

Tennessee State University



PERSONNEL HANDBOOK

HUMAN RESOURCES OFFICE

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INTRODUCTION

This handbook is a guide to the responsibilities, principles, and benefits of employment at Tennessee State University (TSU). It is intended to be a general reference source and does not create a contract of employment. Due to constant changing of situations and conditions, the policies and practices contained within this handbook are subject to change at any time. Additional information is available in the TSU and TBR policies and procedures manuals. Copies of the TSU manual should be located in all departmental offices and are accessible by using the World Wide Web: (www.tnstate.edu/PersonnelHandbook). You may also call the Human Resources Office at 963-5281 for assistance.

The welfare of employees is extremely important to the success of TSU. However, it is recognized that, with the variety of departments within TSU, no single Handbook can cover all foreseeable questions. With this in mind, TSU tries to develop Policies that will ensure good working conditions, fair wages and hours, and appropriate security for all employees. Due to length, some detailed explanations and exceptions to policies have been omitted. Therefore, this handbook cannot be regarded as the official statement of policy from which interpretations are to be made.

This handbook addresses the benefits and privileges provided to full-time employees. Part-time employees may contact the Human Resources Office at 963-5281 for specific benefits and privileges.

EMERGENCY

Should a major incident and/or disaster threaten or occur on the campus of Tennessee State University, designated officials will be notified. Senior administrators will notify and coordinate the activities of the appropriate persons in their respective divisions. Each building or building complex has a security coordinator who will implement the necessary procedures to ensure the safety of persons and property in the building. All employees are required to cooperate with supervisors, TSU, and other officials in the event of an emergency.

Building Emergency: A condition during which a specific building or complex of buildings and its occupants are subjected to, or potentially subjected to, special precautions/ actions necessary to maintain order and to adequately safeguard University personnel and property.

Campus Emergency: A condition under which special precautions and/or actions are necessary to maintain campus-wide order and to adequately safeguard University personnel and property. A state-of-campus emergency will be declared and terminated by the President of the University or his designee.

Civil Disorder: An incident that probably will result in a major disruption of University activities, injuries to personnel and/or damage to University property.

Disaster: A sudden calamitous event that could cause great damage to the University and pose a serious threat to the safety of University personnel (e.g., tornado, earthquake).

Calling the Tennessee State University Police Department at 963-5171 may assist with handling on-campus emergencies. However, emergency calls may also be placed to the Metropolitan Nashville Fire and Police Department by dialing 9 and then 911.

IMPORTANT TELEPHONE NUMBERS

| DEPARTMENT | TELEPHONE NUMBERS |
|------------------------|-------------------|
| Main Switchboard | 963-5000 |
| TSU Police department | |
| Main Campus | 963-5171 |
| Williams Campus | 963-7276 |
| Facilities Management: | |
| Main Campus | 963-5671 |
| Williams Campus | 963-7279 |
| Human Resources | 963-5281 |
| Payroll | 963-7607 |

SECTION I – GENERAL UNIVERSITY INFORMATION

A. Vision, Mission, Core Values, and Statement of Purpose

Adopted: July 26, 2007

VISION STATEMENT

Tennessee State University aspires to achieve national and international prominence, building on its heritage and preparing leaders for a global society.

MISSION STATEMENT

Tennessee State University, a Historically Black College/University (HBCU), fosters scholarly inquiry and research, life-long learning, and a commitment to service.

CORE VALUES

Tennessee State University maintains the following core values:

- 🏠 Excellence
- 🏠 Learning
- 🏠 Accountability
- 🏠 Integrity
- 🏠 Shared governance
- 🏠 Diversity
- 🏠 Service

STATEMENT OF PURPOSE

Tennessee State University, an HBCU and 1890 land grant institution, is a major state-supported urban and comprehensive university. This unique combination of characteristics differentiates the University from others and shapes its instructional, research, and service programs designed to serve Metropolitan Nashville, Middle Tennessee, the State of Tennessee, the nation, and the global community. The University is committed to maintaining its diverse student body, faculty and staff.

Tennessee State University provides quality instruction through academic programs which are broadly comprehensive at the baccalaureate and master's levels. Doctoral

programs are offered in select areas where the University exhibits strength in instruction and research and consistent with the University's unique mission. The University's educational programs are intended to increase the student's level of knowledge, enhance the student's skills, and expand the student's awareness.

Tennessee State University is committed to engaging in pure and applied research which contributes to the body of knowledge and which broadens the application of knowledge. Whenever possible, the University strives to provide its students with the opportunity to be involved in the research activities of the faculty and academic staff.

Tennessee State University serves its constituents through an array of programs and services which apply the knowledge, skills and discoveries of the instructional and research units at the institution. These services are intended to broaden the perspectives and enhance the quality of life of the University's service constituents.

Tennessee State University expresses its commitment to students' overall development by promoting life-long learning, scholarly inquiry, and a commitment of service to others. Programs and services are geared toward promoting and nurturing students' growth and development as persons who are liberally educated, appreciate cultural diversity, and embody a sense of civic and social responsibility.

Tennessee State University projects itself to its students, faculty, and alumni and to the citizens of the State through the motto, "Think, Work, Serve."

Tennessee State University remains committed to the education of a non-racially identifiable student body and promotes diversity and access without regard to race, gender, religion, national origin, age, disability, or veteran status.

B. History of Tennessee State University

When the first eager students set foot on the campus in 1912, they beheld a very different setting from the beautifully manicured grounds with numerous, modern, state-of-the-art structures students see today. The Tennessee Agricultural and Industrial State Normal School, as the institution was formerly known, began operations on June 12, 1912, with 247 students and 15 faculty members. This new “learning community” was housed in three modest brick and stone buildings.

In 1922, the institution was raised to the status of a teaching college and empowered to grant the bachelor’s degree. The first degrees were awarded in June, 1924. During the same year, the institution became known as the Agricultural and Industrial State Normal College, and in 1927, “Normal” was dropped from the name.

The general assembly of 1941 authorized the State Board of Education to upgrade substantially the educational programs of the college, which included the establishment of graduate studies leading to the master’s degree. The college awarded the first master’s degrees in June, 1944. In August, 1951, the institution was granted university status and elevated to a full-fledged land –grant university in 1958.

The University has emerged today as a major comprehensive, urban, land-grant university with 43 bachelor’s degrees, 24 master’s degrees and four doctoral programs. TSU is currently in the final stages of a \$112 million capital construction campaign designed to prepare it for the 21st Century with some of the finest facilities available anywhere. The University has been listed in U.S. *News & World Report* as one of America’s best universities. The Southern Association of Colleges and Schools (SACS) accredits TSU.

C. Tennessee Board of Regents

Tennessee State University is one of forty-six institutions in the Tennessee Board of Regents System (TBR), the seventh largest system of higher education in the nation. The TBR was established by the Tennessee General Assembly. The Board consists of eighteen members, including the Governor. Tennessee State University is unique because it is the only 1890 land grant, comprehensive, major urban institution in the TBR. The other universities in the TBR with baccalaureate and graduate programs are Austin Peay State University, East Tennessee State University, Middle Tennessee State University, Tennessee Technological University, and the University of Memphis.

D. Affirmative Action

It is the policy of Tennessee State University to provide and maintain a program of equal employment opportunity and fairness in all personnel matters and all aspects of employment relations, including recruitment or recruitment advertising, hiring, employment upgrade or promotion, development, demotion or transfer, layoff or termination, rate of pay, leave of absence, and any other form of compensation or training. It is the intent of this policy to safeguard against unsound and illegal personnel practices. The University, therefore, shall engage in no practice which will discriminate against any group or individual for reasons of race, color, religion, national origin, disability, sex, age (except where sex or age is a bonafide occupational qualification as determined by statute or Tennessee Board of Regents requirement), or status as a qualified disabled veteran or veteran of the Vietnam Era. In the implementation of this policy, the University will aggressively recruit and employ persons from classes that are under-represented in its work force. Reasonable accommodations have been and will continue to be made for qualified disabled veterans and others disabled persons.

The University's policy statement requires units to undertake affirmative action in working toward the achievement of goals set-forth and the attainment of an acceptable level of participation in its work force, programs and activities for students, contracted services, and services rendered to individuals, groups, and communities. The degree of success achieved in meeting affirmative action goals will be a performance indicator used in the evaluation of all management personnel of the University. Likewise, the degree to which employment opportunity is assured in the functional units of managers/supervisors will be evaluated.

