Departments will determine if an employee should be set up with an individual extension number. A request will be made by the department to the ITS for telephone set-up and training.

### **Lincoln University Identification Card**

An employee ID card will be processed through the ITS department at the time of hiring. The photo ID card serves as identification, a library card, and a pass for event discounts.

### **Datatel Colleague Identification Number**

At the time of hire, an employee will be designated a Datatel Colleague identification number by the Human Resources Office. This number will be utilized in lieu of a social security number for tracking any employment transactions and for reporting leave.



## **Office Space**

Departments will determine employee office locations and campus addresses. The campus address for each employee needs to be reported to the Human Resources Office by the employee's department to ensure the employee can be identified in the campus directory.

## **Building Access and Keys**

University employees may be issued necessary keys by completing the Key Request form found on the University website and obtaining the required signatures. Upon receipt and review of a completed Key Request form, the order will be filled, and the authorizing unit will be notified that the employee may pick up the key from the access control specialist at the physical plant. Appropriate identification (University ID or driver's license) of the individual named on the Key Request form will be required to receive the key. Keys not picked up within 90 days will be returned to inventory, and a new Key Request form must be submitted. A key audit will be performed each time a new key is issued. No University key may be duplicated. When an employee transfers from one department to another, he/she must return all keys relative to the department he/she is leaving to the access control specialist. If there is a valid need for the employee to retain such keys, the area supervisor will provide a written justification. The employee who is issued a key is responsible for that key and will be charged for any lost or misplaced keys. Prior to termination, employees must remit all University keys to the access control specialist. The specialist must sign a departure document attesting to receipt of all keys. With the approval of the area supervisor, select students may be issued keys. (e.g., in Cooperative Research, students are assigned to animal care on an ongoing basis, including night and weekend hours and must have access to facilities.)

## **Dress Code Policy**

The University prides itself on the professional atmosphere it maintains and the positive image that employees present as its representatives. This image is affected by the manner of dress used within University offices, in constituent offices, and in public when employees represent the University.

Proper dress, grooming, and personal cleanliness contribute to the morale of all employees and affect the business and institutional image that the University presents to students, parents, alumni, and the public. Maintaining a professional, business like appearance is important to the success of the University.

It is the responsibility of all supervisors and department heads to enforce the dress code policy. Any questions regarding the appropriateness of employee attire should be directed to the employee's supervisor, department head, or the Office of Human Resources. If it is determined that the employee's attire is inappropriate, the employee will be warned, and future infractions will result in corrective action. The employee also will need to leave work and return in appropriate attire. Accrued leave will be applied to the employee's time away from the office to correct employee attire.

## **Business Casual**

Acceptable business casual attire includes, but is not limited to, slacks, khakis, capris, polo shirts, shirts with a finished neckline, skirts, dresses, turtlenecks, or sweaters. Clothing and shoes must be neat and clean. The University expects all employees to use good judgment when deciding whether the attire they wear to work is appropriate.

Unacceptable attire includes, but is not limited to, clothing with offensive sayings or logos, sweat pants, yoga pants, shorts, sweatshirts, or workout attire; tank tops, cutoffs; beach attire; miniskirts, dresses or skirts that are excessively short; clothes that are too tight, flip-flops or slippers.

When necessary for particular situations, such as interviews, business meetings or presentations, employees should dress in professional business attire. In addition, department heads may, at their discretion and at any time, request that an entire department dress in professional business attire for an event or meeting for a specific purpose, such as a recognition event, etc.

## **Exceptions**

The following areas are exempt from Lincoln's dress code policy: facilities, physical education staff, coaches, agricultural field workers, and all uniformed employees, such as LUPD officers.

## **Summer Casual**

The University allows a more casual dress practice during its summer session. However, all employees must continue to present a professional image to all of the University's constituents and must use their best judgment to dress appropriately. Jeans only can be worn on Thursdays if the University is closed on Fridays.

## **XI. Benefits**

Full-time regular staff employees are eligible to receive a comprehensive array of employee benefits. Part-time regular staff employees are eligible for some benefits. Such plans are subject to modification at any time without additional notice by action of the Board of Curators, by the President, or as required by law. The University also offers retirement plans through the Missouri State Employees Retirement System and the College and University Retirement Plan, as well as an employee assistance program, education assistance waiver, graduate tuition waiver and unemployment and workers compensation. The University may also offer voluntary, non-contributory employee benefits as reviewed by the Employee Compensation and Benefits Committee and approved by the President.

All benefit plans are reviewed periodically by the Employee Compensation and Benefits Committee. Further details related to the University's benefit plans are set out in the individual benefit plans.

## **Health Insurance**

The University's full-time regular employees have the opportunity to enroll in a health insurance plan at the time of hire or during an annual open enrollment period thereafter. The University provides a determined amount of monthly premium contributions for each employee, which covers all or a significant amount of the employee premium depending on the plan option chosen. A new employee can elect to enroll in a health plan from the date of employment, effective the first day of the employee's first full month of employment. An employee also has the option for spouse and dependent coverage.

An employee's health insurance coverage ends when the employee elects to cancel coverage due to a qualifying life event or upon employment termination. An election to continue health insurance coverage after termination from employment through COBRA provisions will be available to those qualifying employees, spouses or dependent children. Under COBRA guidelines, those terminated for gross misconduct are not qualified.

Staff employees retiring from the University will have the opportunity to continue ongoing coverage at the retiree's expense through COBRA.

## **Life Insurance**

Employees who are in regular positions of 0.5 FTE or more and enrolled in the MOSERS retirement system are eligible for basic life insurance coverage paid by the University at an annual salary amount or a minimum of \$15,000, whichever is more. Additionally, employee, spouse and child/ren optional life insurance is available at the expense of the employee through payroll deduction. Employees also have the option of purchasing additional insurance for themselves.

## **Long-Term Disability**

Long-Term Disability Insurance is paid by the University for staff enrolled in the MOSERS retirement system. This insurance covers absences due to injuries and illnesses that are not job-related. The University provides disability insurance as a voluntary benefit to employees, and any disability benefits received by the employee are taxable. Lincoln University's long-term disability policy starts ninety (90) days after the onset of illness or injury. The policy coverage is to cover sixty percent (60%) of the insured's pre-disability income. This sixty percent (60%) will integrate, where applicable, with other income sources, including social security awards and/or accrued leave.

Academic faculty enrolled in the College and University Retirement Plan or Civil Service Retirement Plan receive similar life insurance and long-term disability insurance coverage.

## **Retirement Plans**

Employees hired prior to January 1, 2011, are fully vested after five (5) years of employment. The formula-driven benefit (age and service years) is paid to employees upon retirement. Normal

retirement benefits eligibility starts at age fifty-five (55) with twenty-five (25) years of service, at age sixty (60) with fifteen (15), at age sixty-five (65) with four (4), or when the employee's years of service and age equals eighty (80). A new employee will receive a MOSERS Employee Retirement Booklet at the time of employment.

Employees who began working at the University in a benefit-eligible position for the first time on or after January 1, 2011, without previously being employed with the State of Missouri, will be enrolled in the MSEP 2011 retirement plan. The age and service requirements for retirement eligibility is a combination = 90. Number of years to be vested is a minimum of five (5). The employee is required to contribute four percent (4%) of gross wages. Subsidized service purchases and Backdrop is eliminated.

### **Undergraduate Educational Assistance Tuition Waiver**

An educational assistance tuition waiver for undergraduate enrollment is granted to full-time (1.0 FTE) benefit-eligible employees immediately upon an employee's first day of employment and the employee's timely completion of an Employee Tuition Waiver and Reimbursement Form. In-state tuition for full-time employees shall be waived for the first six (6) hours each semester for undergraduate enrollment. Fifty percent (50%) of in-state tuition for dependent children and/or spouse of an eligible employee shall be waived for the first twelve (12) hours each semester for undergraduate enrollment. A FAFSA must be completed for the enrolled student to determine eligibility, except for individuals who hold prior baccalaureate degrees. Any financial aid awards (PELL and FSEOG) will be applied prior to calculating tuition waivers.

The Employee Tuition Waiver and Reimbursement Form must be submitted and approved for the respective semester no later than the last day to make financial arrangements with Student Accounts.

For the purpose of this policy, a dependent child is defined as one of the following: one of natural birth (documented by a copy of birth certificate), one of legal adoption (documented by a copy of legal adoption certificate), a stepchild by marriage (documented by a birth certificate and marriage license), and not over the age of 24. To establish eligibility, the dependent child must complete and submit a financial aid application (FAFSA) to demonstrate dependent status.

This policy applies to fees for tuition only as stated above. This policy does not apply to any other fees. This policy does not include the summer session nor applied courses such as music, where one-on-one instruction occurs. Only persons who have satisfied all University admission requirements are eligible to benefit from the provisions of the policy.

Any person who receives a tuition waiver as provided herein and does not maintain a cumulative grade point average of 2.00 or above shall be denied further benefits under this policy until a cumulative grade point average of 2.00 or above has been achieved. Benefits shall be denied until a 2.00 or above grade point average is achieved in the subsequent semester.

An individual receiving the fee waiver benefit under this policy who is not a candidate for a degree shall be limited to a time period of thirty-six (36) months for receiving such benefits.

An eligible employee shall be granted up to three (3) academic hours of release time to attend undergraduate classes at the University during the normal work week. In addition, eligible employees may utilize the lunch hour for attending academic classes with the approval of their immediate supervisors.

If an employee received an educational assistance tuition waiver for undergraduate enrollment and his/her employment at the University is terminated for any voluntary or involuntary reason prior to the completion of the semester in which the tuition waiver was granted, the employee agrees to repay the amount of the tuition waiver under the terms of the Employee Tuition Waiver and Reimbursement Form.

### **Graduate Educational Assistance Tuition Waiver**

An educational assistance tuition waiver is granted for graduate enrollment to full-time (1.0 FTE) benefit-eligible employees immediately upon an employee's first date of employment and the employee's timely completion of an Employee Tuition Waiver and Reimbursement Form. Fifty percent (50) of in-state tuition for full-time employees shall be waived for the first six (6) hours each semester (fall and spring only) for graduate enrollment. This benefit is available for employees only. Per IRS tax purposes, employee benefits for graduate tuition waivers that exceed the limit set by the IRS in a calendar year may be taxed and will appear on the employee W-2.

The Employee Tuition Waiver and Reimbursement Form must be submitted and approved for the respective semester no later than the last day to make financial arrangements with Student Accounts. This benefit cannot be combined with any other tuition adjustment program.

This policy applies to fees for tuition only as stated above. This policy does not apply to any other fees. Only persons who have satisfied all University admission requirements are eligible to benefit from the provisions of the policy.

Any person who receives a tuition waiver as provided herein and does not maintain a cumulative grade point average of 3.00 or above shall be denied further benefits under this policy until a cumulative grade point average of 3.00 or above has been achieved. Benefits shall be denied until a 3.00 or above grade point average is achieved in the subsequent semester.

An eligible employee shall be granted up to three (3) academic hours of release time during the normal work week to attend graduate classes at the University. In addition, eligible employees may utilize the lunch hour for attending academic classes with the approval of their immediate supervisors.

### **Unemployment Insurance**

Involuntary terminated employees can apply for unemployment through a claims process administered by the State of Missouri Division of Employment Security.

### **Workers' Compensation**

The University utilizes the State of Missouri Workers' Compensation Program. The State of Missouri, as a self-insurer, administers its workers' compensation program through the Office of Administration, Central Accident Reporting Office (CARO).

CARO is devoted to providing timely workers' compensation benefits to the employees of the University. CARO utilizes a preferred provider network, a medical referral service and case management designed to provide prompt quality medical care in an economical manner.

The University's Human Resources Office provides specific information regarding employer, employee and supervisor responsibilities and proper injury reporting. If medical treatment is required, an employee must seek authorized medical care through CARO. In the case of an emergency, an employee should seek medical care promptly and then notify CARO when possible.

All employees full-time, part-time, temporary or student workers are eligible for coverage. Benefits available are medical care, including fees and costs, payments based on lost wages, and rehabilitation services.

The University in conjunction with CARO has established an Early Return to Work program to enhance the recovery of employees who are injured or contract an occupational disease in the course and scope of University employment. Employees will be placed in temporary modified duty assignments, when feasible, during the course of the recovery to perform duties consistent with the temporary limitations.

### **Vision and Dental Insurance**

A Vision Plan and a Dental Insurance Plan are optional benefits and, if elected, are paid for by the employee. Enrollment takes place at the time of employment or during an open enrollment period each year. The employee also has the option to enroll eligible dependents in dental and vision insurance.

### **Sheltered Annuity Plans**

The University offers employees different options and companies through which to participate in tax-sheltered programs. These are 403-B plans and a deferred compensation plan.

### **Missouri State Employees' Cafeteria Plan**

The Missouri State Employees' Cafeteria Plan is an optional benefit for University employees. At

the time of employment or during an open enrollment period each year, an employee may enroll in the plan and elect to tax defer any or all of the following:

- health insurance premiums
- medical expenses
- dependent care assistance

### **Employee Assistance Program**

The University understands that everyone occasionally experiences life challenges that they may want assistance managing. To help employees be their best at work, care for their loved ones, manage their money matters, get help with legal needs, and improve their overall health, the University offers an Employee Assistance Program (EAP) for use by all employees. Information about the EAP program is provided as part of an employee's orientation process. Employees wanting information about the EAP can contact the Human Resources Office, review the EAP plan documents, consult the EAP provider directly or refer to the EAP provider's website for more information.

Participation in the EAP can be initiated at any time by any employee. Participation is voluntary and does not jeopardize employees' job security or career opportunities with the University. In addition, an employee's supervisor can determine it is necessary to require an employee to participate in the EAP as a method of correction of a behavior. Likewise, employees who participate in the EAP, either because of their own choice or the decision of their supervisor, are not exempt from their normal job requirements or other University policies and practices. In cases where employees have sought the services of the EAP, they will not be compensated for the time they spend attending appointments; alternatively, they may take a form of paid leave. In cases where an employee's supervisor requires the employee to receive services from the EAP, the employee will be compensated for the time he/she spent traveling to and from and attending appointments.

EAP records are maintained by the EAP provider and are not disclosed to the University or others unless employees provide advance written consent. The EAP provider only provides the University with non-confidential statistical data, such as gender, age and dates of use, so the University can continuously evaluate the EAP's effectiveness.

Employees who terminate employment while receiving an EAP-provided service may, in certain cases, continue using the service until the free consultations are exhausted. Employees should consult the EAP plan documents and/or the EAP provider as to specific questions about their EAP benefits.

### **Other Ancillary Benefits**

Other ancillary benefits will be determined through competitive proposal consideration and recommendation by the Employee Compensation and Benefits Committee and authorized by the

administration (unless the vendor has been pre-approved by the state).

### **XIII. Compensation**

#### **Compensation Plan**

The University's workforce is its most vital resource, and it is the intention of the University that the compensation plan demonstrates the high value the University holds for employees. All annual salary increases must be approved by the Board of Curators.

The staff compensation system will utilize a broadband methodology in how positions are classified and organized for pay structure.

Broadband is an approach to job classification and compensation that takes into consideration: content and scope of a job; job knowledge; skills and abilities. Placement of a position within a broadband is based on an analysis of these factors.

A broadband pay range specifies the minimum pay rate, midpoint and maximum pay rate for a grouping of jobs that are similar in level of complexity.

A position is benchmarked within an identified band for fair market value by finding comparable positions with a primary job function similar to those at the University and seeing what the range of pay is for these positions with a comparator group. Job slotting is also utilized which internally compares to similar positions at the University for compensation value.

The broadband is a flexible compensation system that offers the advantages of a simplified classification and compensation structure, increased employee pay mobility and flexibility for employee recruitment and retention purposes, enables management to compensate employees for significant changes in job duties and/or increased competencies.

#### **Payroll Administration**

The Payroll Office is responsible for the transaction of employee pay. This includes paycheck disbursal, processing payroll deductions and benefit remittance.

Employee pay shall be deposited as follows:

- For salaried staff, payday is the last working day of the month.
- For hourly employees, the payday is the 15th of each month.

At the end of each calendar year, in accordance with Internal Revenue Service guidelines, Tax Form W-2 income reporting will be sent to each employee's residential address.



## **Overtime Pay**

Staff employees generally perform work on a standard forty (40)-hour work week from 12:00 a.m. Sunday through Saturday at 11:59 p.m. Some positions will require additional hours beyond the forty (40)-hour work week. There is not a limit on the number of hours in a day or days in a week an employee may be required or scheduled to work, including overtime hours. Employees determined to be non-exempt from overtime provisions of the Fair Labor Standards Act (FLSA) may receive overtime pay (versus compensatory time) for hours worked in excess of forty (40) in a workweek at a rate not less than time and one-half their regular rates of pay.

Overtime hours worked should be stated separately from the regular forty (40) hour workweek and calculated at time and one-half the hourly rate. An overtime provision for non-exempt employees is further addressed in the work schedule section.

## **Administrative Stipends**

The University acknowledges employees may incur additional responsibilities because of vacancies within a department. A stipend will not be granted for the additional duties in this instance unless a position is vacant for six (6) months. The additional duties incurred by an employee because of vacancies in a department fall under the "other duties as assigned" category of the employee's job description. When an employee is assigned additional duties **not otherwise excluded above**, an employee may be eligible to receive an administrative stipend as allowed herein.

Increases in responsibility arise when an employee is temporarily assigned duties of a position that is in a higher grade or classification or when new projects or duties are assigned representing a higher level of complexity or responsibility. A stipend may be offered to perform these duties on a temporary basis that are substantially outside the reasonable scope of the employee's position, such as: (1) significant additional duties or short-term projects not currently a part of the employee's regular position; and (2) duties of a position in a higher grade or classification which would result in an upward reclassification if permanently assigned.

As members of the University's community, unclassified employees (academic, research and professional faculty) are expected to participate in a variety of the University's activities and services without additional compensation. In addition, the salary of full-time faculty members generally is full compensation for job duties and activities performed for the University. There are occasions, however, when a faculty member is asked to perform administrative duties on a temporary basis that are substantially outside the scope or reasonable potential scope of the faculty member's position. In such instances, the faculty member may be eligible to receive an administrative stipend. Any additional compensation paid to faculty for teaching duties is governed by the University's overload policies.

Additional duties receiving a stipend must be completed outside of the work schedule of a full-time assignment. If the need to perform the additional duties is during the employee's regular

work hours, the employee must use annual leave for the time the duties are performed, and the additional time must be approved by Human Resources and the President of the University.

### **Approvals and Authorization**

All administrative stipend arrangements must have prior approval before work or services can be performed by the employee, and the request for a stipend must not be otherwise precluded herein. Justification for the following should be included in the stipend request: (1) an explanation of the duties to be performed beyond the employee's current work assignment; (2) the duration of the work assignment, start and end dates and estimated hours, hourly rate if applicable; (3) the selection process used to determine the work assignment, or the unique qualifications possessed by the employee that make him/her uniquely qualified to perform the work or services; and (4) stipends related to grants must demonstrate alignment with the requirements of the grant, University policies, and federal and state regulatory requirements.

The letter of justification requesting the administrative stipend must be approved and signed by a division/department-level President's Leadership Team member. The request for authorization signatory may be delegated below these management levels; however, the President's Leadership Team administrators remain responsible for complete requests that meet University policy standards.

The maximum duration for an administrative stipend is one (1) year. Extensions beyond one (1) year require approval by Human Resources and the President of the University.

### **Eligibility**

Exempt and non-exempt employees are eligible for administrative stipends. These additional duties should be compensated at an hourly rate for the additional hours worked. The department providing an hourly administrative stipend is responsible for any overtime pay that occurs.

Hours worked by non-exempt employees in excess of 40 hours per week must be compensated at time and a half. Time worked on supplemental assignments must be reported on the employee's timesheet for non-exempt employees.

Ineligible employees include casual or temporary employees and student workers.

### **Other Conditions**

- Administrative stipends may not be used for merit or performance-based compensation.
- Stipends are not to be used as a salary increase.
- Stipends are not to be used to distribute leftover monies at the end of a budget year.
- Stipends should not be used for teaching and advising a student, mentoring other faculty, fundraising or recruiting.

- Where duties are assigned on an ongoing basis as part of the employee's regular duties, the position needs to be reviewed for adequate compensation vs. stipend pay.
- Workload changes with no primary job function changes does not justify payment of a stipend.
- Assignment of temporary responsibilities at the same or lower level does not warrant an administrative stipend.
- Permanent increases in responsibility should be appropriately addressed through the reclassification or promotion processes, not via an administrative stipend.
- The amount of the administrative stipend shall not exceed the amount of salary increase that could be received by an employee if she/he were to receive a permanent promotion to the higher grade/ classification.

### **Stipend Amount and Payment**

The payment of an administrative stipend cannot extend past the end date of the academic or fiscal year in which the stipend was approved, based on the employee's employment type. For example, a stipend paid to a 12-month employee cannot go beyond June 30 of the fiscal year in which it was granted; however, it may end earlier during the fiscal year if the temporary duties are completed or removed from the employee. Should it be necessary to continue the temporary work assignment beyond the end of the academic or fiscal year, a new justification and request needs to be submitted for review and approval.

## **XIII. General Employment Policies**

### **Position Classification**

The University shall utilize the framework of the EEO-1 Job Classification Guide as recognized by the U.S. Equal Employment Opportunity Commission as a benchmark for job classification. The University has adapted the job classifications to fit its unique higher education workforce. The following job classifications are in effect:

- Administrative Officers
- Administrative Staff
- Academic Administrative Staff
- Academic Faculty
- Professional Staff
- Administrative Support Staff
- Technical Staff
- Skilled Craft Workers

- Service and Maintenance Staff
- Research/Extension Faculty

### **Staff Organizational Restructuring**

The University's restructuring policy and procedure for staff employees will apply in instances where the University needs to reorganize areas for different reasons, which may include, but are not limited to, the sustainability or efficiency of an area or where roles and job classifications need to be changed and aligned with the University's vision, strategic goals, and values.

On occasion, a job may be reclassified due to a significant change in the responsibilities assigned to the position unrelated to the employee's performance. This can result in a job being reclassified to either a lower pay range or a higher pay range. All salary offers or changes must be authorized and signed by the department head and all approvers of the PTR. Any change in salary or pay range should not be communicated to an employee *until the approval process is complete*.

It is critical that all supervisors involve the Human Resources Office when they are planning any changes to their organizational structure that may result in adding new positions, eliminating, reducing, or restructuring existing positions, combining organizational units, significantly changing work assignments, and/or modifying reporting relationships for current employees.

The Human Resources Office will review the factors affecting the need for reorganization, including any reorganization plan, organizational charts, and proposed job descriptions for new positions.

The Human Resources Office will collaborate with supervisors to develop job descriptions, titles, salary recommendations, posting requirements, and communication strategies. In addition, the Human Resources Office, in consultation with the Department Head, will determine if new or reclassified positions resulting from a re-organization are posted.

### **Internal Transfers**

Lincoln University supports growth and the opportunity for its employees to expand their knowledge and skills to grow within the University. Staff employees may apply for open positions that may enhance career growth opportunities. The University is committed to the development of its employees and makes every effort to fill vacant positions with qualified individuals. Employees are encouraged to explore vacant positions and career opportunities both within and outside of their current departments. Promotions are based upon knowledge, training, skills, and demonstrated ability.

Employees may apply for a transfer/promotion opportunity provided they meet the following eligibility requirements:

- Minimum of six (6) months continuous service in present position with the approval of the transferring employee's supervisor, unless approval is otherwise secured from the University President, the transferring employee's Department Head/President's Leadership Team level member (as applicable) and Human Resources.
- Job performance at a satisfactory level and no current written or formal disciplinary action (or within the last six (6) months).
- Meet the minimum experience, skill, and education qualifications for the open position.

When an employee is promoted to a position on a higher pay range as a result of the employee's responsibilities changing, the employee will receive a salary increase of the new pay range. If an employee moves to a position on a lower pay range, either voluntarily or due to a performance issue, he/she will receive a pay decrease to adjust his or her salary to the new pay range as allowed under Missouri law. If an employee accepts another position within the University that is in the same pay range as his/her current position, no salary adjustment is made.

Before submitting the internal transfer request form, staff employees must discuss with their supervisor and their Department Head/President's Leadership Team level member (as applicable) their intention of applying for an internal position. Supervisors shall not retaliate against an employee who requests consideration for a transfer.

The releasing supervisor and hiring supervisor must negotiate the transfer date. A reasonable period of time is typically two (2) weeks but no later than four (4) weeks after an employee's acceptance. Factors such as the urgency to fill the position, the status of the employee's present workload, and difficulty in filling the employee's current position are to be considered in determining a transfer date.

An internal transfer request form should be attached to the staff employee's application. A copy of the request should be sent separately for approval to the Human Resources Department at [hrs@lincolnu.edu](mailto:hrs@lincolnu.edu).

### **Job Description Policy**

Job descriptions serve to define the duties and responsibilities of all positions with the University. Each employee will be given a copy of the current job description for her/his position. A copy of each job description will also be maintained in the Human Resources Office. Due to the dynamics of organizational change, job descriptions will not necessarily be updated on a regularly scheduled basis or when significant job function changes take place. Each organizational unit is responsible for providing updated job descriptions to the Human Resources Office.

The following components must be included in a written job description:

- position title
- department or office where the position is located

- job classification and salary grade
- status under the Fair Labor Standards Act (exempt or non-exempt)
- essential functions and estimated percent of the time for each duty
- reporting requirements
- experience requirements
- education and training requirements
- required knowledge and skills
- other pertinent position information
- employee and supervisor acknowledgment signatures

### **Appointment and Assignment of Personnel**

Employment is not finalized until it is approved by the President of the University. The President may appoint and dismiss at her/his discretion employees of the University or make the final decision on any personnel matter and/or recommendation regarding any employee of the University. The President has the authority to assign, transfer or reassign in a lateral move, any employee. Staff employment does not carry a fixed term of employment unless approved by the Board of Curators.

### **Criminal Background Checks and Disclosures**

To determine suitability for employment, the University will perform criminal background checks (including the sexual offender registry) on any finalist considered for employment. If a conviction is discovered, the University will evaluate the relationship between the conviction and the responsibilities of the vacant position. Should an applicant not be hired due to a criminal conviction or other background screening, the Human Resources Office will send the applicant pre-adverse action and adverse action correspondence in compliance with the Fair Credit Reporting Act. A relevant job-related conviction is grounds for non-selection of an applicant. Falsification of application materials, including failure to disclose criminal convictions, also is grounds for non-selection of an applicant.

An employee must notify her/his immediate supervisor within five (5) days of a conviction for a felony, any drug, alcohol or sex-related offense. Failure to report such conviction is grounds for disciplinary action, up to and including termination of employment. The supervisor must notify the Human Resources Office immediately upon being informed of any such conviction.

Conviction is defined as including all felonies and misdemeanors, except minor traffic violations in relation to any positions which do not require driving. For positions that require the operation of a motor vehicle, the term “conviction” shall include minor traffic violations.

## **Remote Work**

### **A. Objectives**

The University recognizes that remote work can be an effective approach to fulfilling organizational objectives and providing employees with a flexible, productive work environment. Remote work arrangements are individually assessed based on the position duties and job requirements.

In order to provide flexible work options, a remote work arrangement may include:

- hybrid designations that involve an employee working some portion of the week/pay period at a remote site as well as on-campus or
- fully remote designations in which most work is conducted at an alternate off-campus designated location.

A remote work arrangement may be made at the time of recruitment (i.e., condition of employment), during the employment period as determined by the employee's departmental leadership and the University's Human Resources Office, or at an employee's request to transition to a remote work arrangement. All employees are expected to follow all professional standards of performance and conduct, applicable laws, and the University's Bylaws, Rules and Regulations, and policies and procedures while at all work locations. All employees are also required to complete all mandatory University training by specified deadlines, regardless of the work location.

A work schedule modification or remote work arrangement request for a health-related reason should be submitted directly to the University's Human Resources Office.

The University reserves the right to end the designated remote work arrangement at any time for operational needs, performance concerns, scheduling conflicts, budgetary impacts, customer service needs, or other related matters. A minimum notice period of twenty-eight (28) calendar days should be provided to the employee prior to a required return to a designated campus location unless emergency circumstances necessitate the time period to be shortened or if a different time period is mutually agreed upon by the employee and the University.

Only hours spent on University-related work may be reflected as hours worked. If any time is dedicated to addressing personal items during the employee's workday, the employee is expected to use accrued leave as allowed under the University's policies.

### **B. Evaluating a Remote Work Arrangement**

Remote work arrangements are not required to be uniformly available to all positions or employees within a department because not all positions are conducive to remote work arrangements. Remote work arrangements are based upon the University's mission in

providing a residential campus experience coordinated with a department's defined business model.

Instructional duties are generally not eligible for a remote work arrangement. Instructors are expected to provide classroom instruction and conduct office hours *in person* unless an exception or official accommodation is approved, the position is hired as remote, or the class is officially designated as an online course.

Department leadership is responsible for determining the best use of a remote work arrangement while assessing the impact on campus operations, space availability, budget, and the student experience. The remote work arrangement is intended to benefit the employee and the University without putting undue burden or added expense on the supervisor, team, and/or department and must conform with all applicable Lincoln University policies, procedures, Rules and Regulations and state law.

Each of the following factors should be considered by department leadership:

- Remote work arrangements must not adversely affect the services provided to students, parents, employees, colleagues, or the public, whether those services are directly provided by the employee or by other department members.
- Remote work arrangements must not be assigned if it adversely impacts productivity at the individual or department level or if the arrangement negatively impacts communications, collaborations, team-based environments, etc.
- Work schedules in different time zones will need to be considered and managed to ensure department operations and services are not disrupted. Work schedules should be aligned with the Central Standard Time Zone when possible.
- A remote work location agreement is not intended to provide child, dependent, and family care, convalescing or caring for an ill family member. The presence of children or other dependents, guests, or pets in the remote work location cannot disrupt the overall performance of work activities or negatively affect the productivity of the employee.
- Although a work schedule modification that is reflective of both the employee and the University needs might be possible, the focus of the arrangement must remain on the effective fulfillment of job responsibilities.
- Remote work arrangements should be analyzed to determine if the position duties can be performed in a remote environment.
- The employee's prior/current work performance and conduct should be considered to determine whether the employee is likely to be successful in a remote work arrangement.



- Remote work arrangements should not create or increase a need for additional staffing or increase work hours of existing staff.
- Remote work arrangements should not create data security or other confidentiality risks that cannot be effectively mitigated.
- Remote work arrangements require supervisors to be able to effectively manage work hours and productivity. The supervisor should provide clear performance goals and expectations for the employee, and the employee's work quality, quantity, and timeliness should be adequately monitored by the supervisor.
- Hourly (non-exempt) employees working over forty (40) hours during an assigned work week are eligible for overtime hours.

Departments considering remote work arrangements are encouraged to contact the Lincoln University's Human Resources Office for consultation, especially for employment arrangements necessitating an out-of-state remote work location to ensure all employment law requirements and related costs are identified. Employees will be taxed according to the state and employment law and benefit provisions for the city and state designated as the primary work location which may have a financial impact to the department.

Remote work arrangements should be reviewed by the department and employee after the first six (6) months and annually thereafter or at the time of evaluation to confirm continuation of the arrangement. Employees hired into a position designated as fully remote do not necessitate a review outside of the performance evaluation process. The University will review work location arrangements annually.

In the event of campus closure due to a declared emergency or inclement weather, employees may immediately be designated as remote workers for temporary or permanent arrangements. Remote work due to temporary campus closures will not require completion of a University Work Location Request Form.

### **C. Assigning/Approving a Remote Work Arrangement**

Any requested change to an existing work arrangement (i.e., in-person, fully remote, or hybrid) must be documented by completing the Work Location Request Form. Requests require review by the supervisor, approval by department leadership, and approval by the University's Human Resources Office. If questions exist about the potential effectiveness of the arrangement, the supervisor may consider evaluating a remote work arrangement on a pilot basis with a defined review period.

Remote work arrangement requests approved by the supervisor/department leadership must be submitted to the University's Human Resources Office for final review and approval prior to the work arrangement going into effect. The University's Human Resources Office will provide a communication to the employee and supervisor once

processing is completed.

Remote work schedule changes do not require the completion of the Work Location Request Form; however, all remote work schedule changes are to be discussed between the supervisor and the employee and approved in advance with a fourteen (14) calendar day minimum notice period. In addition, the supervisor shall notify the University's Human Resources Office in writing of any schedule changes.

#### **D. Electronic Devices and Data Security**

Reasonable steps must be taken to ensure that University property is assigned and used according to University policy and related requirements. Compliance with all Information Technology policies including, but not limited to, software licensing, virus protection, data security measures (i.e., multi-factor authentication) is required.

Employees with remote work arrangements are required to have a University-issued computer or electronic device. Security and confidentiality of University records must be maintained, and electronic records must be stored in University-identified drives via secure remote access technology provided by the University Information Technology. The supervisor should identify the employee's equipment needs and coordinate acquisition of assigned equipment.

The employee must have high-speed internet service to work remotely. The University is not responsible for purchasing equipment to establish internet service such as modems, wireless routers and other DSL/cable communication devices.

The employee is required to follow all University policies and procedures regarding access to and destruction of sensitive or confidential data at any assigned work location. Employees are required to keep University-owned equipment and information secure at the work site.

#### **E. Workers' Compensation**

Because unknown workers' compensation liability may be incurred if accidents occur off-site, the employee will immediately report accidents to their designated supervisor which occur at the remote work location during the agreed upon work hours while performing work-related duties.

Job-related accidents will be reported on the specified University form available.

#### **F. Ending a Remote Work Arrangement**

Upon notification that a remote work arrangement is ending, the employee may be asked to work at the designated campus work location as directed by the supervisor. Failure to return to the designated worksite within the defined timeframe may result in disciplinary

action, up to and including dismissal. The supervisor is required to notify the University of the cancellation of the remote work arrangement prior to communicating the cancellation to the employee.

At the time of separation from employment, employees under a remote work arrangement are required to return all keys and University-issued electronic devices used to access or store data (e.g., computer/laptop, docking station, power supply, tablet).

Employees will be required to return all equipment within seven (7) calendar days following their separation date and will be billed the replacement cost if they fail to return required University equipment. Employees transferring to a different University position should initiate conversations between the new and departing units to ensure that property assignments can be transitioned accordingly.

### **G. Exclusions or Special Circumstances**

Remote work arrangements are limited to the United States.

Student employees are not eligible for remote work arrangements unless an exception is approved by the University's Human Resources Office.

Remote work arrangements may be eligible for a flexible work schedule as discussed and agreed to by the employee, supervisor, and department leadership.

Notification of a work location change, based upon a performance concern, may not occur until after the employee has had an opportunity to meet performance objectives as outlined in a performance improvement plan.

Commuting costs between multiple work locations as designated in a hybrid work arrangement is not an employer-reimbursable expense. Employees designated as non-exempt under the Fair Labor Standards Act (FLSA) with a fully remote work arrangement may be eligible for compensation for travel time if travel occurs during the assigned work schedule. Travel expenses incurred while commuting between multiple work locations, such as airfare, mileage, hotel, and per diem, are not required to be covered by the employer.

Working in a remote work location may be authorized for shorter time periods (i.e., less than two (2) consecutive pay periods) in the best interests of the employee or the University as discussed and approved with the supervisor and the University's Human Resources Office. A Work Location Request Form is not required for one (1)-time, irregular, or brief instances when an employee may perform work away from the designated campus location, nor will it be required when remote work is directed by the University due to a disruption of business operations or related emergency.

The University is not required to furnish or provide additional equipment for the remote work location beyond the designated computer requirements unless the designated item is approved by the University's Human Resources Office as a reasonable accommodation under the Americans with Disabilities Act (ADA).

Fully remote employees experiencing an extreme weather-related or other uncontrolled event (e.g., loss of electricity) that restricts or prohibits the ability to work should contact their supervisor for further instruction.

## **H. Consequences**

Failure to follow this policy and University expectations may result in ending a remote work arrangement, and may result in an employee disciplinary action, up to and including dismissal.

## **Discipline**

The staff discipline policy establishes how the University addresses discipline but also comes under the jurisdiction of the employment-at-will policy: “Any employee without a contract or appointment for a specified term of employment can be terminated at any time for any reason or no reason but not for an illegal reason.”