The University has adopted the policy that criteria for employment and promotion be job-validated, such that only the skills or preparation actually necessary for the performance of a job are considered in making employment or promotion decisions.

CONTRACTS/AGREEMENT WITH VENDORS WILL HAVE THE

FOLLOWING STATEMENTS: The parties agree to comply with Title VI and VII of the Civil Rights Act of 1964, title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Executive Order 11246, and the related regulations of each. Each party assures that it will not discriminate against any individual including, but not limited to, employees or applicants for employment and/or students because of race, religion, creed, color, sex, age, disability, veteran status or national origin. Tennessee State University is committed to the education of a non-racially-identifiable student body.

E. Drug-Free Campus/Workplace

In compliance with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, it is the policy of Tennessee State University that the unlawful manufacture, distribution, possession, use or abuse of alcohol and illicit drugs on the Tennessee State University campus, on property owned or controlled by Tennessee State University, or as a part of any activity of Tennessee State University is strictly prohibited. All employees and students are subject to federal, state, and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary actions as set forth in University policy.

Employees who are experiencing difficulties with drug or alcohol abuse have access to the State of Tennessee Employee Assistance Program (See: Special Benefits Section for more information regarding this program). Under State of Tennessee policy, persons who drive vehicles for the University may be selected to participate in the State's random drug-testing program.

F. Harassment

Harassment of any kind (including sexual and racial harassment which are prohibited by federal law) is considered conduct unbecoming a TSU employee and is expressly prohibited. Fair and prompt consideration will be given to all charges of such harassment in accordance with University policy. Substantiation of charges of harassment may result in dismissal.

Sexual harassment may be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when one of the following criteria is met:

1. submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment or of the individual's status in a program, course, or activity;
2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions, a criterion for evaluation, or a basis for academic or other decisions affecting such individual;
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience or creating an intimidating, hostile or offensive work or educational environment.

Whether the alleged conduct constitutes sexual harassment depends upon the record as a whole and the totality of the circumstances, such as the nature of sexual advances in the context within which the alleged incident occurred.

Racial harassment is defined as any person's conduct that unreasonably interferes with an employee's or student's status or performance by creating an intimidating, hostile, or offensive working or educational environment. Harassment on the basis of race, color, or national origin includes offensive or demeaning treatment of an individual, where such treatment is based typically on prejudiced stereotypes of a group to which that individual may belong.

Harassment-religion, handicap, or protected status includes any conduct that has the purpose or the reasonably foreseeable effect of interfering with an individual's academic efforts, employment, or participation in institutionally sponsored activities. Such harassment also includes any activity that creates an intimidating, hostile or demeaning environment.

The University provides specific procedures pursuant to harassment, and employees are encouraged to consult the EEO Office at 963-7435 or the Human Resources Office at 963-5281 for further guidance.

G. Nepotism

The employment of persons who are related to each other is limited to employment not within the same line of supervision. No employee of Tennessee State University shall be under the direct line of supervision of a relative. A "relative" is a parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household.

When marriage results in an employee being supervised by a relative, the situation may be resolved by transfer within the University, transfer to another institution, or resignation. If transfer alternatives are available, the employees will be given the opportunity to select among the available alternatives. If the employees are unable to agree upon any alternative within sixty days, the President or designee will take action to resolve the situation. Tennessee State University shall apply this policy in a non-discriminating manner and shall ensure that the implementation of this policy does not adversely affect employees of one sex over those of the opposite sex.

H. Smoking and Clean Air

The Smoking and Clean Air Policy applies to the use of tobacco products within buildings and vehicles owned and/ or operated exclusively by the University. The University intends to provide a healthy and sanitary environment free from tobacco products for all users of its facilities. Prohibition of the use of tobacco products in these University buildings and vehicles continues during all hours in order that such facility not be smoke or odor laden during routine use.

The policy promotes an environment free from tobacco products in buildings and vehicles where students, faculty, and staff are working or conducting seminars, research, discussions, etc., and at the same time recognizes the right of those who choose to smoke. Those persons desiring to smoke may do so outside of Tennessee State University buildings.

There is no intent within this policy to inhibit the lifestyles of persons who choose to use tobacco products. Rather, this policy is for the protection of all persons who comprise the

University community while they function as members of the University community.

I. Types of Employees

Academic (Faculty) Personnel consists of employees who engage in teaching, scholarly research, and other academic activities and have academic rank. They are appointed by the President.

Administrative and Professional Staff (exempt) consists of employees who perform professional, managerial and/ or supervisory duties for which academic preparation, or the equivalent to the university degree-level, is generally required. With the exception of those who are assigned the highest administrative responsibilities and hold appointments approved by the Tennessee Board of Regents, the President appoints them.

Clerical and Supporting (non-exempt) employees are those who perform duties which support the academic, administrative and physical operations of the University. They are recommended for appointment by the respective Vice President and appointed by the President.

Graduate Assistants generally perform teaching duties and may also perform research or administrative duties while enrolled in Graduate School. They are recommended for appointment by the Vice President for Academic Affairs and appointed by the President.

Student Assistants generally perform clerical and support duties. They must be current Tennessee State University students and are normally undergraduates. The Director of Human Resources and/ or Financial Aid appoints them.

Exempt Employees include all personnel who are exempt from the provisions of the Federal Wage and Hour Law.

Non-Exempt Employees include all hourly paid personnel who are not exempt from the provisions of the Federal Wage and Hour Law.

J. Who's Who/Key Administrators

The President is the chief executive of the University and all its departments and exercises such supervision and direction as will promote the efficient operation of the University. The President is responsible to the Tennessee Board of Regents through the Chancellor for the operation and management of the University and for the execution of all directives of the Board and the Chancellor.

The President recommends annually to the Tennessee Board of Regents, through the Chancellor, the creation or continuance of positions of faculty and other employees of the University. The President has the authority to recommend or make appointments of personnel and within budgetary limitations to fix their salaries and to recommend or approve promotions, transfers, leaves of absence, and removal of personnel, pursuant to the policies and procedures of the Tennessee Board of Regents and subject to prior approval or confirmation of the Board or the Chancellor, as applicable.

The President reports annually to the Tennessee Board of Regents, through the Chancellor, on the work and condition of the university. The President's Cabinet assists with the operations of the university. The Executive Assistant as well as the Directors of Internal Audit; Equal Opportunity/ Affirmative Action and Americans with Disabilities Act; and Title III, report to the President and serve on his/her cabinet.

The Vice President for Academic Affairs serves as the chief academic officer. The Vice President oversees the following academic areas: Graduate Studies; College of Education; Institute of Government; School of Nursing; Admissions and Records; Academic Enrichment, Advisement and Orientation; Libraries and Media Centers; College of Health Sciences; College of Engineering and Technology; AFROTC; Frist Chair of Excellence; Testing Center; College of Arts and Sciences; Center for Extended Education and Public Service; Institute of Agricultural and Environmental Research; Honors Program; College of Business; School of Agriculture; Cooperative Extension Program; and, Institutional Effectiveness and Research.

The Vice President for Business and Finance is the chief fiscal officer. The Vice President provides leadership for the preparation, implementation and control of the university budgets, financial reporting, cash management, general accounting, accounts payable, cash receipting, contractual services, and other business services. The Vice President oversees the following areas: Budget and Fiscal Planning; Campus Planning; Finance and Accounting; Facilities Management; and, Financial Aid.

The Vice President for Student Affairs serves as the chief student services officer of the University, a member of the President's Cabinet, and reports directly to the President. His primary responsibilities are: to enhance the growth, development and functioning of students; to create a campus environment that is conducive to development and one in which the educational objectives of the students and the University can be met; and to establish and coordinate academic and co-curricular programs and services that enhance learning and encourage the students' development as whole persons. The Vice President for Student Affairs oversees the following areas: Athletics; Campus Center; Career Development; Disabled Student Services; International Student Affairs; Minority Student Affairs; Off-Campus Housing; Police Department; Trio Programs; Residence Life; Student Activities; Student Health Services; Student Publications; the Student Government Association; and Student judicial matters.

The Vice President for University Relations and Development reports directly to the President and serves as a member of the President's Cabinet. The Vice President oversees the following areas: Corporate Relations; Public Relations; Development; Alumni Relations; Conferences and Special Events; Gentry Center Programs; and Printing.

The Vice President for Research and Sponsored Programs is the chief officer for all research activities. The Vice President oversees the following areas: Center of Excellence for Basic Skills; Center of Excellence for Information Systems; Center for Health Sciences/Research; and the Massie Chair of Excellence.