However, it is within the best interest of the University to have a system in place that fosters the professional growth and development of all employees. To meet this intent, it shall be the responsibility of supervisors to provide assistance, motivation and direction to the staff in the performance of job duties.

Supervisors are responsible for informing their subordinates of institutional expectations. Where problems with employee behavior or performance arise, a supervisor should seek to correct the problem with the least amount of disruption to the work environment. Progressive discipline is a means to correct and/or improve employee behavior and performance.

## **A. Progressive discipline**

This form of discipline may include verbal warning, written warning, suspension, and ultimately, discharge. The goals of progressive discipline are to: 1) inform the employee of inadequacies in performance or instances of improper behavior; 2) clarify what constitutes satisfactory performance or misconduct; 3) instruct the employee on what action must be taken to correct the performance or behavior problem; and 4) inform the employee of what action will be taken in the future if the expectations are not met. Reasons for discipline may include, but may not be limited to: 1) violation of University Rules and Regulations; 2) failure to follow reasonable rules of procedure in the work place; 3) insubordination; 4) possession of any substance prohibited by state or federal law; 5) assault and/or battery; 6) excessive absenteeism and/or excessive tardiness; 7) theft or destruction of University

property; and 8) abuse of leave privileges.

## **B. Levels of Discipline**

### **i. Verbal Warning**

An employee may be issued an oral warning for a performance or conduct problem. Verbal warnings are typically issued during a private conference between the immediate supervisor and the employee, where the immediate supervisor explains the problem and what the employee must do to return to satisfactory status. Supervisory notes to the file are permissible and, in most cases, appropriate. The employee should be informed that the conference is being conducted for the purpose of issuing an oral warning.

### **ii. Written Warning**

Employees may be issued a written warning as a letter or memo that contains the following information: a description of the specific problem or offense; the most recent incident and when it occurred; previous actions taken to correct the problem (if applicable); expectations and acceptable standards of performance; and warning that further unsatisfactory behavior or performance may result in further disciplinary action. Typically, the written warning is issued and discussed with the employee in a private conference with the immediate supervisor. A copy of the written warning should be given to the employee and a copy placed in the employee's official personnel record, located in the Human Resources Office. The written warning may also specify a review period, if appropriate, in which the employee's behavior or performance will be reviewed.

### **iii. Suspension**

Staff employees may be suspended without pay for significant incidents of misconduct or poor performance or when a series of disciplinary actions have been taken, but the problem continues. Typically, the employee is informed of the recommended suspension in a private conference with her/his immediate supervisor. The employee is given a letter signed by the President detailing the basis for the action, which specifies: 1) the length of the suspension (beginning and ending dates); 2) a description of the specific problem or offense; 3) the most recent incident and when it occurred; 4) previous actions taken to correct the problem, if applicable; 5) expectations and acceptable standards of performance; and 6) a warning that further unsatisfactory behavior or performance may result in further disciplinary action, up to and including discharge. The suspension letter may also specify a review period, if appropriate, in which the employee's behavior or performance will be reviewed.

iv. Involuntary Termination

Employees may be discharged for incidents which are serious enough to warrant immediate involuntary termination or after all the progressive disciplinary steps have been taken (suspension being an optional step). Typically a recommendation for termination shall be initiated by the immediate supervisor and transmitted through the appropriate administrative chain of command to the President of the University. Upon approval by the President, the employee shall be given written notice of the decision of the President and the termination becomes final. The President may terminate any employee for reasons of gross neglect of duty on- or off-campus, grossly inadequate performance, and misconduct of a nature that may bring disgrace to the University or actions that pose a threat to the safety and well-being of members of the University community. All termination decisions by the President are final, and there is no appeal process.

**Disabilities & Accommodations**

In order to reasonably accommodate qualified individuals with a disability, the University requests that employees with a disability initiate the reasonable accommodation process by completing a Request for Reasonable Accommodation form and returning it to the Human Resources Office. Employees requesting accommodation will also be asked to provide a completed Physician Questionnaire to the Human Resources Office to determine if the employee can perform the essential functions of his/her position with a reasonable accommodation.

**Pregnant Worker Accommodations**

The University will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions unless the accommodation will cause undue hardship to the University's operations, as required by the federal Pregnant Workers Fairness Act (PWFA).

An employee or applicant may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to the University's Human Resources Office. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a healthcare provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the Human Resources Office will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to sit while working, drink water during the workday, receive closer-in parking, have flexible hours, receive appropriately sized uniforms and

safety apparel, receive additional break time to use the bathroom, eat and rest; take time off to recover from childbirth; and be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request to use the employee's accrued paid leave or unpaid leave as a reasonable accommodation under this policy; however, the University will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The University prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful pregnancy discrimination.

### **Service Animals**

Service animals are trained to perform some of the functions and tasks that an individual with disabilities cannot perform for her/himself. A service animal is individually trained to work or perform tasks for the benefit of an individual with disabilities, as described in the Americans with Disabilities Act. A service animal is permitted to accompany a person with a disability everywhere on campus except in situations where safety may be compromised due to chemicals, living organisms, or health and safety issues.

The service animal must be trained and have current health records. The animal must wear some type of recognized identification symbol. The animal must be well-groomed and have good hygiene. It must be on a leash at all times while accompanying the handler. The handler must be in full control of the animal at all times. Consequently, the handler is responsible for the behavior and actions of the animal. The service animal may not display disruptive behaviors such as barking, whining, growling, rubbing, etc. The service animal may be excluded from the campus when that animal's behavior poses a direct threat to the health and safety of others or if the animal is destructive, ill or not clean.

Additional guidelines relating to service animals are located in the office of the Coordinator of Access and Ability Services.

In the event of a dispute regarding a service animal, the complainant should confer with the Coordinator for Access and Ability Services. If the matter is not resolved, the complainant should submit a written statement addressed to the Grievance Committee. If the complainant remains dissatisfied with the committee's recommendations, the dispute will be forwarded to the University President who shall gather information, review the matter, and issue a final decision on the University's behalf.

### **Political Activity**

University employees may not engage in political activity: 1) during the course of their work day;

2) in any University room, building, or property occupied in the conduct of job duties; 3) while utilizing any University resources or facilities; 4) while wearing a uniform or any insignia identifying the office or position of the employee; or 5) when using any vehicle owned or leased by the University or the State of Missouri.

The following are allowable political activities that University employees may engage in: 1) working with organizations of political parties qualified to place candidates on the ballot in accordance with Missouri State Statutes or of political parties seeking such qualification; 2) working with nonpartisan or bipartisan groups seeking the election of candidates to public office; 3) working with nonpartisan or bipartisan groups seeking the approval or disapproval of issues which are or may be submitted to the voters for approval; and, 4) working for individual candidates seeking public office, including candidates for membership of any political committee established by Section 115.611, RSMo.

Staff are not authorized to display support materials for specific candidates (buttons, stickers, t-shirts) on their persons, class material, or office space while conducting University-related business.

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

### **Public Office**

Before officially announcing candidacy or accepting any elective offices, employees must inform their immediate supervisors of such intention, and the supervisors must make the fact known to the President. The President will offer no objection to the candidacy provided it does not require time or attention that should be given to University duties. Subject to the requirements of notice to the President, an employee may, without the President's permission, become a candidate for and hold a part-time position for public office. In case of doubt, the President will decide if the candidacy is permissible under this policy. Such activity must be conducted on the individual's own time and is not to interfere with University duties.

The holding of any full-time elective office in local, county, state or federal government is forbidden while the person is employed full-time by the University unless the employee is granted a written exception by the President as allowed for some local government positions. Some offices, for example, the Missouri General Assembly, should be considered full-time although not in session for the entire year. Any employee seeking election to such an office must resign or request a leave of absence as of the date of filing in the primary. Before accepting such an office, employees are required to resign from their University positions.



## **Children on Campus**

The University is cognizant of the difficulties employees may encounter relative to the safe and uninterrupted care of minor children; however, the University's first priority is to provide an environment conducive to academic and work pursuits. Therefore, employees are responsible for making childcare arrangements that do not include routinely bringing children to work for any extended period of time. In all cases, the adult who brings the child to campus is responsible for direct, constant care and attention to the child's health, safety and welfare.

Children who are sick and/or infectious should never be brought to campus, and certain areas of campus (e.g., construction sites) may never be open to children for safety and liability reasons.

Permission to bring children into the work environment must be sought in advance from an employee's immediate supervisor. Supervisors are encouraged to accommodate employees to the extent possible in arranging for sick or personal leave to be taken when childcare emergencies arise.

## **Consensual Sexual or Romantic Relationships**

There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and the party who holds the position of greater authority or power assumes such risks. In the University context, such positions include (but are not limited to) supervisor and employee, senior faculty and junior faculty, mentor and mentee, professor and student and volunteer and student. Because of the potential for conflict of interest, exploitation, favoritism, bias, and the appearance of impropriety, such relationships undermine the real or perceived integrity of the supervision and evaluation provided. Additionally, such relationships may be less consensual than the individual whose position confers power or authority believes. The relationship is likely perceived in different ways by each of the parties to it, especially in retrospect.

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

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability and must ensure that he/she – and this is particularly important for faculty members – does not exercise any supervisory or evaluation function over the other person in the relationship. Where such recusal is required, the recusing party must notify his/her supervisor, department head, or Dean, as applicable, so that such head, Dean or supervisor can exercise his/her responsibility to evaluate the possibility and adequacy of

alternative supervisory evaluative arrangements. Staff members, mentors, and volunteers must also notify the Human Resources Office. To reiterate, the responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy and, therefore, grounds for disciplinary action up to and including termination of employment.

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

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

### **Conflict of Interest**

The University employees are expected to meet the specific responsibilities, requirements, and obligations of their positions and to pursue related professional activities in a manner that precludes conflict of interest or commitment. While the University encourages employees to engage in professional and creative activities and public service and to engage in and disseminate research, such pursuits must not result in any type of personal gain that would improperly influence the performance of the employee's University duties. A conflict of interest is defined as any situation in which an employee's judgment or conduct in the performance of her/his official duties for the University could be influenced, or might give the appearance of being influenced, by the employee's familial, personal, or business relationship with a third party. Employees must comply with the University Rules and Regulations, Chapter X, Conflict of Interest and Financial Disclosure.

Areas in which conflicts of interest may arise include, but are not limited to, the following:

- 1. Secondary Employment:** An employee's secondary employment, business, and/or

activities must not interfere with the employee's University position or duties nor represent a conflict of interest as defined above. Such secondary employment, business, and/or activities also must not interfere with the regularly scheduled hours for which an employee is expected to perform her/his University duties. Any employee engaging in other employment running simultaneously with her/his employment at the University must give written notice to the Human Resources Office of his/her secondary employer, job position, duties, and term of employment.

2. **Consulting:** University faculty and other exempt employees involved in financially profitable consulting activities. Consulting is a significant means of professional improvement as well as a form of community service. However, consultation may, in some instances, also constitute a business interest requiring disclosure and approval when the entity for which the employee consults, transacts business with the University or is in competition with the University, or where the consultation itself competes with the work of the University. Consulting activities are therefore allowable under the following circumstances and with the following stipulations:
  - The consulting activity is related to the professional interest and development of the faculty member or other exempt employee.
  - The consulting activity does not interfere with the time and energy required of the employee by her/his primary responsibility to the University.
  - The employee does not utilize University materials, facilities, and other resources for the consulting activity.
  - The consulting activity does not compete with the work of the University and is not contrary to the best interests of the University.
  - The consulting activity does not violate federal or state law.
  - The consulting activity does not represent a conflict of interest under any other policies of the University.
3. **Grants or Contract:** University employees will not enter into any grant or contract or any type of business arrangement with the University through which they will profit financially. Employees shall not receive any personal gain, in any form, from any purchase of goods or services by the University. Employees shall not accept any gift, gratuity, or other reward with monetary value from any person or entity that transacts business with the University or which seeks to transact business. If an employee holds interest in any firm or corporation with which the University begins proceedings for entering into a grant or contract, the employee will disclose such interest, in writing, to her/his supervisor, who shall make such fact known to the University department or unit initiating the grant or contract.

- 4. Direct Financial Benefits:** University employees may not receive any direct financial benefit from the sale of textbooks or other educational materials to students at the University. The employee may, however, profit from the sale of such materials to other universities, libraries, etc.

### **Conflict of Commitment**

A conflict of commitment may arise when employees undertake any outside activity that interferes with their ability to operate at the expected level of job performance. University employees should therefore carefully consider whether outside activities, i.e., political office, would require a level of time and commitment that could impinge (or could reasonably be conceived as impinging) on the ability to meet the requirements of their University position. Before employees undertake such outside activities, they must disclose the intention to their immediate supervisors, who will forward this notice of intention through the proper channels. The University President will have the final authority in approving such outside activity.

The area of Cooperative Extension follows the University's conflict of interest and commitment policies as well as the guidelines and requirements of its federal partner, CSREES/USDA. Extension employees must comply with University Rule and Regulation 10.10.

### **Nepotism**

No person who is related by blood or marriage to any member of the Board of Curators shall be appointed to any position in the University as an officer, member of any faculty, or employee. A relative includes but is not limited to spouse, child, grandchild, great-grandchild, great-great-grandchild, parent, grandparent, great-grandparent, great, great-grandparent, brother/sister, aunt/uncle, great aunt/uncle, niece/nephew, grandniece/nephew, and cousin. All relationships are included, whether full, half, step, foster, adopted, or in-law. No exceptions shall be made to this rule.

No University employee may be involved in the hiring process of a job applicant related by blood or marriage to the employee or who has a relationship with the employee, which would be considered a personal conflict. A relationship that would be considered a personal conflict includes, but is not limited to, domestic partners or significant others; individuals who are cohabitating, including roommates; individuals who are dating; individuals who are involved in a personal relationship; or individuals who are involved in a business relationship that might be construed as being a conflict of interest. The hiring process includes the search and screening process as well as the signature authority required to hire an applicant.

No restriction on employment of persons related to other employees of the University shall be made unless the employment would result in an employee having supervisory capacity over a relative (of any degree), either immediately or within the direct chain of command. Only the Board of Curators can grant an exception to this policy.

### **Work Authorization**

Work authorization for an employee in a non-resident alien status is limited to a specific length of time. Because the University must serve as the official sponsor of each non-resident alien employee, it is the employee's responsibility to make a timely request to the Human Resources Office for filing of work authorization, change of status, or extension of such authorization so that continuation of employment may be granted by the U.S. Immigration Service prior to the expiration date of the current status.

### **Staff Performance Management**

Staff employees should have a formal performance review at least once a year. The performance review should be submitted to the Human Resources Office by the end of June each year.

The primary objectives of performance management are to provide a uniform system for reviewing current job duties, setting job-related performance expectations, measuring performance results and identifying individual development needs to sustain or improve performance; and to encourage communications between employees and supervisors that focus on improving performance, establishing agreed upon future job tasks and responsibilities, and planning for future training/advancement.

The staff performance guidelines can be accessed at the Human Resources link on the University Web site.

### **Social Security Number**

Given that social security numbers are highly confidential and legally protected, the University shall protect the privacy and legal rights of its employees, including potential employees, by the institutionalization of safeguards on the collection and use of social security numbers. To this end, the University will work diligently toward the disuse of social security numbers as common identifiers, except where required for employment, financial aid, and other legal transactions.

### **University Email / Portal Use Communication Policy**

The University has designated the University email system and the electronic Blue Tiger Portal as the official means of communication to students, faculty and staff. Each student, faculty member and staff member receives an official University hosted email account and network ID (user name) and password. Official notices and information regarding the University will be sent through the University email system and/or posted on the Blue Tiger Portal.

Typical communications available via email and/or the Blue Tiger Portal include information regarding enrollment, grades, billing, payments, financial aid, assessment exams, campus activities and announcements, and access to Self-Service.

It is expected that the email and/or information contained on the Blue Tiger Portal will be received and read by the recipient in a timely manner, as these communications and information contained may be time sensitive. Each individual who has a University email account and/or

access to Blue Tiger Portal is responsible for monitoring their account as well as for any consequences of missing important messages or time-sensitive information contained therein.

## **XIV. Technology**

### **Office of Information Technology Services**

The ITS Office is headed by the Chief Information Officer (CIO), who is responsible for directing and coordinating the planning, implementation, and maintenance of information technology resources for the University. This includes administration and management of technology purchases, administrative/academic computer needs, classroom technology solutions, online learning management systems, software evaluation and testing, software installation/troubleshooting, systems administration, technology planning, systems integration, data migrations, help desk operations, office automation, telecommunications, and networking (including remote sites such as University farms/extension sites). The CIO is responsible for providing leadership, consultation, and assistance to the entire University community relative to technology needs. The CIO also serves as the chief information security officer for the University ensuring cybersecurity standards and threats are addressed.

#### **A. Responsibility**

##### Lawful Use

All use of computing resources is subject to federal, state, and local law and University regulations. Users must abide by all use restrictions, whether or not safeguards are built into the system, and whether or not restrictions can be circumvented by electronic means.

##### Copyright

Users of technological resources must observe intellectual property rights, in particular the software copyright law. Users must refrain from using University trademarks or logos without prior authorization and from implying, by use of University technological resources, that the person speaks for the University.

##### Proper Authorization

Except in cases of explicitly authorized external access, such as for incoming electronic mail, anonymous ftp or similar services, or specially authorized external users, University computing resources are limited to members of the University community. Users must not permit or assist any unauthorized person in accessing ITS facilities.

Authorization for other external use of the University's computing resources by outside organizations or individuals requires written approval of the president, and will be granted only when that use is determined to further the University's mission.

### Account Ownership

Another person may not use an account assigned to University faculty, staff, students, or another individual approved for such use. Faculty, students, staff, and any other individuals approved for such use are individually responsible for the proper use of their accounts, including proper password protection and appropriate use of computing resources.

### Personal Identification

Users of University computing resources, including microcomputers, laptops, workstations, servers, printers, software and cloud-based systems or other public facilities, must show identification upon request by members of the Lincoln University Police Department (LUPD), ITS staff, or any other authorized University official.

### Contracts

All use of University computers and networks must be consistent with all contractual obligations of the University, including limitations defined in software and other licensing agreements.

### External Data Networks

Users shall observe all applicable policies of external data networks when using such networks, including sites visited via the Internet. This includes but is not limited to, the MOREnet acceptable use policies available at <https://www.more.net/service-policies>.

### Access to Data

Users must allow ITS personnel access to data files kept on ITS systems for the purpose of systems backups or diagnosing systems problems, including rule violations. All ITS-related vendor contracts should include a provision that the University not only owns its data in software systems (including cloud-based systems), but the contractor cannot require the University to pay for its data extracts from those systems.

### For-Profit Use

Without specific authorization, all activities conducted through the University computing resources for personal profit or for the direct financial benefit of any non-University organization are prohibited. However, this is not meant to restrict normal communications and exchange of electronic data, consistent with the University's education and research roles that may have an incidental financial or other benefit for an external organization. For example, it is appropriate to discuss products or services with companies doing business with the University or to

contribute to Usenet bulletin boards discussing issues relating to commercial products.

#### Incidental Personal Use

Incidental personal use of University computing resources may be allowed when such use does not interfere with University operations, does not compromise functioning of the University's network, or does not interfere with the user's employment or other obligations to the University.

#### Threats and Harassment

University computing resources may not be used to threaten or harass any person. A user must cease sending messages or interfering in any way with another user's normal use of computing resources if the aggrieved user makes a reasonable request for such cessation. The University's Sexual Harassment and Discrimination policies are extended to include harassment and discrimination via computing resources.

#### Modification of Data or Equipment

Without specific authorization, users of ITS computing or network facilities may not cause, permit, or attempt any destruction or modification of data or computing or communications equipment, including, but not limited to, alteration of data, reconfiguration of control switches or parameters, or changes in firmware. This rule seeks to protect "data, computing, and communications equipment" owned by ITS, the University, or any other person or entity. "Specific authorization" refers to permission by the owner or designated administrator of the equipment or data to be destroyed or modified.

#### Removal of Data or Equipment

Without specific authorization by the owner or designated administrator, users may not remove any University owned or administered equipment or documents from a University facility.

#### Foreign Devices

Without specific authorization, users must not physically or electrically attach any foreign device (such as an external disk, printer, or video system) to ITS equipment or networks. Regardless of whether a foreign device is attached to ITS equipment or networks, users are also prohibited from using a device that interferes with or inhibits the functionality of University equipment.

## **B. Security**

#### Level of Security

Unless otherwise guaranteed, users should regard the network communication



infrastructure as not secure from invasive technologies. ITS policy will ensure the greatest degree of confidentiality possible.

#### Concealed Identity

Users may not intentionally conceal their identity when using University computing resources.

#### Protected Personally Identifiable Information (Protected PII)

Per the Code of Federal Regulations (CFR 2028, Title 2, Volume 1, Section 200.79 and 200.82), PII means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books, public Web sites, and University listings. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, email address, home telephone number, and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual.

University students, faculty and staff are prohibited from sharing protected PII. Protected PII means an individual's first name or first initial and last name in combination with any one or more types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother's maiden name, criminal, medical and financial records, educational transcripts. This does not include PII, which is required by law to be disclosed.

#### Unauthorized Data Access

Users may not make or attempt any deliberate, unauthorized access to or changes in data on a University computing resource, for example to read personal communications of other users or to access confidential University files.

#### Security Compromise

Users shall not defeat or attempt to defeat or circumvent ITS security systems, such as by "cracking" or guessing user identifications or passwords or by compromising room locks or alarm systems.

### Data Interception

Users may not intercept or attempt to intercept data communications not intended for that user's access, for example, by "promiscuous" wiretapping.

### Denial of Service

Users may not deny or interfere with or attempt to deny or interfere with service to other users, e.g., by means of "resource hogging," distribution of computer worms or viruses, etc.

### Personal Responsibility

Users are responsible for the security of their ITS accounts and passwords. Any user changes of password must follow published guidelines for good passwords. Accounts and passwords are normally assigned to single users and may not be shared with any other person without ITS authorization. Users must report any observations of attempted security violations.

## **C. Software Purchases and Use Policy**

All software purchases (both software and cloud-based subscriptions) must be approved by the CIO before purchase and no software should be installed on the University network without ITS first ensuring that it will not create a network vulnerability from a cybersecurity perspective or cause other system issues.

All staff and faculty unauthorized use of university systems (including printing) and software for personal financial gain is subject to disciplinary action up to and including termination.

Unauthorized copying of software is illegal. Copyright law protects software authors and publishers, just as patent law protects inventors.

### **Internet Usage**

The Lincoln home page [www.lincolnu.edu](http://www.lincolnu.edu) is an official publication of the University. Unless otherwise indicated, all materials, including text and photographs, appearing on the home page or subsequent official home pages of specific departments are copyrighted and shall not be reproduced without written permission from the University.

Web pages linked to the University Web site may be created by academic departments, administrative departments, programs, centers or institutes, governance groups, and faculty, and staff. Recognized student groups may create home pages that are linked to the University web site with approval of the VPSA.

The official University root web pages are the responsibility of the Web Content Manager.

Content for all root web pages must be submitted to the Office of Marketing and Communications for approval before being placed on the University home page. Content on subsequent official University pages, such as academic department pages, administrative department pages, pages for programs, governance groups, or centers or institutes, must be approved by the department head, director, or person in authority to speak for that entity, and must conform to University guidelines for web page design. Class pages and faculty and staff personal pages must conform to University guidelines for web page design.

Plagiarism of World Wide Web documents, graphics, or other resources is prohibited.

Hosting material that is illegal or dangerous is strictly forbidden. Examples of such material include pirated or unlicensed programs or applications, viruses or material containing viruses, documents containing information that is intended to be used in the perpetration of illegal activities, unlicensed music, art or other copyrighted material, or any material that causes disruption of the University network.

### **Electronic Mail**

E-mail shall be used only for purposes that support the mission statement of the University. These uses are for research, education, or the support of academic pursuits. E-mail may not be used for commercial activities except in direct support of the mission of the University. Any harassment or discrimination via e-mail is strictly prohibited and will be grounds for the removal of e-mail privileges. Use of e-mail in opposition to the University use policies is not allowed.

Knowing or reckless distribution of unwanted e-mail or other messages is prohibited. Specifically, chain letters and other schemes that may cause excessive network traffic or computing load are prohibited.

Posting a message to multiple listservs, distribution lists, or news groups with the intention of reaching as many users as possible is prohibited, unless the posting is job or research related.

### Accounts Provided to Faculty, Staff and Students

The University provides email accounts to all current faculty and staff to conduct University business. The University provides email accounts to all currently enrolled students at the University. In addition to the University policies applicable to all members of the University community, student use of email is subject to the University's Student Code of Conduct.

### Information Security

While the University will make every attempt to keep email messages secure, it is important to note that email generally is not considered a secure form of communication. As a result, the University email accounts should not be used for the transmission and/or storage of sensitive information such as Personally Identifiable Information (PII).

### Ownership of University Email Accounts

The University owns all University-provided email accounts. Subject to certain exceptions under applicable laws and University policies, the University also owns the information transmitted or stored using University email accounts.

The contents of any University-issued email accounts are subject to review by the University and should not be considered private by the individuals using or accessing them.

The University-issued email accounts are also subject to open records and sunshine laws, and the contents of those mailboxes may be disclosed to third parties pursuant to sunshine and open records requests.

### Passwords

To help safeguard a user's identity and privacy, the user should not share the user's University-assigned email account with anyone or give his/her password to anyone. To increase the security of email accounts, the University email accounts must be protected with Multi-Factor Authentication (MFA) fourteen (14) days after the user's first login to his/her email.

### Authorized Users of University-Provided Email Accounts and Termination of Services

The following outlines the authorized users of email at the University, as well as termination of services provisions:

#### Decommissioning of Mailboxes

If a mailbox is decommissioned and reactivated at a later date, the content of the mailbox may not be restored.

### Authorized Users

#### Students

Access to the University email ends 365 days after the end date of the most recent course the student was enrolled in or registered for.

Students on official leave of absence maintain access to email, calendar, and productivity tools. However, these students must put in a request with the University's Information Technology Services (ITS) department and the request must be approved by the Dean of Students.

#### Faculty - Emeritus

Faculty with Emeritus status are eligible for perpetual access to the University email subject to compliance with the University's acceptable use policies.

#### Faculty (Formerly Full-time, Adjunct, and/or Affiliate)

Access for these faculty will be terminated immediately at the end of the faculty member's

employment with the University. Access may be extended by thirty (30) days with the approval of the Executive Director of Human Resources and the VPAA.

Access will be terminated immediately in the case of termination for cause and will not be extended.

#### Staff (Formerly Full-time and/or Part-time)

Access for former staff will be terminated immediately at the end of the staff member's employment with the University.

#### Sponsored Affiliates (e.g., Visiting Scholars)

Access to University email for sponsored affiliates ends on the last day of their designation.

#### Continued Access for Business Continuity

Access to emails for individuals formerly associated with the University can be requested by the individual's supervisor or manager for the purpose of business continuity. This request must be submitted using the University's Helpdesk ticketing system and approved by the head of the Division that the former employee worked in and the University's legal counsel. Once the required approvals are obtained, the requested access will be provided for ninety (90) days unless a different length of time is specified in the request and approved by the Division head and the University's legal counsel.

#### Release of University Email Contents of Current and Former Faculty, Staff, and Students

To ensure compliance with the Family Educational Rights and Privacy Act and in consideration of general privacy principles, the University will not release – or otherwise provide - the email of any current or former student, faculty, or staff member to a third-party, including, but not limited to, family members of any student, faculty, or staff member, absent a subpoena, search warrant, or court order or where such email could be required or authorized by law to be produced or lawfully requested for any other reason, including disclosure to a government agency.

#### Acceptable Use of University Email Accounts

Members of the University community must comply with all University policies, including, but not limited to, the University's Acceptable Use policies, and guidelines, standard of ethical conduct and safety, and must comply with applicable state and federal laws, when using the University's provided email accounts. The University's Acceptable Use Policies are available at <https://bluetigerportal.lincolnu.edu/web/oit-help-desk/acceptable-use-policies>.

Email should be used only for purposes that are a part of the published Mission Statement of the University. These uses are for research, education, or the support of academic pursuits.

Email may not be used for commercial activities by students, faculty or staff except in direct support of the mission of the University.

### University Email Subject to Legal Holds

To the extent University email is relevant to, or the subject of, a legal hold, the deletion and/or destruction of all such email will be suspended immediately upon notice that an investigation or litigation is pending, imminent, or reasonably foreseeable. The suspension will be tailored to cover only those records, documents, drafts, and copies relevant to the investigation or litigation, as determined by the University's legal counsel.

A legal hold remains in effect until it is released in writing by the University's legal counsel. After the University community receives written notice of the lifting of a legal hold, all records, including email, relevant to the legal hold shall return to their normal handling procedures and retention schedules.

### University Email Forwarding

Emails sent to University email addresses should not be forwarded to personal email addresses.

University email is an official means of communication for the University. Faculty, staff, and students are required to conduct University business from their University-assigned email address containing the lincolnu.edu domain. Individuals are generally prohibited from using their personal email when working in an official University capacity.

Active members of the University community assigned a University email address are responsible for having access to all University related emails and may be subject to discipline if not responsive.

### Group Emails, Distribution Lists, Shared Mailboxes

All group emails, distribution lists, and shared mailboxes must have at least one (1) designated owner. In the event of an owner's departure from the University, the relevant department or business unit will specify a new owner. Public-facing groups working with students, the community, and vendors should establish a shared email account that will ensure business continuity for University operations rather than publishing an individual's assigned University email on flyers or the University website.

### Style Guide Communication

All communications should follow the University's applicable style guides, including, but not limited to, the University's email signature guidelines.

### University Management of Applications on Personal Devices

The University will manage applications installed on personal devices when those applications access University-issued email accounts and associated services, including, but not limited to, cloud storage and collaboration platforms. University management of these applications includes deleting University data from the device and deploying security settings on the device.

### Locking Devices

University students, faculty, and staff are required to secure their personal devices with access to University issued email accounts and related services with some form of authentication to prevent unauthorized access of University data. Authentication can take many forms such as passcode, fingerprint identification, or facial recognition.

### Secure Methods of Communication

Email is generally not considered a secure form of communication. Anyone needing to share sensitive information electronically should contact the University ITS for assistance with securely transmitting the information. Email encryption is available and is an acceptable method of delivery. ITS assistance can be requested by submitting a ticket to the University's ITS Helpdesk.

Student data with protected personally identifiable information (PII) is prohibited from being shared in any way (outside of normal University business) and is prohibited from being sent via email.

### Exceptions And Exemptions to the University's Email Regulations

Exceptions to, or exemptions from, any provision of these Regulations must be approved by the VPAF.

### Regulation Violations

Any University department or unit found to operate in violation of this regulation may be held accountable for remediation costs associated with a resulting information security incident or other regulatory non-compliance penalties, including, but not limited to, financial penalties, legal fees, and other costs.

Violations of this regulation by faculty, staff, or students may be subject to disciplinary action.

Official notices and information regarding the University will be sent through the University e-mail system and/or posted on the Blue Tiger Portal. Each student, faculty member, and staff member receives an official University host e-mail account, network ID (username), and password. Each individual who has a University e-mail and/or access to the Blue Tiger Portal is responsible for monitoring, in a timely manner, their account as well as for any consequences of missing important messages.

### **Telecommunications**

The University will maintain a telecommunications infrastructure to provide communication and information services to all authorized users to support teaching, research, and administrative functions.

### Access

All University employees will be provided with access to a telephone to conduct University business. At the discretion of area heads and in line with purchasing protocols, mobile phones may also be provided. Staff approved for remote work will not be provided a standard telephone. Department heads of remote employees can request an app called Rainbow. This app can be installed on employees' smartphones, their Lincoln computers or both. The cost for such installation will be billed to the department in which the employee works. Staff working remotely will be required to have high-speed internet at their own cost. ITS may require an employee to conduct a speed test to ensure adequate bandwidth is available.

### Acceptable Use: Employees

Employees are not authorized to contract telecommunication services for University telephones except through Purchasing.

Employees are expected to be judicious in the use of University telephones for personal calls. Employees are not permitted to use University phones for personal calls that incur costs. Except for emergencies, reverse-charge and personal calls may not be accepted or made on University telephones by employees. An employee who makes or accepts such calls may be liable for any costs incurred. Directory assistance calls (cost-incurred) should be limited to those of an essential nature.

Administrative units wanting to make a toll-free number available to callers must use a University-authorized carrier.

### Acceptable Use: Students

Students are not permitted to make long distance calls or accept collect calls or charge back services to University extensions. Students incurring such charges are liable for any costs incurred.

### Compliance

The University may impose disciplinary procedures for misconduct in the area of telecommunications as provided under its Discipline Policy and under the Student Code of Conduct.

### **Technology Equipment Purchases**

All computer software and hardware purchases must be submitted to ITS for review, before purchase orders will be processed. ITS staff will review each recommendation/request in terms of compatibility, server resources, licensing agreements, etc.

Hardware and software requests that affect instructional or open labs must be made at least one (1) month prior to the semester start date to coordinate server resources and to investigate compatibility issues with other campus software.



## **Employee Laptops**

University issued laptops are intended for University-related business: as a productivity tool, a curriculum tool, for research, and/or for work-related communication. They are not intended to be replacements for personally-owned computers. University-issued laptops remain the property of Lincoln University. Each unit must be labeled with a unique property ID. Use of University-issued laptops for other purposes must comply with ITS "Responsibility" policies. The property ID may not be removed from the laptop until the unit is decommissioned/surplused.

Employees who are issued a laptop should minimize the storing of student and alumni data that is deemed "confidential"; adhere to any encryption standards set by the University; and take appropriate precautions to prevent damage to or loss/theft of the computer. Employees may be held responsible for costs to repair or replace the computer if damage or loss is due to negligence or intentional misconduct; report a lost or stolen laptop immediately to LUPD and to the ITS Help Desk; for theft or loss off campus, employees must also notify the local police station. Any reports must include the laptop's serial number.

The University will secure services to repair any laptop still under warranty should its operation be impaired by a component failure or by normal wear and tear, and ensure that all laptops are configured with a standard suite of programs that are appropriate for the computer, based on campus software standards and upon the professional needs of the employee to whom the laptop is issued.

## **Management Software**

Staff employees will likely utilize one or more of these management software systems depending on their job function. Here is a brief descriptor of the systems. If employees are required to utilize any of these systems, they can receive training in the system(s) through the Center for Innovative Instructions or by contacting the University's technology department.

- **Datatel Colleague** is an advanced enterprise resource planning solution designed specifically for higher education. Colleague places the University's information at a user's fingertips. Based on an innovative single-source technology approach coupled with a date-driven rules-based architecture, Colleague has unparalleled flexibility. Colleague works with virtually any database platform, operating system, integrated portal, and course management software solution. This is the major administrative and business management system utilized by the University.
- **ITS Website Content Management** is a completely browser-based website content management solution created by ITS. The simple and intuitive EAI user interface facilitates web content management through standardized page templates, including automated page headers and footers, automated navigational content, and simple procedures for adding and editing page content and for managing page organization. The content management approach to website development allows you to develop, edit,

maintain, and manage your content with minimal training, and it requires no HTML experience. EAI includes a third-party content authoring tool that provides similar MS Word editing capability. Content is saved and stored locally in a Microsoft SQL 2000 Server database.

- **Microsoft Office** is a popular set of interrelated desktop applications, servers and services: Access, Excel, Outlook, PowerPoint, Publisher or Word.
- **Adobe Creative Suite** is a collection of graphic design, video editing, and web development applications.

### **Guidelines for Personal Use of Social Media**

Social media such as Twitter, Instagram and Facebook are powerful, web-based communications tools that were designed to connect friends and family with one another. These sites can have a significant impact on a person's reputation, relationships, and livelihood. The following guidelines offer recommendations to all University employees on how to balance their personal uses of social media sites, while protecting themselves.

The guidelines for personal use of social media are not intended to and do not limit employee right to engage in protected concerted activities related to terms and conditions of employment.