The Vice President for Technology and Administrative Services serves as the chief technology officer and coordinates other administrative services. The Vice President oversees the following areas: Communication and Information Technology; Computing Services; Human Resources; Purchasing and Business Services; Food Service; Post Office; and the Bookstore.

SECTION II – WORKING AT TSU

A. Attendance and Promptness

Employees are required to report for duty promptly at the beginning of their work periods and to remain on the job throughout their regular work hours. Employees must also be prompt in returning from rest and lunch periods.

Punctual and regular attendance is expected of each employee. When an employee is unable to report for work or will be late, it is expected that he/she will notify his/her supervisor as soon as possible or leave a message so that the supervisor will be aware of the situation and can arrange for a temporary replacement, if necessary.

Tardiness and unexcused absences may be charged as leave without pay and may be grounds for disciplinary action.

B. Change of Status

Any change in employee status should be reported to the Human Resources Office. Change of name, marital status, dependents, home telephone number and address are important to an employee's interests and should be reported promptly. Beneficiary changes on life insurance and/or retirement should also be provided to the Human Resources Office.

C. Employment Vacancies and Transfers

The University enables its employees to fill position openings by application through the Human Resources Office. Only employees with current satisfactory evaluations may apply for another University position and they must have served at least six months in their current position prior to such an application. The present supervisor may agree to an exception to the six-month waiting rule. The Human Resources Office and the appropriate Vice President must also agree to such an exception.

D. Exit Interview

All employees who are leaving employment, for whatever reason, must secure the "Final Checkout" and "Personnel Clearance Record" forms from the Human Resources Office. The completed forms should be returned to the Human Resources Office. The supervisor will complete the Final Checkout Form. The process includes a check for return of all books and keys; clearance of all computer and telephone codes; assurance from the Bursar that no money is owed to the University, etc. Thereafter, and by prior appointment, a Human Resources Office staff member will complete the "Clearance Form." This form addresses the ex-employee's benefits, rights, and accumulations.

E. Identification Cards (ID)

All University employees are expected to obtain a TSU identification (ID) card as soon as possible after employment. The Human Resources Office gives the employee a temporary ID card, usually at the orientation session for new employees. The temporary card is exchanged for a permanent picture identification card, which can be made in the Communication and Information Technologies Department between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday. The ID card permits the employee to use the University library and recreational facilities, gain admittance to some University events, purchase a parking decal, etc. It should be turned in to the Human Resources Office upon termination of employment.

The Human Resources Office also provides a State of Tennessee employee identification card. This allows employees to take advantage of the designated discounts on items such as lodging, airfare, merchandise at participating vendors, and car rentals. This card also provides evidence of state employment when needed.

F. Issuance of Keys

Employees requesting keys to any building or room on campus must have their supervisor request approval. The request must be submitted to and approved by the Facilities Management Department. The requesting department will be notified when a key is ready for the employee to pick up. Loss of a key must be immediately reported to the TSU Police Department and the supervisor. All TSU issued keys must be turned in to the Human Resources Office upon termination of employment.

G. Lunch and Rest Periods

The regular workday also includes a one (1) hour, unpaid lunch period for all employees (exception: TSUPD officers, security guards and dispatchers). Breaks are non-accumulative, cannot be combined with the lunch period, nor “swapped” in order to leave early or arrive late. Breaks are designated only for non-exempt employees and are to be taken only by permission—they are not mandatory. If permitted (usually dependent upon the workload), the employee may take two- 15minute break periods: one break may be taken during the morning hours, and one during afternoon hours, as the workload permits. The timing of the one-hour unpaid lunch period will be established by the department head or supervisor (in compliance with FLSA Regulations for hourly-paid employees).

H. Orientation (New Employee)

The Human Resources Office conducts orientation sessions for all new, benefit eligible employees. It is important that you, as an employee of the University, attend to:

- (1) Obtain additional information about the benefits provided to Tennessee State University employees; (2) receive information on the location of campus facilities; and,
- (2) have an opportunity to ask questions you may have after reading this handbook and other pertinent materials.

I. Outside Employment

A full-time employee may accept employment outside the University only if it does not interfere with the employee's regular duties or University functions and is scheduled outside regular working hours. Outside employment accepted by the employee should not bring discredit to the University nor should the University position or name be used to acquire it. Employees should be certain that a conflict of interest does not exist.

Prior to engaging in outside professional employment or continuing business activity, the faculty, professional staff member, or administrator must notify the President or his/her designee, of the nature of the employment and the expected commitment of time (TSU Human Resources Manual, Policy: 6.26). Before accepting off-time employment, it is advisable that employees discuss the matter with their supervisors.

J. Parking Regulations

All university employees are required to have vehicles registered in order to park on campus. Eligible employees who require parking spaces for their vehicle(s) must enter the required vehicle registration information on-line, pay for the decal in the Cashier's Office in the Ned McWherther-Administration Building, or complete a Payroll Deduction Authorization Form for payroll deductions. Decals are picked up at the TSU Police Department, using the paid receipt as documentation.

The TSU Police Department issues temporary parking permits to new employees for a specified period of time and to guests for special functions for a maximum of five days. Requests for multiple temporary permits can be requested by letter, in advance of the function. There is no fee for temporary parking permits.

Annual renewal of parking decals takes place in August. Vehicles not properly registered or properly parked are subject to parking fines or towing. Parking slots reserved for the disabled and residence parking are enforced 24-hours a day. Persons who park illegally in slots reserved for persons with disabilities are subject to a fine of \$100 and may have their cars towed. Other university traffic regulations and information about authorized parking areas will be furnished to the employee by the TSU Police Department.

There is a nominal fee for replacement of unexpired, lost or stolen decals. The TSU Police Department does not accept payments of any kind.

For payroll deduction of the parking decal fee, contact the Human Resources Office at 963-5281.

K. Personal Telephone Calls

Personal calls take up valuable time that should be devoted to completing job assignments on a timely basis, take your mind off your work, tie up University telephone lines needed for business use, and add unfairly to University cost. If you must make occasional local personal calls, please limit them.

L. Performance Evaluations

All non-faculty employees are to participate in a written evaluation process within the sixth month of their probationary period. This review is important in identifying performance strengths and areas that need improvement with regard to position duties and responsibilities. In addition, its purpose is to identify where additional training or development may need to be concentrated. Thereafter, annual evaluations are conducted, usually in April. The purpose of the annual evaluation is to (1) promote employee development; (2) determine training needs; (3) provide supervisors with a means of informing employees about their progress; (4) provide a permanent record of job performance; and (5) serve as a partial basis for salary increases, promotions, termination, etc.

Both the supervisor and the employee contribute to this evaluation of performance. The evaluation form should be signed by the employee and the supervisor and becomes part of the permanent employee record in the Human Resources Office. The employee and supervisor should retain a copy.

M. Probationary Period

Each new employee will be required to serve a six-month probationary period, which will include training, and a written evaluation prepared by the supervisor within the six months. The probationary period is used to determine whether the employee can SATISFACTORILY PERFORM THE DUTIES AND RESPONSIBILITIES OF HIS/HER POSITION before being placed on regular employee status. During the probationary period, employment may be terminated at any time. After the probationary employment period is completed, employees are still considered employees "at will" of the University, and the "employment agreement" may be terminated without cause as specified in the agreement. The University reserves the right to impose additional probationary periods at any time during employment, during which time advance notice of termination would not be applicable.

N. Recruiting

Although the Human Resources Office has the primary responsibility for recruiting and attracting new employees to the University, it is every employee's responsibility. Employees are encouraged to refer prospective applicants to the Human Resources Office for consideration of employment.

O. Resignation/Termination of Employment

A minimum of two (2) weeks notice for non-exempt employees or thirty (30) days notice for exempt-professional employees notice should be given to the respective department head. The Department head will inform the Human Resources Office if an employee decides to terminate employment with the University. The resigning employee will be paid for any unused annual leave or compensatory time. Any employee leaving or being discharged for gross misconduct or who resigns to avoid dismissal for such reasons will not be paid for accumulated annual leave.

P. Security and Safety

The Tennessee State University Police Department is charged with the mission of protecting students, faculty and staff, and property owned, leased, or operated by the university. The department is provided legal authority by *Tennessee Code Annotated No. 49-7-118* and *Tennessee Board of Regents Policy No. 5:01:07:00*. These emphasize the required training and parameters for law enforcement officers on university campuses.