1. The line between professional and personal business is sometimes blurred. Thus, employees should be thoughtful about their postings' content and potential audiences. Employees also should be honest about their identity. In personal posts, employees may identify themselves as University faculty or staff members. However, employees should be clear that they are sharing their views as individuals, not as representatives of the University.
2. Even when employees are personally engaging on social media, a University affiliation on employees' profiles has the ability to affect the University as a whole. If employees identify their affiliation with the University in their profile or comments, other users will naturally associate the employees with the University. Employees should always think before they post, be civil to others and their opinions and not post personal information about others unless employees have their permission.
3. Employees should not post confidential or proprietary information about the University, its students, its alumni or fellow employees.
4. Employees should use good ethical judgment and follow University policies.
5. Employees can protect their privacy and reputation by being mindful that online posts will be public for a long time, even after they have been removed from the Internet.
6. To help ensure that no one mistakes employees' personal postings for official University communications, it is recommended that employees refrain from

postings that have the appearance of speaking on behalf of the University on their personal channels.

7. Employees are encouraged to share University news and events that are a matter of public record with their family and friends. Linking straight to the information source is an effective way to help promote the mission of the University and build community.

### **Violations and Enforcement Procedures**

Users must report any evidence of violation of these policies to appropriate ITS personnel and/or other University authorities. Users must not conceal or help to conceal or "cover up" violations by any party. The policies described herein (and in the comprehensive Information Technologies Policies document under the ITS link on the University Web site) are those that the University intends to use in normal operation of its computing resources.

Any actual or suspected violation of the policies must be brought to the attention of the Director of the Office of Information Technology, other appropriate ITS personnel, and/or other University authorities.

ITS is authorized by the University to enforce these policies and regulations. Such enforcement may include temporary or permanent reduction or elimination of access privileges with prior notification and approval by the University administration, except in extraordinary cases in which any delay may seriously threaten the integrity of facilities, user services or data. In such extraordinary cases, ITS must, as soon as possible, notify the administration of any actions taken, including a statement describing the act, conduct or circumstances compelling ITS to act without prior notice and approval of the administration. When ITS believes it necessary to preserve the integrity of facilities, user services, or data, ITS may, with prior notice and approval of the administration, suspend any account, whether or not the account owner (the user) is suspected of any violation. ITS will attempt to notify the user of any such action.

### **Sanctions**

Violators of this policy will be subject to the existing student or employee disciplinary procedures. Sanctions may include the loss of computing privileges and confiscation of devices disrupting University connectivity. Illegal acts involving University computing and networking resources may also subject users to prosecution by state and federal authorities.

### **Access to Information Technology**

Access to information technology and network systems owned, operated or leased by the University is given for the sole purpose of supporting the University's education, research, and regional service mission. Users of the University's information technology and network systems are responsible for using the systems in a manner consistent with this mission and in compliance with local, state, and federal laws, MORENET regulations, and all policies and procedures of the University.

1. Access to all digitized systems at the University shall be controlled using University approved login credentials, the violation of which shall be responded to by the egregiousness of the violation.
2. Credential (identity) maintenance for all enrolled or employed members of the University community must be performed online or in person or by any trustworthy mechanism and must not be made solely by telephone, email, or text messaging.
3. An automated process shall be used to disable or remove a student's system access credentials after graduation or a period of non-attendance.
4. Access credentials shall be disabled for repeated misuse.
5. Faculty and staff access shall be disabled or removed upon resignation or termination of employment.
6. Faculty, staff and students will continue to have access to limited information via the University portal services (e.g., tax information, grades) after they leave the University.
7. Only unique access credentials per user as approved by the University shall be used to access digitized resources which shall not be shared.
8. Character Passwords must have sustainable time complexity as determined by policy.
9. Character Passwords must be periodically changed as determined by policy.
10. Users must keep their passwords private and abide by all University information services policies.
11. The University shall use a network access control system to validate the identity and appropriateness of those connecting to the campus network. Access to systems and information shall be determined by the user's relationship with the University and the specific information classification.

The VPAF shall be responsible for issuing and maintaining procedures to implement this policy.

## **XV. Complaint Policy and Procedures**

### **Open Door Policy**

The University believes that employees are valued assets and open communication within an atmosphere of mutual trust is of prime importance to its employees. Realizing that effective communication is always a two way street, the University values employees' constructive opinions, suggestions and feedback so that issues of concern can be constructively resolved in the workplace.

The Open Door policy is intended to establish an informal complaint or problem-resolution

process and is not a substitute for the University's policies on harassment, equal employment opportunity, affirmative action or staff grievances.

An Open Door policy means that the door to the employee's supervisor's office is always open, and employees should feel comfortable speaking with their supervisors about any questions/concerns they have. In most cases, talking with the immediate supervisor is the most effective and efficient way to resolve issues. The supervisor is typically the most direct source of information regarding an employee's job and departmental policies and procedures. If the immediate supervisor is unable to provide assistance, then the employee may discuss problems or suggestions with a higher-level manager instead of, or in addition to, their supervisor. Issues are usually resolved through this informal communication. If a satisfactory resolution is not reached at this level, then complaints may be brought forward through the University's Staff Complaint and Grievance Policy and Procedure.

Employees are encouraged to meet and discuss suggestions, problems or concerns with their supervisors. Supervisors are expected to have an open door policy that is designed to encourage employees to bring forward any concerns or questions to them so that issues can be resolved constructively together. It is a violation of University policy to retaliate against anyone who brings a good faith concern to the supervisor's attention.

### **Staff Complaint and Grievance Policy and Procedures**

The University encourages employees to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices, or differences in the interpretation of policy. The complaint basis must be a perceived violation of University policy or state or federal law. Complaints addressing employment discrimination or harassment, including sexual harassment and gender discrimination or academic processes, are not processed through the grievance procedures.

All full-time and part-time regular staff employees are entitled to utilize the complaint procedure.

#### Informal Resolution Step

The employee is advised to discuss the matter and seek informal resolution with his/her immediate supervisor unless the supervisor is the respondent to the complaint. If so, the employee should discuss the matter with the next in line of authority. The complainant must initiate the complaint process within thirty (30) days following the alleged action or the date on which the complainant first knew, or reasonably should have known, of the occurrence. The employee will attempt a voluntary and informal means of resolving the complaint, if possible, within five (5) days of notification. The supervisor should maintain a written summary of the discussion.

#### Formal Resolution Step

If informal resolution isn't acceptable, then the complainant will be asked to put forth a written

statement with pertinent information on the complaint matter to the University Complaint Coordinator in the Office of the President within five (5) days. The formalized written statement needs to include a description of the alleged violation or grievance matter, the individual(s) involved, when it occurred, witnesses and evidence of the alleged action, and what recourse is requested. Once a formalized written statement of the complaint matter is filed, the University Complaint Coordinator will refer the complaint to the appropriate University official for investigation within five (5) days, and the University official will conduct a fact-finding investigation.

The investigator will talk to the parties involved, review all relevant records and evidence, and interview witnesses. The investigator will conclude with a written report that summarizes the results and a finding. The conclusion could be a “substantiated” finding that could result in some type of corrective action by the University. The conclusion could be an “unsubstantiated” finding that will result in no corrective action. The investigation outcome could be “inconclusive”.

The investigator will submit the fact-finding summary report to the University Complaint Coordinator within ten (10) days; the University Complaint Coordinator will notify the involved parties in writing as to the outcome of the fact-finding investigation, including any action to be taken within ten (10) days. The University Complaint Coordinator will attempt to ensure the timely processing of the complaint at all steps but may determine whether an extension of these timeframes is necessary. The University Complaint Coordinator will inform either party of his/her right to elect to proceed to the next step in the complaint resolution process, the written request for an impartial review by the Internal Grievance Panel.

If a request for a review by the Internal Grievance Panel is made in writing by one of the parties, the University Complaint Coordinator will refer the request to the Internal Grievance Panel Chairperson.

#### Internal Grievance Panel Review Step

The Internal Grievance Panel Chairperson will call a meeting of the whole membership, at which time a subcommittee will be selected to review the complaint. The subcommittee composition will have a diverse demographic representation of members that reflects the workforce as much as possible. The Internal Grievance Panel’s designated subcommittee will have the authority to conduct the complaint review and issue findings and recommendations.

The designated subcommittee will conduct a review of the fact-finding report pertaining to the investigation of the complaint and may request further investigation be performed. The subcommittee must determine whether the complaint is substantiated, unsubstantiated or inconclusive and recommend any corrective action where appropriate.

The Internal Grievance Panel’s designated subcommittee will submit its findings and

recommendations to the University Complaint Coordinator. This resolution step should be completed with fifteen (15) days of receipt of the written request for an impartial review. Should the panel decide that the complexities of the investigation prevent a conclusion within this time frame, the deadline may be extended upon approval by the University Complaint Coordinator.

### President's Decision Step

Following receipt of the Internal Grievance Panel's subcommittee written findings and recommendation, the University Complaint Coordinator will ask the President to make a written determination as to the result of the findings of the complaint matter and provide a copy of the determination to the parties within fifteen (15) days. The President will include a statement indicating what action (if any) will be taken as a result of the complaint.

The President's written determination concludes the University's internal complaint process.

### **Discrimination Complaint Policy and Procedures**

In accordance with the University's Equal Employment Opportunity Policy, the University has established a discrimination complaint procedure for any allegations of discrimination or harassment based on a protected class (other than those allegations of sexual harassment that are determined to fall under the Title IX investigation procedures set forth in the University's Sexual Harassment Policy & Grievance Procedures). This complaint procedure is for any type of alleged discrimination regarding job decisions, employment practices, and other terms of employment or privileges of employment based on race, color, national origin (including ancestry, or any other subcategory of national origin recognized by applicable law), sex (including marital status, family status, pregnancy, sexual orientation, gender identity, gender expression, or any other subcategory of sex recognized by applicable law), religion, age, disability, veteran status, genetic information or any other basis protected by applicable law. Additionally, this complaint procedure pertains to a hostile work environment or harassment based on all the aforementioned protected classes. All employees are required to report any concerns or allegations of discrimination or harassment, including members of the campus community (i.e., faculty, staff and students) of which they become aware to the Human Resources Office or the Campus Complaint Coordinator. Should the University President be the subject of a complaint or concern under this policy, the complaint should be made to the Board of Curators Secretary.

The University will not retaliate against any individual who makes a harassment or discrimination complaint, assists another person in making a harassment complaint or cooperates in the University's investigation of such allegations. In addition, the University also will not tolerate acts of retaliation by any employee or other persons affiliated with the University.

The University will promptly investigate all complaints of harassment and discrimination and all employees are required to participate and cooperate in any such investigation. To the extent possible and appropriate, the investigatory report will be kept confidential.

Depending on the nature and seriousness of the offense, the University will impose all appropriate discipline, up to and including termination, against any individual found to have engaged in unlawful harassment or discriminatory conduct. When a person not employed by the University is found to have engaged in unlawful harassment against an employee, the University will take action as is appropriate under the circumstances.

The University recognizes that the issue of whether harassment or discrimination has occurred requires a factual determination based on all the evidence received. The University also recognizes that false accusations of harassment or discrimination can have serious effects on innocent employees. False accusations of harassment may result in discipline ranging from warnings to termination, and could be subject to civil litigation. The University trusts all employees will act in a responsible manner to establish a pleasant working environment free of discrimination and free of unlawful harassment.

### **Sexual Harassment**

It is the policy of the University to provide a workplace environment that is free from sexual harassment, to assure compliance with federal and state employment law, and to provide a proper code of conduct for its employees. This policy applies to all employees of the University, who are advised to promptly report occurrences of sexual harassment. Employees found to be in violation of this policy shall be subject to disciplinary action, including termination.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The circumstances of sexual harassment include, but are not limited to, the following:

- The victim, as well as the harasser, may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

It is unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any



way in an investigation, proceeding, or litigation under Title VII.

The procedures for initiating, processing, and resolving a complaint are available in the Employee Handbook or can be obtained by contacting the Campus Complaint Coordinator in the Human Resources Office. Should the University President be the subject of a complaint or concern under this policy, the complaint should be made to the Board of Curators Secretary.

Allegations of sexual harassment that meet the definition of jurisdictional requirements of Title IX of the Education Amendments of 1972 and its implementing regulations will be addressed under the University's Sexual Harassment Policy & Grievance Procedures. All other allegations of discrimination or harassment (including sexual harassment as defined by Title VII of the Civil Rights Act) will be addressed under the University's Discrimination Complaint Policy and Procedures.

### **Title IX Sexual Harassment Policy & Grievance Procedures**

#### **Notice**

In accordance with the guidelines set forth in Title IX of the Education Amendments of 1972 and the U.S. Department of Education, the University prohibits sexual harassment and discrimination based on gender of an individual or group of students in connection with academic, educational, extracurricular, athletic, and all other programs of the University. This policy applies to administrators, faculty, staff, students; applicants for employment; third-party contractors; and all persons that participate in the University's educational programs and activities as guests and visitors. This policy is equally applicable for all students and employees regardless of sex, gender, sexual orientation, gender identity or gender expression of any involved individuals. All University employees are mandatory reporters of any knowledge they have that a member of the University community is experiencing sexual harassment and/or retaliation.

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Title IX Coordinator	Deputy Title IX Coordinator - Employees	Deputy Title IX Coordinator - Athletics
Title IX Office B2 Young Hall (573) 681-5495 <a href="mailto:TitleIX@lincolnu.edu">TitleIX@lincolnu.edu</a>	Executive Director and Chief HR Officer, Human Resources for Compliance/SWA 101 Young Hall (573) 681-5020	Assistant Athletic Director 202 Jason Gymnasium (573) 681-5953

The University's complete Sexual Harassment Policy & Grievance Procedures, including procedures for the grievance and investigation process, and rights of all participants is available

on the University's website.

### **Ethics Hotline**

Lincoln University offers a confidential reporting platform, ensuring that all information provided is treated with the utmost confidentiality and anonymity. The University guarantees that concerns will be heard and addressed. The University encourages everyone to proactively report any activities that may violate laws or University policies, helping to maintain a compliant and ethical environment. Confidential reports of concerns can be made to the University's Ethics Hotline by calling 1-833-226-3281, 24 hours a day, seven days a week or visiting the University's HR website to make a report online.

## **XVI. Health and Safety**

### **Drug-Free Workplace**

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. Each employee is responsible to help ensure a drug-free, healthful, safe and secure work environment. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on University premises or while conducting University business off-premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Employees must, as a condition of employment, abide by the terms of this policy and report to the University any conviction under a criminal drug statute for violations on or off University premises. A report of a conviction must be made to the Human Resources Office within five (5) days after the conviction.

### **Exception**

The distribution, dispensing, possession, or use of alcohol is prohibited on the University campus except for those times, places, and purposes approved by the President of the University.

In accordance with the Omnibus Transportation Employee Testing Act of 1991, any University employee who is required to obtain a commercial driver's license (CDL) to operate a commercial motor vehicle is subject to testing for alcohol and controlled substances.

### **Commitment to Safety**

Protecting the safety of the University's students, employees, and visitors is the most important aspect of running the University.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying their supervisors when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, an employee should notify the appropriate emergency personnel by dialing 8 for an outside line, then dialing 911 to activate the medical emergency services.

Any workplace injury, accident, or illness must be reported to the employee's supervisor and the Human Resources Office as soon as possible, regardless of the severity of the injury or accident.

### **Clery Act and Crime Reporting**

Pursuant to the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), a copy of the University's Annual Security Report may be viewed on the University website at the LUPD link. Additionally, annually the employees will be notified of the Clery Act Report through the campus UR email system.

This report includes statistics for the previous three (3) years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by University; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters.

### **Personal Safety**

If for any reason employees feel threatened in the workplace, there are precautionary measures they may want to take. The following list is provided for employee information and, in some cases, may assist employees in avoiding an incident at work.

- If employees have been threatened or believe they are in some danger, **REPORT IT IMMEDIATELY.**
- Maintain documentation of events. Keep accurate notes of conversations, counseling sessions, and brief encounters that employees find alarming.
- Avoid, if possible, any adverse personnel actions without a witness present.
- Do not release employees' route to and from home and work.
- Alternate employees' route to and from home and work.
- If employees are working late, they should inform LUPD and lock their office doors.
- Use the LUPD escort service when employees are on campus late at night.

In a hostage situation and threats from intruders, employees, or students should remain calm and assure their captors of their intention to cooperate.

In the case of a fire or explosion with smoke present, employees should exit the building. Employees should not wait to determine whether the fire alarm is real or not. Employees should not use the elevator and use the stairwell, and should not re-enter the building.

If employees receive a bomb threat or phone call, they should not touch a suspicious object and

should notify LUPD immediately. Employees should not use cell phones, pagers, two-way radios, etc.

### **Emergency Preparedness Plan**

All staff employees should be familiar with and have a working knowledge of the University's emergency preparedness plan. This plan is to establish emergency/disaster classification and control procedures for the University and emergency response personnel during periods of an emergency/disaster. Below are the different levels of emergency classification:

- Level I Emergency is an occurrence that can be handled routinely by one or more departments within the University.
- Level II Emergency is an occurrence that requires a major response and the significant commitment of resources from several departments within the University, but will still be within the capabilities of the University. (Example: localized flooding, isolated damage to structures, etc.)
- Level III Emergency is an occurrence that requires an extensive response and commitment of resources from the University and could necessitate requesting outside assistance from the county, city, state and/or federal governments.

All staff employees should be familiar with the procedure for dealing with an emergency situation. The primary contact for notification is the dispatcher at the LUPD at (573) 681-5555. The LUPD will handle the communication channel based on the emergency level. Procedures for dealing with the following emergency situations:

1. Fire Emergencies Involving Chemicals or Hazardous Waste: Call the LUPD at (573) 681-5555. Give the nature of the emergency and the location. If unable to contact the LUPD, call the Fire Department at 8-911. Set off a fire alarm and evacuate the building. Use a fire extinguisher or fire hose if it is possible to do so without jeopardizing personal well-being. Report incident to the supervisor.
2. Chemical or Biological Spills: Evacuate the area to the extent appropriate and warn fellow workers and supervisors. Call the LUPD at (573) 681-5555. *Note:* Do not call state or national chemical emergency numbers without prior authorization from the LUPD, unless the spill is of disaster proportions and immediate contact with the LUPD is impossible. Take action to contain the spill if it is possible to do so without jeopardizing personal well-being.
3. Medical Emergencies Involving Chemicals or Hazardous Waste: Seek medical care for the injured person, when the injured person is conscious. If requested by the injured person, call an ambulance. Report the medical emergency to the LUPD (573) 681-5555 and to the immediate supervisor.
4. Tornado Warnings: The University receives tornado watches and warnings from the local

television and radio stations. Jefferson City's warning sirens can be heard throughout the campus. If the sirens are activated, students and employees should take immediate shelter in basements or move to interior hallways away from windows. LUPD officers do not go from building to building giving instructions or coordinating evacuations to safe areas. Employees must heed the warning independently and move to a safe area on their own. The Jefferson City “all clear” sirens will alert employees when it is safe to return to work.

### **On the Job Injury**

The University is part of the State of Missouri’s Workers Compensation system. If a University employee or a co-worker gets injured on the job, follow these procedures:

- Report all injuries immediately to the University Human Resources Office.
- Document the time, place, names of witnesses, and nature of the injury in a written report.
- Unless it is an emergency, do not seek aid without informing the Human Resources Office before going to authorized medical providers.
- If it is an emergency, seek initial treatment at the nearest hospital emergency room or medical clinic.
  - Then notify the University Human Resources Office as soon as possible.
  - Notify the hospital or clinic that the employee injury is a worker’s compensation injury and give the name, address, and telephone number of the Human Resources Office.
- If medical treatment is required, employees should contact 1-800-624-2354 for the name of an authorized medical care provider in the area prior to seeking treatment.
- Employees may seek their own medical care with the provider of their choice at their own expense.
- The State of Missouri may not pay for medical treatment if employees do not utilize authorized medical providers.

The Human Resource Office will assist in completing the necessary forms for workers compensation.

### **Zero Tolerance of Workplace Violence and Threats**

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

Workplace violence, as defined for this policy, is any physical assault, threatening or intimidating

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

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

The University considers threats and acts of violence on campus as a serious violation of University policy and will respond promptly to reports of violence and/or threats, including prompt investigation and timely involvement of law enforcement agencies, when appropriate.

### **Possession of Weapons**

The possession of weapons of any type on University property at any time is strictly prohibited, except where permitted by appropriate job functions (i.e. LUPD offices). Weapons include possessing or carrying, whether openly or concealed, any gun, rifle, pistol, revolvers, BB or pellet guns, slingshots, martial arts devices, clubs, or any missile projecting weapons, explosives, ammunition, fireworks, knives, leaded canes, blackjack, metallic knuckles, or any other weapon of like kind.

### **Sexual Assault and Victims' Rights**

*The following section is an excerpt of the Lincoln University Sexual Harassment Policy and Procedures Manual. To find a detailed outline of the Sexual Harassment Grievance Process, visit [www.lincolnu.edu/web/title-ix](http://www.lincolnu.edu/web/title-ix) or contact the Title IX Coordinator by email at [TitleIX@lincolnu.edu](mailto:TitleIX@lincolnu.edu).*

Sexual harassment is defined by the Title IX of the Education Amendments of 1972 as any conduct on the basis of sex that involves:

- I. An employee of the institution conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcomed sexual conduct.
- II. Unwelcomed conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or
- III. Conduct defined by the following:
  - a. Sexual assault as defined as an offense classified as a forcible or non-forcible sex

offense under the uniform crime reporting system of the Federal Bureau of Investigation. 20 U.S.C. 1092(f)(6)(A)(v)

- b. Dating Violence as defined as violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim (complainant); and where the existence of such a relationship shall be based on a consideration of the following factors: length of the relationship, the types of relationship, the frequency of the interaction between the persons involved in the relationship. 34 U.S.C. 12291(a)(10)
- c. Domestic Violence as defined as a crime of violence, felony or misdemeanor, committed by a current or former spouse or intimate partner of the victim (complainant), by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim (complainant) as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. 12291(a)(8)
- d. Stalking as defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. 34 U.S.C. 12291(a) (3o).

Individuals who have actual knowledge of incidents that involve the stated actions are required to report the matter to the Title IX Office, Deputy Title IX Coordinators, CSAO for Student Affairs/Dean of Students, or the LUPD. Complainants (victims) of sexual harassment have the right to file an informal or formal complaint, which is called a grievance, to the Title IX Office.

### **No Trespassing**

The University follows the guidelines and procedures outlined in RSMo. Sec. 569.140 concerning a violation of "No Trespass" on a University campus.

A person may be issued a "No Trespass" order when any of the following circumstances exist:

- The person is not a student, current University employee, or legitimate visitor;
- The person was arrested on University property for committing a felony or misdemeanor;
- The person is found in a University building in violation of University regulations and it is apparent to the officer or other officials that there is intent to commit a crime within the building;
- The person has exhibited conduct such that the person's presence on the campus, in the opinion of the officer or other University officials, constitutes a threat to the safety or welfare of the University;

- The person refuses to produce identification as requested (when under circumstances where an innocent person could reasonably be expected not to refuse), and further investigation and/or assistance from outside agencies may be required to properly identify the person;
- The person has no legitimate purpose (academic or visitation) for being on campus;
- The person is causing a disturbance or is disrupting the tranquility of any area of the campus;
- The person is found in possession of a weapon or explosive;
- The person is found in possession of alcohol or drugs;
- The person is a student who has been suspended or expelled.

Both pedestrians and vehicles may be stopped if an officer or other University official suspects that any of the above conditions may exist.

Written notification of “No Trespass” will be given to any person found in violation of this policy. A person may be placed on “No Trespass” for a specific building, area, or the entire University campus. “No Trespass” notices issued by officers will remain in effect for five (5) days only. During that time period, the notice will be reviewed by the Vice President for Campus Culture ("VPCC"). If the VPCC determines the “No Trespass” order should be extended beyond the five (5)-day period, a recommendation will be forwarded to the President or her/his designee. A “No Trespass” order of five (5) days can be extended up to a period of one (1) year or longer, if approved by the President. If the order is approved, a registered notification will be sent to the individual being denied access to the campus or its buildings. (The complete written notice procedure is available from the LUPD.)

When issuing a notice of “No Trespass,” officers shall act with as much restraint and courtesy towards the person stopped as that person will allow. Officers and other University administrators may exercise this authority in any place where they have a right to be pursuant to their official job and duties.

Juveniles will be given notice of “No Trespass” through the Prenger Family Services Juvenile Center. Juveniles found on campus in violation of “No Trespass” will be turned over to the juvenile authorities immediately.

Any person given written notice of “No Trespass” may appeal in writing within seventy-two (72) hours of the notice being issued. All appeals will be addressed to the President of the University who will either deny or approve the appeal. The President may also refer appeals to the Vice President of the University with primary interest in the case. For example: A person given a “No Trespass” notice in a residence hall area would appeal through the VPSA`.



### **Animals on Campus**

The LUPD enforces all Jefferson City ordinances regarding animals. Animal owners are expected to abide by city ordinances while on campus. In addition, the following policies regarding animals are in effect:

1. All pets must be leashed and under the control of an adult. Except for animals trained to assist persons with disabilities, all pets which are unleashed or leashed and unattended on University property is subject to impoundment.
2. Pets on a leash and under the control of a responsible person are permitted on University grounds but are not permitted within University buildings, at the stadium, or around groups of people. A loose pet trailing a leash, or one tied to a fixed object, is not considered under the control of a responsible person.
3. Except for animals trained to assist persons with disabilities and animals in use in University facilities for official research, classroom, or observation purposes, dogs and other pets are not permitted within a University owned or leased building. Any pet found within a University owned or leased building may be impounded.
4. Impounded dogs or other pets may be reclaimed by the owner at the Jefferson City Animal Shelter upon payment in full of all costs incurred as a result of the impoundment, including any veterinary expenses.
5. Pets left unattended in motor vehicles on University property are subject to the same rules and regulations if they become a nuisance or if the welfare of the animal(s) is threatened.

### **Tobacco Free Campus**

The University strives to present a healthy, safe and clean campus environment for its students, employees and visitors. For this reason, use of any tobacco product, including, but not limited to, cigarettes, smokeless tobacco, marijuana, and e-cigarettes is prohibited on campus. This policy applies to all buildings on and off the main campus whether owned or leased by the University, University vehicles, open-air spaces and common areas.

### **Solicitation**

Commercial solicitation is prohibited in and on all University property. For purposes of this policy, solicitation shall mean the sale of, or offer for sale of, any service, article, or thing whatever to any person or University property by any agent, peddler, or other person. Exceptions to this rule may be made by the President of the University only. This prohibition shall not apply to any University group officially recognized as a campus organization by the University.

## **XVII. Termination**

### **Job Abandonment**

Any employee who has been absent from the workplace for a period of three consecutive

workdays without prior authorization or approval for such absence and under conditions which are not subsequently found to justify approval under existing University policy, shall be deemed to have abandoned her/his University employment.

Job abandonment shall be sufficient cause for immediate termination of University employment. A recommendation for termination for reason of job abandonment shall be initiated by the immediate supervisor and transmitted through the appropriate administrative levels for approval by the President of the University.

Termination notice in a case of job abandonment shall be given at the sole discretion of the President of the University.

### **Resignation or Voluntary Termination**

Non-exempt staff employees who choose to terminate their employment with the University are required to give their supervisors a minimum of two (2) weeks prior notice to the last day of employment. Exempt employees who choose to terminate their employment with the University are required to give their supervisors a minimum of four (4) weeks prior notice to the last day of employment. Employees are expected to work during their notice periods and may not use any form of paid leave during the notice periods. Employees who fail to provide the required notice will be deemed ineligible for rehire and will only receive one-half (1/2) of any accrued annual leave available to them at the time of their separation.

In certain circumstances, when an employee gives notice of resignation, the University may require the employee to leave immediately or on any other date prior to the employee's intended last day of work. This decision will be based on the best interest of the University and not as a reflection on the employee. When such decision is made, the employee will receive pay in lieu of notice.

### **Retirement**

Employees who plan to retire are asked to provide the University with a minimum of three (3)-months' notice. This is to allow ample time for the employee withdrawal process as well as the processing of appropriate retirement benefit forms to ensure that retirement benefits to which the employee may be entitled commence in a timely manner.

A letter of retirement should be submitted to the employee's immediate supervisor and the retirement notification should then be forwarded through appropriate administrative channels to the Human Resources Office.

### **Dismissal or Involuntary Termination**

A staff employee, without a contract or appointment for a specified term of employment, can be terminated at any time, for any reason or no reason, but not for an illegal reason. When the University determines that it is in its best interest to terminate an employee, the employee will

receive a notice of termination from the President. Terminations are to be treated in a confidential, professional manner by all concerned.

### **Employment Withdrawal Process**

The employee withdrawal process must be completed prior to the transacting of the employee's last payroll check to ensure that any indebtedness to the University has been reconciled. Indebtedness includes financial obligations, outstanding cash advances, traffic and library fines, University-owned equipment and uniforms, filing of grade reports, and return of keys and employee identification cards. The last paycheck will include all accrued annual leave unless the employee fails to give the required notice of his/her resignation. Sick leave will not be paid.

### **Withholding Pay for Indebtedness to the University**

Any debt reconciliation must be documented by the terminating employee's area supervisor and submitted to the Payroll Office so that wages can be withheld before the final paycheck processing period is completed. The recognized debt can be deducted from the employee's last regular paycheck if it is before the regular paycheck release date. The employee shall be paid equal to or exceeding the minimum wage amount for any unpaid wages after deduction for debt owed so that there is no violation of federal and state minimum wage law. Accrued annual leave payout, if applicable, may also be withheld for any debt owed the University by the employee.

### **Employment Verification**

Lincoln University will make every effort to maintain strict confidentiality of current and former employees' employment information. All contacts from outside parties, whether in person, by phone, or by mail or e-mail, requesting employment verification for current or former employees will be referred to the Human Resources Office. Staff in the Human Resources Office will require a written request, with signed authorization by the current or former employee, to allow for release of information. The employment information provided will include job title(s), dates of employment, and earnings.

## **XVIII. Time Off**

### **Annual Leave**

Staff employees in full-time positions (.75 full-time equivalency or higher) shall be entitled to accumulate annual leave as follows: Employees with less than ten (10) years of total University service earn ten (10) hours of annual leave each pay period with a maximum annual leave balance of 240 hours (i.e., a cap of thirty (30) days or two (2) times the annual total of fifteen (15) days).

Employees who have completed ten (10) years of total university service earn twelve (12) hours of annual leave each pay period with a maximum annual leave balance of 288 hours (i.e., a cap of thirty-six (36) days or two (2) times the annual total of eighteen (18) days).

Employees who have completed fifteen (15) years of total university service earn fourteen (14)

hours of annual leave each pay period with a maximum annual leave balance of 336 hours (i.e., a cap of forty-two (42) days or two (2) times the annual total of twenty-one (21) days).

The rate of accrual of annual leave is based on total uninterrupted years of service at the University, not on years in a particular position.

Employees may accumulate more annual leave than their allowed maximum until June 30 of any year. After June 30, any excess annual leave over an employee's maximum balance is reduced to the maximum, at which time the employee can begin accumulating above the maximum.

- Employees who earn ten (10) hours of annual leave: maximum annual leave balance is 240 hours.
- Employees who earn twelve (12) hours of annual leave: maximum annual leave balance is 288 hours.
- Employees who earn fourteen (14) hours of annual leave: maximum annual leave balance is 336 hours.

An employee entitled to annual leave that has resigned or otherwise separated from University service is entitled to only receive reimbursement for the amount of accrued annual leave which does not exceed the employee's maximum annual leave balance allowable accumulation. Any excess annual leave accrued after June 30 above the maximum annual leave balance shall not be paid to a separating employee. In addition, employees who fail to provide the required notice of their resignation will be deemed ineligible for rehire and will only receive one-half (1/2) of any accrued annual leave available to them at the time of their separation.

Employee requests for, or reports of, annual leave will be submitted to the employee's direct supervisor when the employee plans to be absent from the regularly scheduled hours of work or has been absent due to illness or an emergency. Such requests or reports will be made and recorded in increments of no less than fifteen (15) minutes.

Employee shall notify the Human Resources Office when the employee is unable to work because the employee is quarantined pursuant to federal, state, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. Employee shall discuss remote work options with their immediate supervisor. If Employee is unable to work due to illness, Employee shall utilize their sick, personal, and then annual leave. The University's existing FMLA leave and sick leave policies still apply to all other qualifying reasons for leave outside of this policy.

### **Personal Leave**

Staff employees are granted forty (40) hours of personal leave with pay each fiscal year, without carryover beyond the fiscal year. Personal leave for new hires will be prorated from the time of hire through the end of the fiscal year. All requests for personal leave must be approved by the

area supervisor, based upon the needs of the unit.

Employee requests for, or reports of, personal leave are submitted to the employee's immediate supervisor when the employee plans to be absent from the regularly scheduled hours of work or has been absent due to illness or an emergency. Such requests or reports will be made and recorded in increments of no less than fifteen (15) minutes.

Employees shall notify the Human Resources Office when the employee is unable to work because the employee is quarantined pursuant to federal, state, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees shall discuss remote work options with their immediate supervisor. If employees are unable to work due to illness, employees shall utilize their sick, personal, and then annual leave. The University's existing FMLA leave and sick leave policies still apply to all other qualifying reasons for leave outside of this policy.

### **Sick Leave**

Sick leave is a benefit provided to protect employees from loss of pay due to illness or injury which makes the employees unable to fulfill the responsibilities of their positions.

Sick leave is accrued at the rate of eight (8) hours per month of continuous full-time service and is accrued from the beginning of employment.

Sick leave accrues during any paid leave, including annual leave, sick leave, special leaves with pay, and as otherwise required by law. All employees must report use of sick leave from work to their immediate supervisor as soon as possible. If a sick leave request is made for more than three (3) consecutive workdays, a written doctor's statement must be provided by the employee to his/her immediate supervisor.

Upon termination of employment, employees shall not receive payment for accrued sick leave. Any unused accumulated sick leave balances will be reported to MOSERS for creditable service upon retirement.

The University participates in the State of Missouri's sick leave reciprocal program, which allows the transfer of unused accumulated sick leave for up to a five (5)-year period after employment termination.

An employee who suffers an injury and is eligible for time off work under Worker's Compensation may elect to receive Worker's Compensation and utilize sick leave pay from the University. The sick leave will be prorated and taken in conjunction with Workers Compensation. Sick leave accrual will be reduced accordingly.

The employee should complete the Request for Leave form and submit the form to the

employee's immediate supervisor when the employee plans to be absent from the regularly scheduled hours of work or has been absent due to illness or personal reasons. Such requests or reports will be made and recorded in increments of no less than fifteen (15) minutes. The supervisor and department head will sign the form and it will be submitted to the Human Resources Office for data entry into the employee's leave record.

Employees shall notify the Human Resources Office when the employee is unable to work because the employee is quarantined pursuant to federal, state, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees shall discuss remote work options with their immediate supervisor. If employees are unable to work due to illness, employees shall utilize their sick, personal, and then annual leave. The University's existing FMLA leave and sick leave policies still apply to all other qualifying reasons for leave outside of this policy.

### **Family and Medical Leave Act (FMLA)**

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a twelve (12)-month period and up to twenty-six (26) workweeks of unpaid leave to care for a covered service member recovering from a serious illness or injury. Lincoln University uses a rolling twelve (12)-month period for calculating leave that is measured backward from the date an employee uses any FMLA leave and the maximum FMLA leave for any purpose is twenty-six (26) workweeks. During FMLA leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position at the University.

#### **A. Employee Eligibility Criteria**

To be eligible for FMLA leave, an employee must have been employed by the University:

- for at least twelve (12) months;
- for at least 1,250 hours during the twelve (12)-month period immediately preceding the commencement of the leave; and
- at a worksite (a) with fifty (50) or more employees; or (b) where fifty (50) or more employees are located within seventy-five (75) miles of the worksite.

Any employees performing military services will have their leave hours counted toward the 1,250-hour requirement.