The TSU Police Department is composed of a director, assistant director, prevention counselor, twenty-two campus officers, fourteen campus security officers, five dispatchers, and one secretary. The campus police officers are certified through the Peace Officers Standard of Training Commission consistent with municipalities. These officers have the police powers necessary to enforce Tennessee laws and TBR rules and regulations on campus. The security officers are responsible for providing security in the residence halls, escorting females on campus after dark and reporting criminal activity. Additionally, the security officers are certified bicycle officers and patrol the main campus from 9:00 a.m. to 12:00 a.m.

The TSU Police Department works closely with the county authority and the Metropolitan-Nashville Police Department. The Tennessee Bureau of Investigation, the Federal Postal Inspector, and the Federal Bureau of Investigations also readily assist the Department. The TSU Police Department is located in the General Services Building, 2700 Heiman Street. The emergency number is 963-5171 and is answered 24 hours, seven days a week. For other services, the following numbers should be called:

- Administrative Services 963-5174
- Parking Ticket Information 963-5165
- Prevention Counselor 963-2011

Tennessee State University seeks to ensure safe and healthy working conditions for the entire University community. Environmental safety (hazardous material, lab waste, etc.) is addressed by Sponsored Research. The Facilities Management Department addresses workplace/shop safety (i.e., OSHA requirements).

Q. Standard of Conduct

A certain standard of conduct is necessary for employees to meet their responsibility to the university and its students. Although TSU's standard of conduct is for the most part obvious, a review of unacceptable behavior may be helpful. The following list is not intended to be all-inclusive, and there may be other items that supervisors will need to discuss with employees:

1. Unauthorized possession of firearms, other weapons, or explosive materials on university premises;
2. Drinking or being under the influence of alcohol while on the job or possession or being under the influence of illegal drugs on university property;
3. Unauthorized use of university identification cards or permitting another person to use identification;
4. Refusal to obey safety officials, Civil Defense personnel, or other proper authorities in an emergency;
5. Willful or negligent damage to university property;
6. Failure to observe posted safety rules and regulations;
7. Disorderly conduct on university premises;
8. Gambling on university premises;
9. Unlawful threat against or assault upon another person;
10. Dishonesty, theft, commission of any other crime on university property, or removal of university property without proper authorization;
11. Falsification of personal time records;
12. Falsification of any other university records;
13. Refusal to accept instructions, including failure to perform work assigned;

14. Careless performance of duties, including continued failure to maintain established standards of workmanship or productivity;
15. Failure to report to an assigned workplace at the beginning of a work period or leaving work prior to the end of a work period;
16. Failure to notify the university on each day of absence unless a satisfactory explanation is made, such as an emergency situation;
17. Using university telephones for social calls during business hours or charging personal calls to the university;
18. Repeated failure to inform the supervisor when leaving a workstation or work area;
19. Failure to report an accident on a timely basis involving an on-the-job injury or damage to university property;
20. Failure to observe university parking regulations or flagrant violation of traffic and safety regulations as defined by university policy.
21. Refusal to wear appropriate uniforms as required by designated department for identification as TSU employees and present a neat appearance representative of the university

R. Terms of Employment/Employment Agreement

All employees are subject to the policies and requirements of the Tennessee Board of Regents and the policies and requirements of Tennessee State University. Tennessee State University or the appointee may terminate the employment agreement without cause at any time with a two-week (14-day) notice for clerical and support staff and thirty (30)—day notice for professional and administrative staff. As a condition of employment, clerical and support employees agree to accept compensatory time off as payment for hours worked in addition to their regularly scheduled hours if funds are not available for overtime available for overtime payment. For information on other conditions of employment, contact the Human Resources Office at 963-5281.

S. Working Hours

Regular working hours for most employees are from 8:00 a.m. to 4:30 p.m., Monday through Friday. Other scheduling may occur if the institution determines such scheduling is necessary for the operation of the institution. This schedule provides for 7.5 duty hours per day and 37.5 duty hours per week.

Some areas, including the TSU Police Department and the Facilities Management Power Plant, operate on a forty-hour per week schedule. Some offices are required to work on Saturday. When you are required to maintain Saturday hours, your work schedule should be revised so as not to exceed 37.5 hours (or 40.0 hours if appropriate to your assignment) during the workweek. Employees in service departments are required to work different hours with a 37.5 hour or 40.0-hour workweek in order to provide continuous service to the university.

All employees of service areas must provide their supervisors with telephone contact numbers for use in case of emergencies or other scheduling problems. In some cases where employees reside on campus and duties require irregular hours, written agreements concerning working hours are required between the employees and the University.

SECTION III-PAY POLICIES

A. Compensation

All positions are classified according to relative job requirements and responsibilities. Each job classification is assigned an appropriate skill level. All jobs are paid within a salary range. Information on the salary range for your job classification may be obtained from your supervisor or the Human Resources Office. Usually, new employees are paid at the beginning of the applicable salary range. If salary increases are awarded, such increases are usually approved annually and are usually effective at July 1. There is no guarantee or assurance of salary increases since all increases are based on the state appropriation and other relevant factors regarding the operation of the University.

B. Overtime Pay/Compensatory Time (Non-Exempt Employees Paid Twice a Month)

Overtime pay is not authorized unless it is approved in advance by the appropriate Vice President and the President. When properly approved, overtime will be paid to non-exempt employees at straight time for hours worked in excess of 37.5 hours and up to 40.0 hours per week; premium rate overtime at time and one-half will be paid for hours worked in excess of 40.0 hours per week. Hours worked on official holidays will be paid as premium overtime.

Compensatory time is earned as overtime and must receive prior approval. Working more than 37.5 (or 40.0 hours) per week is not authorized without approval, in advance, by the appropriate Vice President and the President. When properly approved, compensatory time for hours worked in excess of 37.5 (or 40.0 hours) will be handled as described below.

- a. Compensatory time granted for hours worked between 37.5 and 40.0 will be at straight time (1.0 hour for 1.0 hour worked);
- b. Compensatory time granted for hours worked over 40.0 will be at time and one-half (1.5 hours for 1.0 hour worked);
- c. Compensatory time not taken during the pay period (month) in which it was earned will be banked, up to maximum accumulation of 240 hours. TSU Police Department personnel (except office/support/civil employees) may accrue up to a maximum of 480 hours;

- d. Banked compensatory time must be used before annual leave is used.
Upon separation, payment will be made for accrued, unused compensatory time.

When compensatory time is taken, it is taken in lieu of annual leave, sick leave or no pay, with appropriate authorization.

C. Emergency Call-Back

A minimum of two hours (three hours for Facilities Management) of premium rate overtime payment (at time and one-half compensation) will be paid to non-exempt employees who are called back to work for emergency reasons (equipment failures, etc.) at times other than their regular work hours. Such emergency call-backs should not be confused with work scheduled in advance for normal non-duty hours or days.

D. Payday – Direct Deposit

All regular, non-exempt, classified employees are paid on a semi-monthly basis (i.e., the 15th of the month and at month-end). Exempt employees are paid on a monthly basis, at the end of the month. All employees are required to have their checks, electronically direct-deposited to their bank or credit union. Employees who do not have a checking account must enroll in the payroll debit card program. If the employee elects the payroll debit card program, the employee is responsible for all costs associated with this program. The cost would be deducted from the employee's pay prior to the deposit of funds on the debit card.

Failure to enroll in either of the programs will result in having a paper check charge for each check that must be processed. The paper check issued will be delivered to the Cashier's window in the Bursar's Office on the official pay date. An employee may pick-up his/her check during normal hours of the Cashier's window. The employee must present his/her university identification card.

Departments with employees located at sites off the main campus must make pick-up and distribution arrangements with the Payroll Office. Payroll checks not picked up by the employee after five (5) work days will be returned to the Payroll Office.

Early check pick-up or special pay arrangements are not permitted.

Pay Stub: Pay stubs can be viewed and printed using myTSU. Pay stub information will be available for online access on the 15th of the month (semi-monthly) and the last working day of the month (semi-monthly and monthly paid employees). Questions concerning information contained on the pay stub should be directed to supervisors, the Payroll Office and/or Human Resources Office.