B. Events Which May Entitle an Employee to FMLA Leave

FMLA leave may be taken for anyone, or for a combination of, the following reasons:

- the birth of the employee's child or to care for the newborn child;
- the placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- to care for the employee's spouse, child or parent (but not in-law) with a serious health condition;
- the employee's own serious health condition;
- qualified exigencies arising out of a spouse's, child's or parent's active military duty or notification of an impending call or order to active duty; and/or
- to care for a covered service member who is the employee's spouse, parent, child or nearest blood relative, recovering from an injury or illness that the service member incurred in the line of active duty in the armed forces which made such service member medically unfit to perform the duties of his/her office, grade, rank or rating.

The definition of spouse shall be interpreted in compliance with federal law to include lawfully married couples, whether opposite sex, same sex or married under common law.

C. Limitations on FMLA Leave

Leave to care for a newborn or for a newly placed child must conclude within twelve (12) months after the birth or placement of the child.

FMLA leave for any employee shall be up to twelve (12) workweeks within a twelve (12)-month period for one (1) or more of the following: the birth of the employee's child or to care for the newborn child; the placement of a child with the employee for adoption or foster care or to care for the newly placed child; to care for the employee's spouse, child or parent (but not in-law) with a serious health condition; the employee's own serious health condition; or qualified exigencies arising out of a spouse's, child's or parent's active military duty or notification of an impending call or order to active duty.

FMLA leave for any employee shall be up to twenty-six (26) workweeks within a twelve (12)-month period when such leave is taken to care for a covered service member who is the employee's spouse, parent, child or nearest blood relative, recovering from an injury or illness that the service member incurred in the line of

active duty in the armed forces which made such service member medically unfit to perform the duties of his/her office, grade, rank or rating. When an employee takes FMLA leave for the purpose referenced in this paragraph, the employee also shall be allowed to take FMLA leave as allowed in the aforementioned paragraph, for a combined total of twenty-six (26) workweeks in any twelve (12)-month period.

When both spouses are employed by the University, they are together entitled to a combined total of twelve (12) workweeks of FMLA leave within the designated twelve (12)-month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child or to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and twelve (12) workweeks, but not more than a total of twelve (12) workweeks per person).

When both spouses are employed by the University, they are together entitled to a combined total of twenty-six (26) workweeks of FMLA leave within the designated twelve (12) month-period to care for a covered service member who is the employee's child or nearest blood relative recovering from an injury or illness that the service member incurred in the line of duty or a combination of the aforementioned leave and leave otherwise allowed under the prior paragraph. Each spouse may be entitled to additional FMLA leave for any other FMLA qualifying reasons (i.e., the difference between the leave taken individually for the reason set forth in this paragraph and the twenty-six (26) workweeks, but not more than a total of twenty-six (26) workweeks per person).

D. Requests for FMLA Leave

An employee should request FMLA leave by completing a Request for FMLA Leave form and submitting it to the University's Human Resources Office.

When leave is foreseeable for childbirth, placement of a child of planned medical treatment for the employee's or family member's serious health condition or related to qualifying exigencies arising out of a covered family member's active military duty or notification of an impending call or order to active duty, the employee must provide the University with at least thirty (30) days advance notice, or such shorter notice as is practicable (i.e., within one (1) or two (2) business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide the University with notice of the need for leave as soon as practicable (i.e., within one (1) or two (2) business days of learning of the need for the leave).



E. Notification and Certifications

When requesting leave, employees must provide sufficient information to permit the University to determine whether the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees also must indicate if the requested leave is for a reason for which FMLA leave was previously taken or certified.

The University will give an employee who requests leave a "Notice of Eligibility" and a "Rights and Responsibilities" notice within five (5) business days after indicating the need for leave. These notices explain the employee's eligibility and expectations under FMLA leave. The University will provide any required certification form to the employee with this notice if the University requires the employee to submit a completed certification form in order to qualify for FMLA leave. The University may waive the employee's requirement of obtaining a certification in its discretion.

The employee must return the requested FMLA certification to the Human Resources Office within fifteen (15) calendar days. The Human Resources Office will review the certification and determine whether sufficient information has been provided, or if deficiencies need to be corrected. If deficiencies are noted on the certification, the employee will be given seven (7) calendar days to correct any deficiencies.

When a complete and sufficient certification has been returned (or when the employee has otherwise provided sufficient information to designate the absence as FMLA), the University will provide the employee with a "Designation Notice" within five (5) business days of its determination of whether the leave qualifies for FMLA. If applicable, the University will describe the conditions of the leave and the requirements for employee returning to work in the notice.

The University reserves the right to require a second or even third medical opinion for all medical conditions except those occurring to a covered servicemember injured in the line of service, at the University's expense. Employees also may be required to provide periodic recertification supporting the need for leave as allowed by law and may be required to report periodically on their status and intent to return to work. The University may waive the certification requirement at its discretion.

If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the University with reasonable notice (i.e., within two (2) business days) of the employee's changed circumstances and new return to work date. If the

employee gives the University notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

All employees are not allowed to engage in any work for another organization or employer or participate in any personal business activities during University's normal business hours while on leave under the Family and Medical Leave Act without securing the advance approvals.

F. Use of Paid and Unpaid Leave

The FMLA provides eligible employees with up to twelve (12) or twenty-six (26) workweeks of unpaid leave dependent on the reason for the requested leave. If an employee has accrued paid leave (e.g., sick leave, vacation leave, personal leave), the employee must use any qualifying paid leave first in the order previously referenced. "Qualifying paid leave" is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. The remainder of the twelve (12) or twenty-six (26) workweeks of leave, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. The substitution of paid leave for unpaid leave does not extend the twelve (12) or twenty-six (26) workweeks leave period.

G. Designation of Leave

The University will notify the employee that leave has been designated as FMLA leave. The University may provisionally designate the employee's leave as FMLA leave if the University has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified the University of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the employee must notify the University's Human Resources Office within two (2) business days of the employee's return to work that the leave was for an FMLA reason.

H. Maintenance of Health Benefits

During FMLA leave, an employee is entitled to continued group health plan

coverage under the same conditions as if the employee had continued to work. To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums must be paid by the employee to Missouri Consolidated Health Care Plan (MCHCP). An employee who is on leave is responsible for making his/her periodic payment of required contribution to the University at the following address: PO Box 104355, Jefferson City, MO 65110-4355. While on unpaid FMLA leave, employees also must continue to pay their portion of all other premiums for any other benefits which would otherwise be automatically deducted from their wages.

I. Return from FMLA Leave

Upon return from FMLA leave, the University will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms as required by law. An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The University reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid ten percent (10%) of the University's employees employed within seventy-five (75) miles of the worksite ("key employees"), if such denial is necessary to prevent substantial and grievous economic injury to the University's operations.

J. Failure to Return to Work Following FMLA Leave

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The University may recover health insurance premiums that the University paid on behalf of the employee during any unpaid FMLA leave except that the University's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, the University may require the employee to provide medical certification of the employee's or the family member's serious health condition.

In all instances of continuous FMLA leave, the employee on leave will not perform any functions for the University while on leave. The employee's supervisor shall promptly transfer the employee's responsibilities while he/she is on leave to ensure that such responsibilities are performed by another employee during such leave.



### **Medical Leave Not Under FMLA**

Medical leaves, including maternity leave, not taken under the FMLA may be taken at the request of the employee and upon approval of the employee's immediate supervisor and the University President. Requests for leave are to include the period of absence and a doctor's certification stating the need for medical leave, duration of leave required, and expected date of return to work.

Medical leave may be paid leave utilizing any accrued sick, vacation leave, and personal leave time. Medical leave without pay may be requested and approved by the employee's immediate supervisor and the President. Unpaid leave periods would require the employee to cover the cost of employee benefits during the time away from work.

In all instances of continuous medical leave not under FMLA, the employee on leave will not perform any functions for the University while on leave. The employee's supervisor shall promptly transfer the employee's responsibilities while he/she is on leave to ensure that such responsibilities are performed by another employee during such leave.

### **Maternity Leave**

Maternity leave can be taken under the University's FMLA leave or Medical Leave Not Under FMLA policies.

### **Leave in Regards to Termination**

When a leave of absence occurs for disability or medical leave situations, the University will provide employer-paid benefits of health, retirement and life insurance during the initial six (6) months of any approved medical/health leave; long-term disability benefits are available to those who qualify after 180 days. After one (1) year of authorized disability or medical leave, an employee may be terminated or granted a continuation of the leave by the President.

Employees that are terminating or transferring to the State of Missouri for employment may transfer unused vacation or sick leave to the state agency with a written request form to the Human Resources Office of allowance by the agency.

### **Military Leave**

An employee requesting uniformed services leave with pay must provide written documentation or orders to her/his immediate supervisor and the Human Resources Office at least two (2) weeks in advance of the scheduled training or service, specifying the reason and duration of the leave.

Employees who are members of the National Guard or Reserve units will be granted uniformed services leave with pay not to exceed fifteen (15) regular workdays in any calendar year. Travel time required for reporting to the place of duty is included in the fifteen (15)-day allowance. Vacation or personal leave may be used for any training or service in excess of fifteen (15) workdays subject to the approval of the area supervisor.

This policy covers all regular full-time and regular part-time employees who serve in the Armed Forces, Army, National Guard, or reserve component of the Armed Forces as it relates to military service requests. The policy is in accordance with federal law of the Uniformed Services Employment and Re-Employment Rights Act of 1994 and the Missouri Revised Statute, 105.270. This policy covers an employee's compensation, benefits, retirement eligibility, length of service, and reinstatement to employment rights.

Extended uniformed services leave without pay will be granted to employees performing active military or national defense service. Cumulative uniformed services leave is limited to five (5) years throughout employment at the University. Employees can continue benefits coverage while on unpaid leave, to include health insurance coverage through COBRA, continued basic life insurance, and long-term disability for a year at their expense. Upon reinstatement, time served during the uniformed services leave will be credited toward the retirement service accrual with proper documentation. Employees are entitled to apply earned but unused vacation or personal leave to their service leave before beginning the unpaid portion. Vacation, personal leave, and sick leave do not accrue while on leave.

Upon honorable completion of military service, employees are entitled to be reinstated to the position they held prior to military leave or to an equivalent position for which they qualify. If disabled by reason of uniformed service, employees are entitled to be reinstated to their former position or a position of similar pay and status for which they are qualified, with reasonable accommodation. Upon reinstatement, employees' compensation, benefits, retirement eligibility, and length of service will be reinstated as if they had been continuously employed during the service leave period. Compensation will reflect any increases and annual across-the-board pay adjustments, or promotions by reason of seniority that reasonably would have been expected to take effect if the employee had not been on leave. To be eligible for reinstatement, employees must apply within the time periods outlined in the Uniformed Services Employment and Re-Employment Rights Act of 1994.

If, through no fault of the employee, it is impossible or unreasonable to apply for reinstatement within the prescribed period, the employee may report as soon as possible following the period, without forfeiting the employee's reinstatement rights.

Upon reinstatement, an employee is protected from discharge without cause for a period of time tied to the length of uniformed service. One (1) year of protection is provided if the period of uniformed service was more than 180 days. Six (6) months protection is provided for service of

31 to 180 days. There is no protection period for service of less than 31 days.

### **Time off to Vote**

All employees are entitled to time away from work to vote without affecting accrued vacation, sick, or personal leave time. All polling locations are open from 6:00 a.m. to 7:00 p.m. University employees are encouraged to exercise their right to vote between the hours of 6:00 a.m. and 9:00 a.m. or 4:00 p.m. and 7:00 p.m. If an alternative schedule is needed for employees to vote, employees are asked to communicate with their immediate supervisor at least one (1) week in advance of such vote regarding the time needed to visit their designated polling locations.

### **Jury Duty and Court Witness Leave**

Regular full-time employees are eligible for paid jury duty leave up to a maximum of ten (10) days within a rolling year. An employee will be granted leave with pay when required to be absent to serve on a jury or when subpoenaed to serve as a witness related to any matter involving the University before a court, commission, or legislative committee. Employees who are called to such service must show the jury notice or subpoena to their immediate supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. A copy of the jury notice or subpoena must be forwarded to Human Resources Office for the employee's personnel file. Employees are expected to report to work whenever the court schedule permits.

The University will continue to provide University-paid health insurance benefits for the full-term of the jury duty/witness absence. Vacation, sick leave, and holiday benefits will continue to accrue during jury duty/witness leave. The employee may request an excuse from jury duty if the employee's absence would create serious operational difficulties.

Paid court leave is not available to employees appearing on their own behalf or in an action in which they are named as the plaintiff or defendant. Absences from work for court appearances not pursuant to a subpoena must be taken as vacation leave, personal leave, or unpaid leave.

### **Domestic/Sexual Violence Victim Leave**

The University complies with the Victims Economic Safety and Security Act ("VESSA") and to assist employees affected by domestic or sexual violence with job-protected leave and accommodations. All employees who are the victim of domestic or sexual violence or who have a family or household member who is a victim of domestic or sexual violence are eligible for leave benefits under this policy. For purposes of this policy, the term "family or household member" shall mean "a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, or other person who shares a relationship through a son or daughter, and persons jointly residing in the same household" who is a victim of domestic or sexual violence.

An eligible employee may take up to two (2) weeks of unpaid leave per year. An employee's leave need not be taken on consecutive days. Eligible employees may take unpaid leave from work to address domestic violence or sexual abuse by: (1) Seeking medical attention for, or recovering

from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member; (2) Obtaining services from a victim services organization for the employee or the employee's family or household member; (3) Obtaining psychological or other counseling for the employee or the employee's family or household member; (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or to ensure economic security; or (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Requests for leave under this policy shall be made to the Human Resources Office. Unless prior notice is not practicable, all leave shall be requested at least 48 hours in advance of the need for such leave. If prior notice is not practicable, an eligible employee may provide certification of the need for leave within a reasonable period after the leave is taken. Eligible employees taking leave under this policy must provide certification that (1) the employee or the employee's family or household member is a victim of domestic or sexual violence, and (2) that the leave is for one of the qualifying reasons set forth above. The employee must provide the certification within a reasonable period after the University requests certification. Certification includes a sworn statement of the employee, as well as corroborating evidence. Corroborating evidence may come in the form of a police or court record, documentation from a victim's services organization, attorney, a member of the clergy or medical personnel. All documentation provided under this policy shall be maintained in the strictest confidence. Such information will only be disclosed with consent of the employee or as required by law.

The University will not retaliate or discriminate against any employee for taking leave under this policy. Upon completion of leave, an employee will be reinstated to the same job held prior to leave or an equivalent position. The University will maintain the employee's health insurance throughout any unpaid leave; however, the University may recover from the employee the premium that the University paid for maintaining such coverage if the employee fails to return to work for a reason other than a continuation or recurrence of a reason that entitled the employee to VESSA leave or circumstances beyond control of the employee. If the employee has exhausted all available leave and is still unable or unwilling to return to work, the University may terminate the employee unless he/she is eligible for rights and protections under other laws or other University policies.

The University also will grant reasonable safety accommodations to employees affected by domestic or sexual violence to the employee for their family or household member so long as the accommodation does not pose an undue hardship on University's operations. Reasonable safety accommodations are adjustments to a job structure, workplace facility, or work requirement, including a transfer, reassignment, modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure, or assistance in



documenting domestic violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic violence. In order to request a Reasonable Safety Accommodation, an eligible employee must provide the Human Resources Office a written statement signed by the employee or an individual acting on the employee's behalf, certifying that the reasonable safety accommodation is for a purpose authorized under the VESSA. The University reserves the right to deny such requests to the extent they impose an undue hardship on the University.

### **Emergency Closure and Transition to Remote Operations**

As a major institution with 24/7 operations, the University will typically not close. However, under certain unusual and emergency circumstances, the University may cancel on-campus classes, suspend some or all administrative and academic functions, and/or transition to remote operations. Certain continuous operations may need to remain operating on-site. Special pay procedures may apply depending on the type the closure.

During periods of campus emergency, as determined by the President, the President may place into immediate effect any emergency regulations, procedures and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property and maintain educational activities.

### Types of Closures

- **On-Site Closure and Transition to Remote Operations:** Classes are cancelled on-campus, most buildings are closed, and the majority of academic and administrative functions are transitioned to remote operations. During a closure, employees (except those required to work on-site) are instructed that they should telework pursuant to the University's telework policy which may include delivery of courses online. Additionally, certain continuous operations may need to remain operating on-site (e.g., emergency services, facilities and grounds maintenance and student services). The necessity or feasibility of maintaining on-site operations will vary by the circumstances causing the closure, such as weather, health conditions, natural or human-induced disasters, major utility failures, etc.
- **On-Site Limited closure:** Only specifically designated building(s) are closed due to an emergency that impacts a limited portion of the campus. In the event of an emergency where only designated buildings are closed, the expectation is that employees will continue to perform assigned duties. Every attempt will be made to facilitate the performance of those duties through temporary relocation, work from home or other arrangements which allow an employee to perform assigned duties.

All announcements will be released by the President through established processes. Only the President has the authority to close a campus. The President, or his/her designee, has the authority to approve a limited closure.

The President and his/her designees are responsible for designating employees as critical to the operation of the University who may be required to work on-site during a closure. Employees who are required to work on-site may differ, depending on the nature of the situation. The President and his/her designees are responsible for designating employees who may be required to work remotely during a closure. Employees who are not required to work on-site will be advised to work from another location so that emergency activities may be conducted more efficiently. Department and unit leaders or their designees are responsible for communicating to employees which positions are required to work on-site and those which are required to work remotely during on-site closures. It is the general expectation that most positions will work remotely if operationally feasible and not needed on-site.

#### Benefit-Eligible Non-Exempt Employees

Employees who are required to work on-site during closure will receive premium pay. Premium pay will be paid at time and a half for all hours actually worked. Those hours actually worked will count toward the calculation of weekly overtime pay. If employees are required to work less than their regular schedule, they will receive administrative pay for those hours they are not required to work up to their regular FTE (based on the regular daily work schedule). Employees who are required to work remotely during a closure will receive their regular pay for hours worked and are not eligible for premium pay or administrative pay. Use of paid time off (e.g., annual leave) is required if an employee is absent from required on-site work and/or remote work. Should a closure extend beyond five (5) days, employees who are required to work on-site or via remote work may use available accrued annual leave, personal days, or sick leave (as appropriate). Employees may, with supervisory approval, take leave without pay.

#### Benefit-Eligible Exempt Employees

Employees who are required to work on-site or via remote work during the closure will receive their regular pay (based on their normal schedule). Exempt employees are not eligible for premium pay for hours worked during a closure. Employees who are not required to work on-site or via remote work during closure will be granted administrative pay to continue their regular pay for up to five (5) workdays per closure. Pay is based on their normal daily work schedule and regular FTE. Should a closure extend beyond five (5) days, employees who are not working on-site or via remote work may use available accrued annual leave, personal days, sick leave (as appropriate) or take leave without pay (with approval).

#### Variable Hour and Student Employees

Variable hour and student employees who do not work during a closure will not be paid. Supervisors should work with those employees to make up the time if possible. Such employees may be requested to work and will be paid under normal pay procedures for hours worked.

#### **Pay Procedures for a Limited On-Site Closure**

#### Benefit-Eligible Exempt and Nonexempt Administrative, Service, and Support Staff, and

### Benefit-Eligible Non-Exempt Academic Employees

Employees who are directed to leave the worksite and are unable to perform their duties at a different location (including telework) will be granted administrative leave to continue their regular pay for up to five (5) workdays per closure. Pay is based on their normal daily work schedule and regular FTE. Employees who are required to work on-site or via remote work during a limited closure will receive their regular pay. If they are required to work less than their regular schedule, employees will receive administrative pay for those hours they are not required to work up to their regular FTE. Hours worked prior to the closure and/or travel time to/from home are not counted as hours worked and are not eligible for administrative pay. Should a limited closure extend beyond five (5) days, employees may use available accrued annual leave, personal days, sick leave (as appropriate), or take leave without pay.

### Variable Hour and Student Employees

Variable hour and student employees who do not work during a limited closure will not be paid. Such employees may be requested to work and will be paid under normal pay procedures for hours worked.

### **Non-Academic Holiday Schedule**

A set schedule of sixteen (16) holidays will be observed during each fiscal year. The non-academic holiday schedule is approved by the Board of Curators before the beginning of the fiscal year. These recognized holidays are: Independence Day, Labor Day, Veterans Day, Thanksgiving Day and the day after, Christmas Eve Day and Christmas Day, New Year's Eve Day and New Year's Day, Martin Luther King's Birthday, Lincoln's Birthday observed, Spring Recess Week (two (2) days off), a free day designated on Good Friday, Memorial Day, and Juneteenth.

All regular full-time and part-time employees who are employed at the time of a recognized holiday will receive time-off pay for the holiday. Temporary employees will not be paid time off for a holiday. Employees will receive their regular salaries or wages for any day on which there is a holiday and on which no work is required. Holidays which occur during an approved paid leave of absence will be paid. Holidays that occur during an approved unpaid leave of absence will not be paid.

Holidays observed by the University which occur on Sunday shall be observed on the following Monday; holidays that occur on a Saturday will be observed on the Friday immediately preceding the designated holiday. On holidays, all employees, except those engaged in essential services (Power Plant operations, LUPD, University Farms, KJLU-FM, Page Library, PBX Operations, and dormitory operations when the residence halls are open), are excused from duty. The essential service units shall determine appropriate staff holiday schedules.

All full-time essential service employees who are normally scheduled to work on a holiday will be paid double time for performing their duties on that day. Any essential services employees who do not work the holiday will be paid their regular rate for the holiday. Essential services

employees whose normal day off occurs on the holiday are entitled to that holiday and are entitled to receive additional compensation equivalent to one (1) day of pay at their regular rate.

### **Religious Holiday Accommodation**

In accordance with federal law, the University will make reasonable accommodation for employees' observations of religious holidays as long as such accommodation does not cause undue hardship to the department or unit. Employees must submit personal or vacation leave requests, or when possible, arrange alternative scheduling within the unit in advance in order for the accommodation request to be considered. If an employee's supervisor determines that the absence would cause undue hardship to the unit, the supervisor must provide written justification.

### **Lactation/Breastfeeding**

Any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby at work for one (1) year after the child's birth. The University will designate rooms located at its office locations for this purpose. Employees are responsible for self-storing breast milk and assume all responsibility for the safety of the breast milk and the risk of harm for any reason, including improper storage or tampering. Nursing mothers wishing to use a nursing room must request/reserve the room by contacting their immediate supervisor.

Employees may use their assigned breaks for this purpose. Non-lunch breaks for nonexempt employees more than twenty (20) minutes in length will be unpaid, and non-exempt employees should indicate any breaks exceeding this time period in their time records as unpaid leave.

## **XIX. University Resources**

Staff employees will find the following University resources useful in carrying out their day-to-day job duties. While the University has a vast array of resources, these are resources that are of common interest to staff employees.

### **Professional Development Training**

Employees can get assistance in accessing individual training needs through several campus resources. A brief description of each resource is found below:

1. The Center for Teaching and Learning serves as the hub for professional development for faculty and staff to address institutional directives and personal growth goals in academia. The Center provides resources and support so faculty/staff can implement evidenced-based practices to improve the student experience and increase recruitment/retention rates. In addition, the Center highlights trends in higher education that will help the institution optimize its resources and operate more efficiently.
2. The Human Resources Office facilitates many types of training or orientation sessions for employees.

3. Through the Title III Professional Development Institute, faculty and staff will be able to participate in workshops and seminars on and off campus for personal and professional development, take graduate courses and attend professional meetings and conferences and other activities designed to assist faculty and staff to continue learning and growing in keeping with new and innovative strategies focused on academic excellence. Funds are also available for departments and other units for workshops/seminars for their staff. Each request is considered on an individual-basis and is evaluated on the potential merit for professional enhancement for University faculty and staff. In order to increase training and skills to help better serve the diverse student body at the University, Title III has incorporated a Train-the-Trainer Program. All full-time faculty and staff, who agree to attend a workshop, conference, seminar or meeting and, upon their return to campus, share the information in a formal session with colleagues and coworkers, may receive financial support.

### **University Website**

Each department is responsible for the accuracy and timeliness of the information and images on their page. All University departments should designate a person to monitor the department's page. Content updates should be submitted to the Office of University Relations through the website request form: <https://bit.ly/LU-webupdate-form>.

### **Mail Room**

The University Mail Room is located at Shipping and Receiving. All incoming and outgoing campus mail comes through the Mail Room. Each department has a designated mailbox and is responsible for retrieving it on a daily basis. Large-volume mailers should contact the Mail Room (681-5144) for specific instructions. A return address is mandatory to ensure proper handling in address correction. Use of campus mail for personal business is prohibited.

### **Food Services**

The Campus Dining Services are located in the Scruggs University Center (SUC). It is a full-service cafeteria on the first floor operated by Sodexo, the University food service provider.

Credit or debit cards are accepted. Special event catering or snacks for a meeting are also available through Sodexo.

## **XX. Business Operations Information**

Staff employees will find useful the following business operations in carrying out their day-to-day job duties. While the University has many business operations, these are business operations topic of interest to any staff employee.

### **Fall Institute**

The University campus community congregates every year in August for the annual Fall Institute.

This is an opportunity for both faculty and staff to hear updates on activities, share ideas and experiences, and receive training on topics of interest.

### **Rules and Regulations**

Staff employee appointments and employment are in accordance with the Board of Curators' approved University Rules and Regulations. The Rules and Regulations and all policies therein are approved by the Board of Curators. A complete copy of the Rules and Regulations can be found on the University website.

### **Travel**

Employees should fill out a Travel Authorization Request for submittal to their supervisors, and submit a Leave Request form, as applicable. Employees are responsible for complying with University travel policies and procedures and should exercise the same care in incurring University travel expenses as they would in personal travel. This policy applies to all travel expenses regardless of the source of funds. When travel costs are to be funded by a sponsored project award, the terms of the applicable award will take precedence if they are more restrictive than University policy. At their discretion, University departments/divisions may impose more restrictive guidelines for budgetary or control reasons, but they may not be less restrictive than guidelines stated in this policy and its respective procedures. The VPAF shall be responsible for developing operating procedures to implement this policy in accordance with IRS regulations.

Employees planning travel should book their travel at least two (2) weeks in advance whenever possible. If the travel requires out-of-state air travel, the employee should book their tickets twenty-one (21) days in advance to ensure the best rate. When booking hotels or determine Per Diem Rates, the Missouri CONUS rates should be followed unless an exemption has been issued by the VPAF allowing the rate to be exceeded.

Employees that are regularly required to travel as a part of their job should submit expense forms within fifteen (15) calendar days following the month of the travel. This does not prohibit employees from requesting reimbursement sooner if needed. All other employees are to request reimbursement within fifteen (15) calendar days following their travel. Failure to timely submit a reimbursement request may result in the employee being personally responsible for their travel expenses. Exceptions to the fifteen (15)-day requirements may be granted by the President or VPAF.

Travel expenses for airfare, rental vehicles and lodging should be booked on a University purchasing card or direct billed to the University to avoid the employee having to personally incur the expense.

Cash advances for travel are not allowed except under the following conditions:

- Intercollegiate team travel
- International travel

- Travel including students

### **Purchasing Office Supplies**

Department heads will designate staff responsible for ordering supplies for their departments. Departments will complete a requisition for the purchasing of office supplies and should work with the University's Purchasing area as needed to identify primary vendors used by the University. Once a requisition is completed, a purchase order is generated and the supplies are ordered by the University's Purchasing Department. When the supplies arrive at the Purchasing Department, they will be delivered to the department. Detailed purchasing guidelines are located on the Purchasing Department's webpage.

### **Accounts Payable**

Staff employees may have occasions when Accounts Payable processes a check for them. Accounts Payable typically runs checks on Wednesday during the school semester and during the summer. In order for Accounts Payable to process an employee's requests, the following **MUST** be met:

- A requisition must be entered in Colleague. See the Datatel Requisition Manual for more information.
- The requisition must be approved by all required approvers (see the Approvers section of the Datatel Requisition Manual for more information).
- The requisition must have a Purchase Order or Blanket Purchase Order number assigned to it. Purchase Orders must be accepted in Colleague by Shipping & Receiving.
- An Invoice, Check Request Form, or Request for Check Form must be received by Tuesday at 3:00 p.m.

### **Budget Process**

Staff members should be aware that departments conduct a budget process every year in the fall for the upcoming fiscal year beginning in July. The department process is one step of the total process for developing and securing University-wide budget approval. Department heads or directors will be determining the financial resources unit needs and submitting requests for any additional funds. Each department's budget is rolled into a broader division budget for review and approval by the University's Budget Committee. Therefore, it's very important to keep department heads or directors informed if additional funding resources are anticipated.

## **XXI. Work Schedule**

### **Work Hours**

The work week is generally considered to be 12:00 a.m. on Sunday through Saturday at 11:59 p.m.

With the exception of essential services personnel, the majority of full-time, nonacademic

personnel are employed for a forty (40)-hour work week, Monday through Friday from 8:00 a.m. to 5:00 p.m.

Staff employees are entitled to a fifteen (15)-minute break in both the morning and afternoon with a one (1) hour lunch break.

An employee's area supervisor has the discretion to alter the general hours of operation to fit the needs of the unit and/or the employee. Flex time is permissible upon an employee request and supervisor approval. The decision to grant flex time is based on the needs of the area.

The President may declare a four (4)-day, ten (10)-hour-per-day work schedule to be observed during the summer months. This will generally take place from mid-May through mid-August and the University's hours of operation will be from 7:30 a.m. to 6:00 p.m. Monday through Thursday with a thirty (30) minute lunch break and fifteen (15) minute morning and afternoon breaks.

### **Absences**

All staff absences should be done in accordance with the University's leave policies as found in the Time Off section.

When an employee knows in advance that he/she has a need to take time off of work and has accrued leave to cover the time off, the employee should complete the Request for Leave Form (found in the Blue Tiger Portal under HR Forms) and obtain his/her supervisor's approval.

When an employee is sick or has a personal situation that requires time off work and cannot give advance notice, the employee should notify his/her immediate supervisor by phone (if the immediate supervisor isn't available, then a department co-worker) at the beginning of the work day or as soon as possible. The Request for Leave Form should be completed and submitted to his/her immediate supervisor for approval immediately upon return to work.

If an employee is late to work by more than fifteen (15) minutes, without prior advanced notification and approval by his/her immediate supervisor, the employee should take accrued leave for the time missed.

For an employee that is non-exempt, the required time recording policy will be enforced.

If an employee has persistent and/or chronic tardiness or absenteeism from work, the immediate supervisor may implement a disciplinary process in accordance with the University's disciplinary process.

### **Essential Services**

Essential services personnel includes: those employees who are appointed to areas which operate



beyond normal workday hours or have alternative schedules which require special scheduling. These employees are expected to be available on weekends, during holidays, during special events and in emergencies. Essential services include Facilities & Planning, LUPD, University Farms, KJLU, ITS, and Residential Life operations when residence halls are open.

### **Overtime Provisions for Non-Exempt Employees**

Staff employees generally perform work on a standard forty (40)-hour work week, Sunday through Saturday. Some positions will require additional hours beyond the forty (40)-hour work week. There is not a limit on the number of hours in a day, or days in a week, an employee may be required or scheduled to work, including overtime hours. Employees determined to be non-exempt from overtime provisions of the Fair Labor Standards Act (FLSA) must receive overtime compensation for hours worked in excess of forty (40) in a work week at a rate not less than time and one-half their regular rates of pay.

The department authority is required to establish work schedules for her or his employees. In determining what activities constitute hours of work under the FLSA, regular working hours means the days and hours of an employee's regularly scheduled work week. The regularly scheduled work week is subject to change based on area needs but should be clearly announced as far in advance of the change as possible.

Overtime hours worked should be stated separately from the regular forty (40)-hour work week and calculated at time and one-half the hourly rate. Only hours worked in a work week can be viewed for overtime consideration.

The overtime requirement may not be waived by agreement between the department and the employee.

All overtime must be approved by the area supervisor in advance of the time it is earned. The supervisor is responsible to ensure the overtime work is completed prior to approval of overtime pay.

When the supervisor determines that circumstances warrant the request for overtime work, which could be either for an emergency situation of a temporary nature or a non-emergency when overtime is deemed the best way to handle the situation, the employee will be asked to work overtime. Employees of similar job functions should have equal opportunity or equal burden for overtime assignments, either by way of mandatory or volunteer assignment to perform overtime work. If the overtime work is mandatory, an employee system of designating required work will be devised by the area head so that all employees in that job category will have shared burden of work over a reasonable time. If an employee refuses to work mandatory overtime without sufficient justification of cause not to work, disciplinary action can be taken.

An employee shall be compensated for all overtime work. A quarter of an hour shall be the largest

fraction of an hour used for crediting irregular or occasional overtime work. When irregular or occasional overtime work is performed in other than the full fraction, odd minutes shall be rounded up or rounded down to the nearest full fraction of a quarter hour used to credit overtime work.

The University will provide a minimum of two (2) hours pay at time and one-half for irregular or occasional overtime work approved by the employee's direct supervisor and performed by an employee on a day on which work is not scheduled for that employee or for which the employee is required to return to work.

All time spent by an employee performing an activity for the benefit of the University and under the control or direction of the University is classified as "hours of work." Such time includes: time during which an employee is required to be on duty; time during which an employee is permitted to work; and waiting time or idle time which is under the control of an employer and which is for the benefit of an employer.

"Workday" means the period between the commencements of the principal activities that an employee is engaged to perform on a given day, and the completion of the principal activities for that day. All time spent by an employee in the performance of such activities are classified as hours of work.

Any rest period authorized by the University that does not exceed twenty (20) minutes and that is within the regular workday shall be considered hours of work. Bona fide meal periods are not considered hours of work.

An employee who travels from home before the regular workday begins and returns home at the end of the workday is engaged in normal "home to work" travel; such travel is not classified under hours of work. Time spent traveling shall be considered hours of work if:

- an employee is required to travel during regular working hours;
- an employee is required to drive a vehicle or perform other work while traveling;
- an employee is required to travel as a passenger on a one (1)-day assignment away from the official duty station; or
- an employee is required to travel as a passenger on an overnight assignment away from the official duty station during hours on non-workdays that corresponds to the employee's regular working hours.

Time spent in training during regular working hours shall be considered hours of work. Time spent in training outside regular working hours shall be considered hours of work if the employees are directed to participate in the training by the University and/or the purpose of the training is to improve the employees' performance of the duties and responsibilities of their

current positions.

Employees on standby or on call is on duty, and time spent on standby is classified as hours of work if, for work-related reasons, the employees are restricted by official order to a designated post of duty and are assigned to be in a state of readiness to perform work, with limitations on the employees' activities so substantial that the employee cannot use the time effectively for their own purposes. Employees will be considered off duty, and time spent in an on-call status shall not be considered hours of work if the employees are allowed to leave a telephone number or to carry an electronic device for the purpose of being contacted, even though the employees are required to remain within a reasonable callback radius; or the employees are allowed to make arrangements such that any work which may arise during the on-call period will be performed by other persons.

All non-exempt employees must have time and attendance kept within the organizational area. The supervisor may use any timekeeping method he/she chooses for tracking a non-exempt employee's time and attendance. The supervisor may use a time clock, have a timekeeper keep track of employee's work hours, or tell the employees to write their own times on a record. Any timekeeping plan is acceptable as long as it is complete and accurate and reflects arrival time, lunch breaks and departure time. Individual employee timesheets, approved by supervisors, will be submitted to the Payroll Office by the deadline set by the Payroll Office.

**APPENDIX A**

**LINCOLN UNIVERSITY  
RECEIPT FOR STAFF EMPLOYEE HANDBOOK**

**Employee Acknowledgement Form**

I acknowledge that I have received a copy of this Staff Employee Handbook ("Handbook") from Lincoln University ("the University"). I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

I understand that I should consult with my supervisor or the Office of Human Resources regarding questions not answered in the Handbook.

I understand the University reserves the right to modify, change, delete, supplement, rescind, or revise information contained in the Handbook at any time and as the University deems necessary or appropriate, at its sole and absolute discretion and with or without advance notice, so long as such changes are in compliance with federal and state laws. I also understand that efforts will be made to communicate significant changes in a timely manner and that such revisions may supersede, modify, or eliminate existing policies, procedures, and benefits.

Furthermore, I acknowledge that this Handbook is neither a contract of employment nor a legal document. In case of divergence from or conflict with the Bylaws and Rules and Regulations approved by the Board of Curators, the official Bylaws and Rules and Regulations will prevail.

Employee Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_