E. Payroll Deductions

All regular full-time and part-time employees have the option of making approved deductions from their payroll checks, provided the deductions are established deductions with Human Resources Office and the employee provided that office with written authorization at least fifteen working days before the affected payroll is to be issued. The following deductions will or may be made from all payroll payments:

- Federal Withholding Tax
- Social Security (FICA)
- FICA Medicare

The following voluntary deductions may be authorized by the employee:

- US Savings Bonds
- Credit Union(s)
- Group Insurance
- Charitable Organizations
- TSU Foundation
- Athletic Season Tickets
- Parking Permits
- Deferred Compensation (401(k) and 457)
- Supplemental Retirement Annuities (403(b))

For additional information on voluntary and involuntary deductions, contact the Human Resources Office at 963-5281.

F. Holidays

All regular full-time and part-time administrative, faculty, clerical and supporting personnel are paid a maximum of twelve (12) holidays per year, including the following official holidays:

1. New Year's Day
2. Dr. Martin Luther King, Jr. Day
3. Good Friday (or Memorial Day at the President's discretion)
4. Independence Day
5. Labor Day
6. Thanksgiving Day
7. Christmas Day

In addition to the above-named holidays, the President will declare five (5) additional holidays to be observed by the University. A letter will be sent by the President to all employees informing them of holidays. Also, on behalf of the President, the Human Resources Office will announce such discretionary holidays. When a holiday falls on Saturday, the Friday preceding will be substituted. When it falls on Sunday, the Monday following will be substituted.

G. Longevity Pay

Eligible employees shall receive longevity pay at an established rate for each year of creditable service up to the maximum provided by law. Calculation of longevity pay is based on an employee's total years of eligible full-time service and the rate of pay in effect for the fiscal year in which the payment is made. All regular full-time employees (or employees who work 82.1 percent time or more) are eligible for longevity pay as a bonus for years of service after three consecutive years of full-time service. Once the employee has worked three years (full-time), he/she will receive \$100 for each year of full-time state service at the end of the month in which the anniversary date falls. Therefore, if an employee has worked three years, he/she will receive \$300 (\$100 x 3 years). Longevity is paid up to a maximum of 25 years of service. Approval of this program, the rate, and total maximum years are subject to change by the state legislature.

For employees who completed 15 years of creditable service prior to July 1, 1984, September 1 shall be their longevity anniversary date. All other employees who have three years or more of creditable service shall receive their longevity payments in conjunction with their longevity anniversary date and in accordance with TSU payroll procedures.

Employees who transfer from one Tennessee state agency to another without a break in service are eligible for longevity compensation in accordance with their adjusted anniversary month. At the time of initial employment, the employee's longevity anniversary date is established using all periods of prior eligible service with the state or one of its agencies or an institution within the TBR or the UT system. If the employee does not indicate prior service, the longevity anniversary date is the same as the initial employment date.

H. On-Call Time

Employees may be scheduled for on-call duty so that personnel will be available to provide repairs and /or services during normal off-duty hours. An employee on call may come and go freely but must leave a telephone number where he/she can be reached or carry a pager furnished by the university. When reached, the employee is expected to report for work. Non-exempt employees are paid only for time worked when scheduled to be on call. If called in, the employee will be compensated as emergency call-back time.

I. Inclement Weather

At times, it may be necessary for the President to declare specific hours as emergency closing as a result of inclement weather. In such cases, regular full-time and part-time employees on the active payroll who are scheduled to work during the declared times of closing will be granted time off from work with pay.

If an emergency closing has not been declared due to inclement weather and an employee is prevented from reporting to work for his/her normally scheduled working hours, annual leave, compensatory time, or leave without pay will be charged or the employee may be allowed, with institutional approval, to make up the time lost. Regular part-time employees will be affected on a pro-rata basis in each of the provisions listed above.

Except in those instances when the university is closed, staff will be expected to report to work at the scheduled hour. Staff should plan to cope with severe weather conditions in such a fashion as to be able to report to work as scheduled. In instances when the University is closed, the following personnel are expected to perform duties as scheduled:

- a. Food service employees
- b. TSU Police Department employees
- c. Postal employees
- d. Selected Facilities Management employees
- e. Senior administrative employees

The Division of University Relations and Development will make announcements of university closings through area media. Employees should confirm inclement weather closing announcements by calling the TSU Police Department at 963-5171.

J. Time Sheets

All departments use time sheets for recording of time worked, leave usage, and compensatory time usage. Some departments also use time cards for internal record keeping. It is the employee's responsibility to comply with departmental work schedules and accurately record all time worked, leave taken, and compensatory or overtime worked and accumulated. Each work area or department usually has a designated "timekeeper" who will help employees with proper time recording. Each time sheet has a "due date" printed in the upper right hand corner. All employees should assist the "timekeeper" with the timely submission of the time sheets to the Human Resources Office by the scheduled due date.

Work MUST BE RECORDED EXACTLY as to the date and amount of time worked. Falsification of ANY time record violates University policy and may be grounds for dismissal. All changes, alterations or notations on the time sheet must be approved as evidenced by a signature notation of the department head and/or supervisor. All time recordings are to be initialed by the recording employees in the “accounting no. boxes” next to their name spaces. Employees using time clocks must only “punch in” THEIR OWN TIME CARDS. Punching in another employee’s time may be cause for DISMISSAL of all parties involved.

SECTION IV – HEALTH, RETIREMENT AND OTHER BENEFITS

A. State of TN Dental Insurance

All regular, full-time employees may choose a dental plan from a number of plan options in the Dental Insurance Program, sponsored by the State of Tennessee. The State has contracted with established general dentists to deliver a wide variety of dental services to participants and/or their dependents. The plan selected by the employee may require the designation of a primary, general dentist, or the employee may select a plan that affords him/her the flexibility to receive services from any dentist listed in the network or outside the network.

You may elect this coverage when first employed (within a 30-day eligibility period), or during the annual Enrollment/Transfer Period (generally, Oct. 15 – Nov. 15), of each year. The Human Resources Office should be contacted for more detailed information concerning dental plan options available as of January 1 of the ensuing calendar year.

B. TBR Flexible Benefits Plan

Group medical plan premiums are **automatically** tax-sheltered. Dental premiums may also be tax-sheltered under the Flexible Benefits Plan. The employee may, however, elect to **waive** participating in the tax-sheltered plan.

The Flexible Benefits Plan also provides tax-sheltering of additional contributions that are payroll deducted, for payment of eligible out-of-pocket medical, dental and dependent day care expenses. Contributions for eligible out-of-pocket expenses for that plan year are banked in flexible spending accounts and are reimbursed upon receipt of required documentation. **Changes** to tax-sheltering of premiums and contributions made through payroll deductions must be documented and submitted to Human Resources within 90-days of the status change. Out-of-pocket contributions not reimbursed within a specific time-frame, are forfeited.

The plan effective date, for new employees, is the first day of the calendar month following one full calendar month of employment. New and current employees may

enroll or waive participating in the plan, for the ensuing calendar year (January through December), during the Enrollment/Transfer Period (generally, October 15 through November 15). The Human Resources Office will provide new plan year enrollment forms and booklets during the Enrollment/Transfer Period.

C. State Group Insurance Program: Medical/Life/Accident, Optional Special Life and Accident, Optional Term/Universal Life, Long Term Care, and the Employee Assistance Program (EAP)

The State of Tennessee Group Insurance Program is self-insured and contracts with various agencies to administer the plans which involve approving various medical procedures/hospital stays and payment of claims:

Medical/Basic Term Life/Basic Special Accident:

All regular full-time employees (employed not less than 80% time), are eligible to enroll in the medical plan (which includes: basic term life insurance and basic special accident insurance plans), within the first 30 days of employment (i.e., full calendar month), without having to prove insurability. The employee may elect single coverage (employee only); family coverage (covers employee, spouse and all eligible dependent children); or, split coverage (i.e., the employee and spouse are state employed- one spouse covers eligible dependents and the other spouse elects single coverage).

Currently the university pays 80% of the total monthly premium and the employee pays 20%, which is payroll deductible. The premiums for medical/basic term life and basic special accident coverage are deducted in the month-end payroll check. An employee may terminate or cancel participation at any time; however, certain forfeitures exist if the medical premium is tax-sheltered.

If the employee refuses to participate in the medical plan when eligible, several options are available through application: the Late Applicant Process and the Special Enrollment Provisions Process. Coverage may be denied based on health and/or other non-qualifying events.

Enrollees may transfer from one medical plan to another medical plan during the Enrollment/Transfer Period, Oct 15 to Nov 15; the transfer effective date is January 1 of the ensuing year.

Optional Special Life and Accident Plan:

Optional Special Accident coverage is available on a contributory basis for employees and dependents (spouse and/or spouse and children), and is in addition to the basic special accident death coverage. Benefits are payable for dismemberment if the loss occurs within 90 days of the accident, provided the employee or dependent was covered on the date of the accident and meets established criteria.

Optional Term/Universal Life Plans:

Optional Term and Universal Life insurance are available on a contributory basis for employees and dependents (spouse and children) whether or not they participate in the health coverage. For guaranteed-issue coverage (up to three times your annual salary), the employee must enroll during the first full month of employment. The Optional Term Life provides a lower cost, pure death benefit, and age-based premiums, whereas the Optional Universal Life provides a death benefit, level premiums, a cash value, and policy loan provisions. Both optional life products offer an advance benefit feature, which makes available part of the life insurance proceeds if an insured encounters a terminal illness.

Long Term Care Coverage:

This coverage is available to employees, spouse, eligible dependents, parents, parents-in-law, and retirees, for services required by individuals who are no longer able to care for themselves without the assistance of others. Premiums are based on the age of the insured at the time of enrollment and are payroll deductible. Services covered include nursing home care, assisted living, home health care, home care and adult day care. Benefits are available through different options based on a daily benefit amount (\$100, \$150 or \$200) for either a three-year or five-year coverage period. Benefits are available with or without inflation protection.

New employees have a 90 day enrollment period (from the initial hire date), to acquire guaranteed issuance of coverage. The spouse, eligible dependent children, parents and parents-in-law can apply for coverage at any time during the year; however, they must provide information about their health status.

The coverage is guaranteed renewable (i.e., it cannot be cancelled as long as premiums are paid), and portable (i.e., if the employee terminates employment, he/she can continue to pay premiums directly to the insurance company under the same terms and conditions as active employees). Direct billing can be set-up on a quarterly, semi-annual or annual basis. Additional information and enrollment materials can be requested directly from the company via the customer service representative, or on-line at: www.ltc-tn.com.

Employee Assistance Program:

Employees may use the State of Tennessee Employee Assistance Program (EAP) which provides problem assessment and referral services for a wide range of family and individual problems including marital and family discord, emotional distress, alcohol and drug abuse, grieving, job stress, legal and financial referrals, child or spouse abuse, concerns about aging parents, issues with children and adolescents, or other problems. Professional counseling and intake coordinators are available, around the clock, to provide voluntary services that are **strictly confidential**.

COBRA

The Federal COBRA law permits certain employees and dependents to continue coverage for a specific period of time in the event of: death of the employee, divorce, termination of employment (if not gross misconduct or retirement), reduction of work hours, and dependents becoming ineligible for insurance coverage under the employee's plan.

COBRA enrollment forms, brochures, and other pertinent information are automatically generated by the State of Tennessee Insurance system and mailed to the employee's listed address, after "qualifying event" data are entered in the state system. There is a 60 day window from the date of the letter of notification in which the individual can sign-up for COBRA.

For more detailed information, current premium schedules, brochures, insurance plan booklets and directories, and the State Group Insurance Program Handbook, contact the Human Resources Office or, visit the State of Tennessee website:

www.state.tn.us/finance/ins/health.html.

D. Other Benefits:

The Tennessee Board of Regents sponsors Long Term Disability Plans for eligible employees (i.e., scheduled to work not less than 80% time). Two plans are available for employees: non-exempt employees (clerical and support); and, exempt employees (faculty, administrative/professional). The effective date of coverage is the first of the month following the 30-day eligibility period.

Long Term Disability coverage affords the employee continued income in the event of a loss of pay or reduced pay as a result of an extended illness and/or disability. Each plan offers three levels of monthly income benefits based on the elimination period for the on-set of the illness or disability. The insured period involves an initial elimination period (for pre-existing conditions) from the date coverage begins, as follows: Exempt plan: 12 months, plus disability elimination period (i.e., 3-months-66 2/3%; 4-months-60%; or 6-months-60%); Non-exempt plan: 730 days, plus disability elimination period (i.e., 3-months-60%; 4-months-60%; or 6-months-50%).

Non-covered, pre-existing illnesses and/or disabilities, length of benefit period, etc., are stipulated in policy for each plan.

Plan participants who separate from employment have plan conversion privileges.

E. Retirement System Membership

Membership in the Tennessee Consolidated Retirement System (TCRS) is mandatory for all regular full-time and part-time, non-exempt (clerical and support) employees. Exempt (faculty and administrative/professional) employees may elect to participate in TCRS or the Optional Retirement Program (ORP), which consists of TIAA-CREF, VALIC and AETNA. All plans are non-contributory on the part of the employee; the university contributes the appropriate percentage based on the employee's monthly salary.

TCRS requirements for service retirement for members joining on or after July 1, 1979, are age sixty (60), with five (5) years of service, or any age, upon completion of thirty (30) years of service. An employee retiring with at least five (5) years of service at age sixty (60), will be entitled to an unreduced benefit based on the actual years of service. Members with military service, which is granted conditionally upon attainment of vested status, will be eligible for credit after completing five (5) years of service.

Employees eligible to enroll in the ORP (i.e., faculty, administrative/professional employees), but who elect to participate in TCRS, may transfer membership from TCRS to the ORP effective July 1 of each year. All required forms must be completed and submitted to the Human Resources Office by June 1.

During the 2004 legislative session, the General Assembly passed legislation giving Optional Retirement Plan (ORP) members a one-time opportunity to transfer membership to the Tennessee Consolidated Retirement System (TCRS). The legislation can be found in Public Chapter 738 or TCA 8-35-403(f). The specifics of this one-time opportunity are as follows:

- The member must be a current State of Tennessee employee or higher education employee with five or more years of service in the ORP and must also be a current employee at the time of transfer in order to enroll in TCRS.
- The member must not have received a cash withdrawal or other distribution from the ORP.
- The transfer must include Tennessee ORP service. If you elect to transfer to TCRS, you waive all current and future rights to ORP benefits from Tennessee contributions. The decision is irrevocable.
- The cost of the transfer will be the greater of (a) the ORP account balance, or (b) a percentage of the member's compensation during the ORP participation period, plus annual interest. Most likely, in many cases, the ORP balance will not cover the total cost of the transfer.

- The required payment must be made in lump sum by no later than December 31, of the transfer year stipulated. There are various options for funding the payment including transferring your ORP account or other tax-deferred retirement accounts, or using personal savings.

Employees are under no obligation to transfer membership from the ORP to TCRS.

F. Social Security

The University participates in the federal Social Security, Old Age and Survivors Insurance Program (OASI). In addition to old-age retirement payments, OASI includes two types of benefits: disability benefits and survivor's insurance. Benefits are paid to you at any age under 65 (and to your eligible dependents) if you are so severely disabled that you are not able to work. Benefits are paid to your family or other dependents if you

die, insured at any age. The employee's contribution (FICA and FICA Med) is specified by the Federal Social Security Administration and a matching amount is paid by the university.

G. Workers' Compensation Program (Injury During Work)

Under a 1984 Act of the General Assembly, State employees are entitled to the same workers' compensation benefits that are provided by private employers in Tennessee. The State of Tennessee's Workers' Compensation Program is a self-insured plan and is currently administered by: Sedgwick James of Tennessee (1-800-526-2305).

The Tennessee State University Police Department (TSUPD) is charged with the primary Responsibility to provide a safe working environment for all Tennessee State University employees. An employee injured on the job is required to inform his/her supervisor and to notify the TSU Police Department, located in the General Services Building at 2700 Heiman Street, 1st floor, north side of the building. An incident/accident report must be completed and submitted to the TSUPD and the Human Resources Office. All accidents are required to be reported on the appropriate form by the employee or a family member/friend within 24 hours of the occurrence. Failure to file such a report may place a subsequent workers' compensation claim in jeopardy.

The State of Tennessee and its administrator, determine benefits payable for job-related injury, medical treatment, and/or lost time payment. The Human Resources Office receives and transmits all reports, claims and medical bills to Sedgwick James. The Human Resources staff will assist employees with information and proper procedures, including information as to approved medical providers of treatment for initial service in case of injury.

At this time, Davidson County medical service for Workers' Compensation Injury is provided by Baptist Hospital and Baptist Centra Care Centers. Service provider lists for other counties are available through contact with the TSU Human Resources Office or through contact with USA Workers' Injury Network at 1-800-USA-3860. Employees ARE RESPONSIBLE for bills incurred for which WORKERS' COMPENSATION CLAIMS are DENIED. A Workers' Compensation Handbook is available from the Human Resources Office.

Employees should become familiar with their rights and duties as listed below:

1. It shall be your duty to cooperate with your supervisor and the Safety Officer in furthering the objectives of the safety program.
2. It shall be your duty to perform your tasks in such a manner that you do not present a hazard to yourself or your fellow workers. Employees who fail to do this or who perform their duties in such a manner that equipment and property may be damaged, are subject to disciplinary action in accordance with personnel policies.
3. You may submit complaints through your department head to the TSU Police Department or campus OSHA representative concerning conditions or practices that may be injurious to your safety or health.
4. If after submitting complaints through the proper channels you are not satisfied with the action taken to correct the condition or practice, you have the right to petition the Commissioner of Labor for an investigation.
5. If you feel you have been transferred, dismissed, or given a position in a lower skill level as a result of having submitted a complaint, you may file a grievance in accordance with personnel policies.
6. You are entitled to review the annual safety report submitted by the University and to protest any portion of the report which you feel is inaccurate or fails to portray real and existing conditions. You are encouraged to report safety hazards promptly and make suggestions that you feel will result in making TSU a safer place to work.

SECTION V – LEAVE POLICIES

A. Annual Leave

The purpose of annual leave is to provide regular full-time and part-time employees with periods of rest and relaxation away from the work environment. Approving authorities may require key administrative employees to take a specified number of consecutive days of annual leave each year. Under no circumstance can annual leave be taken before it is earned. Annual leave is accrued as described below.

- 1) Regular non-exempt full-time employees will start accruing annual leave upon completion of a calendar month of service or major fraction thereof, in accordance with the following schedule:

ELIGIBILITY, RATES OF ACCRUAL, AND MAXIMUM ACCUMULATION OF ANNUAL LEAVE

| YEARS SERVICE | ACCRUAL RATE PER MONTH | MAXIMUM ANNUAL ACCUMULATION | MAXIMUM ACCUMULATION WITHIN FY | MAXIMUM ACCUMULATION CARRIED FORWARD TO NEXT FY |
|------------------|------------------------------|-----------------------------------|--------------------------------------|---|
| 0-less than 5 | 7.5 hours | 90.0 hours | 315.0 hours | 225.0 hours |
| 5- less than 10 | 11.3 hours | 135.6 hours | 405.6 hours | 270.0 hours |
| 10-less than 20 | 13.2 hours | 158.4 hours | 450.9 hours | 292.5 hours |
| 20 or more | 15.0 hours | 180.0 hours | 495.0 hours | 315.0 hours |

- 2) Exempt employees will accrue 15.0 hours per month with a maximum accumulation of 315.0 hours, regardless of years of service.
- 3) Part-time regular employees will accrue annual leave on a pro-rated basis.
- 4) Temporary employees do not accrue annual leave.
- 5) Regular employees with MODFY (modified fiscal year) appointments will accrue annual leave during their appointment periods. MODFY employees who work during their normal non-duty periods shall accrue annual leave on the same basis as full-time employees for each month of full-time employment. For part-time employment during that period, MODFY employees shall accrue annual leave on a prorated basis.
- 6) The anniversary date for computation of leave shall be the beginning date of employment for each employee, except when adjustments in the date must be made because of periods of non-accrual, i.e., leaves of absence, temporary breaks in employment. Annual leave in excess of maximum may be used during the fiscal year in which the excess accrues; however, an employee may not exceed the maximum leave at the end of the fiscal year. In the event it is not so used during the fiscal year, it will be transferred to the employee's accumulated sick leave.

- 7) Annual leave shall be requested and approved by the department head before leave begins. Annual leave may not be advanced and shall not be in excess of the amount accrued by the employee.
- 8) Employees may request to use their annual leave any time they prefer by application to the department head. Such requests will be considered, subject to the discretion of the department head to plan the work under his/her control and to authorize absence only at such time as the employee can best be spared. However, it is management's responsibility to plan the work so that employees are permitted to take their annual leave during the course of each year.
- 9) An employee who is dismissed for gross misconduct or who resigns to avoid dismissal for gross misconduct shall not be entitled to any compensation for accrued but unused annual leave at the time of dismissal.
- 10) In the case of death, payment for an employee's unused accrued annual leave shall be made to the employee's estate or designated beneficiary.

B. Sick Leave

Sick leave applies to the same personnel as described in *Section V-B, Annual Leave*. Accrued sick leave is cumulative for all days not used. Under no circumstance shall sick leave be taken before it is earned. Employees do not earn or accrue sick leave while on leave of absence. Employees do not receive payment for unused accrued sick leave days while on leave of absence or receive payment for unused accrued sick leave days upon termination. Sick leave may be used for purposes such as: illness or injury to an employee, medical examinations and dental appointments, and illness or incapacity to work due to pregnancy. In instances of death of a member of the immediate family, sick leave may be granted at the discretion of the appropriate approving authority for a maximum of two (2) days after the three (3) days of bereavement leave have been used.

Regular employees accrue sick leave at the rate of one day (7.5 or 8.0 hours) for each calendar month of actual service or a major fraction thereof. A regular full-time employee cannot earn more than 12 days (90 or 96 hours) of sick leave per year.

Part-time regular employees accrue sick leave on a pro-rata basis. Temporary, seasonal, and intermittent employees do not accrue sick leave.

Regular employees with MODFY (modified fiscal year) appointments accrue sick leave during their appointment periods. MODFY employees who work during their normal non-duty periods shall accrue sick leave as full-time employees for each month of full-time employment. For part-time employment during that period, MODFY employees shall accrue sick leave on a pro-rata basis.

Illness of the employee shall be reported to the respective department head as soon as possible on the first day of absence. If such notification is not given, such absence may be charged as annual leave or leave without pay. Sick leave should be documented and approved by the department head on the first workday after the absence.

C. Maternity Leave

In accordance with T.C.A. 50-1-501, time off is provided to regular female employees for the birth of children. Leave for maternity purposes will be granted for a period of up to sixteen weeks upon request of the female employee. Thirty unpaid days are granted to men for the birth of a child. Persons requesting such leave should contact their supervisors and the Human Resources Office (963-5281) and file their requests for such leave. Other documentation, if needed, will be discussed at that time. More specific details are available in the Human Resources Office and the *TBR Policy Manual*.

D. Paternity Leave

It is the policy of the Tennessee Board of Regents to provide up to thirty (30) working days of paternity leave to regular, male employees due to the birth of children, in accordance with T.C.A. 50-1-503, and the Family and Medical Leave Act of 1993 (FMLA). Upon receipt of the regular employee's written request for paternity leave, the appropriate authority will process the request in accordance with the provisions set-forth in this policy and the employee's eligibility for leave under TBR Family and Medical Leave Policy No. 5:01:01:14.

Regular employees who are eligible for FMLA leave will have paternity leave processed in conjunction with the TBR FMLA policy, regarding election of paid/unpaid leave, continuation of insurance coverage, etc.

Sick leave may be used for paternity leave for a period not to exceed the employee's accumulated sick leave balance or thirty (30) working days, whichever is less. Employees with less than 30 days may use annual leave, compensatory time (if applicable), and leave without pay for the balance of the leave period.

E. Family and Medical Leave (FMLA)

As part of TSU's sick leave options, the Family Medical Leave Act (FMLA) is available for a maximum of twelve (12) paid or unpaid weeks to employees who are ill or who may be required to assist/ care for a member of their immediate family. (For employees: on the fourth CONSECUTIVE day of illness, contact the Benefits staff in the Human Resources Office.)

Where an employee must be absent because of serious illness in the immediate family, family medical sick leave may be granted by the supervisor and the Human Resources Office. For purposes of this section, “immediate family” shall be deemed to include (a) spouses; (b) children, adopted children, stepchildren; (c) parents, parents-in-law, stepparents, and foster parents; (d) siblings; and (e) other members of the family who reside within the home of the employee.

Forms will be completed to place the employee on FMLA. Paid sick or annual leave may be used until it expires. The following events qualify for FMLA entitlement:

- 1) the birth or adoption of a child, foster or step-child;
- 2) foster care of a child;
- 3) care of spouse, son, daughter, parent, or that person who stood in place of absent parent. [This definition does not include a parent-in-law; it does include a foster or stepchild, legal ward or child, or a person standing in place of an absent parent.]

In instances where the employee has no sick leave, such absence may be charged to annual leave, if available. If neither sick nor annual leave is available, such absence will be charged as leave without pay.

An employee may be required to present evidence in the form of a physician’s certificate to support the reasons for an absence during the time for which sick leave is taken. Except in exceptional circumstances, physician certification will be required only after three consecutive days of absence.

F. Bereavement Leave

In instances of death of one of the following relatives, a maximum of three (3) paid bereavement leave days are granted by the approving authority: (1) grandparent, grandchild 2) sibling; 3) parent, step-parent, foster parent, parent-in-law; 4) child, stepchild, foster child; or 5) spouse. In instances of death of a member of the above immediate family, as defined in the bereavement leave policy, the approving authority **may**, upon request, grant an additional two (2) days which will be charged to sick leave.

G. Adoptive Parents Leave

Employees may request special leave without pay for up to four months for adoptive parents leave. During the four-month period, employees may use accumulated sick leave for up to thirty (30) working days. Adoptive leave does not cover stepchildren or adults.

Persons requesting such benefits should contact their supervisors and the Human Resources Office (963-5288) and file their requests for such leave. Other needed documentation will be discussed at that time. More specific details are available in the Human Resources Office and are referenced in the TBR Policy Manual.

H. Leave of Absence

Leave of absence without pay, not to exceed one (1) year, may be granted for justifiable absences wherein it is not desirable to terminate the employee. Examples of such absences are: illness, injury, or disability of an employee who has insufficient accumulated leave; leave for education purposes; and leave for justifiable personal reason. The President must approve such leave.

Leave of absence for periods exceeding one (1) year may be granted upon recommendation of the President and approval by the Chancellor of the TBR.

Leave without pay (LWOP) for periods of one month or less shall be requested in writing when the employee has no applicable leave accumulation. Requests that have been approved by the supervisor shall be forwarded to the Human Resources Office for approval by the Human Resources Director as designated by the President as the approval authority for periods of one month or less.

Leave Without Pay for periods exceeding one month and any period of LWOP requested when the employee has an applicable leave accumulation shall be requested by memo to his/her immediate supervisor, with approval of the Human Resources Director and the President.

While on leave of absence for educational purposes or other justifiable personal reasons other than illness, injury, disability, or maternity leave, an employee retains accumulated annual and sick leave, but does not earn or accrue additional annual or sick leave.

I. Military Leave

All employees who are members of any reserve component of the armed forces of the United States or of the Tennessee National Guard shall be entitled to military leave for periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders.

Each employee who is on military leave shall be paid his or her salary for a period, or periods, not to exceed fifteen (15) working days in any one (1) calendar year. After that time, the employee may use accumulated annual leave, if he/she so chooses. At the end of the fifteen (15) days (or when the annual leave is exhausted), the employee will then be on leave of absence without pay. The employee must furnish certification from competent military authority of the dates active duty was actually performed.

An employee called into military service shall be entitled to reinstatement as prescribed by law.

J. Civil Leave

Civil leave shall be granted to an employee who serves as a witness for the federal government, the State of Tennessee, or a political sub-division of the state, or when he or she attends any court in connection with his or her official duties, or serves on a jury in any state or federal court. For the period an employee eligible for civil leave renders jury service or serves as witness, he/she shall be entitled to his/her regular compensation and the amount allowable for such service.

An employee may retain all compensation or fees received as a witness or juror. Documentation to substantiate absence due to performing civil duty must be presented to the Human Resources Office.

Employees involved in personal litigation, or who serve as witness in private litigation, shall be charged with annual leave or leave without pay.

K. Transfer of Leave

An employee who transfers to another system institution or school or another state agency shall not be paid for his or her accrued but unused annual leave. Rather, all unused annual leave shall be transferred to the other institution or state agency. If an employee leaves and is re-employed with a Tennessee state agency prior to his/her termination date with TSU, he/she shall have all unused annual leave transferred/reinstated to the employing agency and shall not be entitled to payment for annual leave beginning with the date of re-employment. Any payment for annual leave upon the termination which is later found to have been in violation of this policy shall be repaid to the University by the terminating employee.

L. Voting Leave

Employees who are registered voters may receive reasonable time off to vote if they request such time-off before noon the day before the election. The supervisor may specify the hours during which the employee may be absent to vote, and the time-off may not exceed three (3) hours. No time off will be granted if the polls in the county where the employee is a resident are open three (3) or more hours before the employee is scheduled to begin work or if the polls close three (3) or more hours after the employee's work schedule ends.

Time-off to vote shall be recorded as non-duty pay hours and will be reported on the employee's time sheet. Time-off to vote is considered for non-exempt employees as non-worked time when calculating overtime.

SECTION VI– SPECIAL BENEFITS

A. Bookstore

The TSU Bookstore carries a variety of items such as TSU paraphernalia, clothes, books, office and art supplies, snacks, etc., for employees and students desiring to purchase these types of supplies. Employees are eligible to receive a 10 percent discount on purchases in the bookstore. Purchases made for TSU departmental usage are eligible for a 20 percent discount. The bookstore is located on the 2nd floor of the Floyd-Payne building on the main campus and the 1st floor of the Williams Building on the downtown campus.

B. Credit Unions and Group Banking

The University is affiliated with Educator's Credit Union, Tennessee Teacher's Credit Union, TSU Federal Employee Credit Union, and AmSouth Bank. All regular employees are eligible for membership and free accounts. Many employees take advantage of banking or credit union services such as checking, savings, small signature loans, car loans, home improvement loans, dental insurance plans, free travelers checks and direct deposit services. Payroll deduction provides an automatic way of saving and/ or making deposits or payments. For information on becoming a member of a credit union or a group account holder with First American, contact the Human Resources Office, a local Credit Union branch, or a First American National Bank branch.

C. Employee Suggestion Program

TSU participates in the State of Tennessee Employee Suggestion Program. Any suggestions you have for improvement or money-saving changes may be submitted for consideration. Implementation of your suggestions could provide you a monetary prize. Forms and procedures for making formal suggestions are available in the Human Resources Office.

D. Enrolling for Courses

Non-Exempt Employees-hourly paid employees (paid twice a month) who hold full-time permanent positions may enroll in one semester course during their six-month probationary period. After successful completion of the probationary period, employees may thereafter take three (3) courses per semester (9 credit hours). Only one (up to three hours using the PC 191 form) course may be taken at any TBR institution, including the community colleges, technical institutes, and the technology centers. Employees may pick up forms for enrollment in the Human Resources Office. A fee waiver is granted for these courses. Particular class availability is governed by “regular” student enrollment priority. As of July 1997, **undergraduate** course work is not subject to **IRS** taxable income requirements. [Variation on taxability is subject to change in the Federal law.] Course work should be taken with the endorsement of the supervisor and with respect to the employee’s ability to maintain a regular work schedule. Combinations of lunch hour and/ or break schedules are **NOT TO BE USED** for course attendance, nor are classes to be taken during regular work hours, without prior approval.

Exempt Employees-monthly paid employees, who hold regular full-time; permanent positions are eligible to enroll in one free course per semester. All stipulations otherwise are the same as for non-exempt employees (see above). The employee shall pay all fees/ deposits. Participants must complete courses with a passing grade in order to take subsequent courses in a given program of study. Exceptions to the passing grade requirements will be made only where a physician certifies failure due to health reasons or when the student/employee has paid for and completed two subsequent courses since failing the course paid for at University expense. Exception to these guidelines can be made upon recommendation of the President and approval by the Tennessee Board of Regents.

Faculty, Administrators and Support Staff Fee Waiver at any Tennessee Public Postsecondary Institution (PC 191)- Full-time employees are encouraged to develop their skills and increase job knowledge and expertise. This program provides for waivers of fees to all regular full-time employees at the University to enroll in one course per term, on a space-available basis, at any Tennessee post-secondary institution pursuant to Chapter 191 of the Public Acts of 1985. All courses must be credit courses, and employees must request annual leave or appropriate time-off to attend courses during work hours. Normal working hours for employees is defined as the regular hours the employee is scheduled to work. Lunch periods and breaks are considered part of an employee’s regular work schedule and may not be used for taking classes. Supervisors have the responsibility for limiting the number of credit hours for which an employee may enroll so as to maintain an optimum level of performance. This benefit is available subject to the funds being budgeted and available within the institution. The forms for this plan may be obtained from the Human Resources Office.

Scholarship Program-In addition to the fee waiver programs, Tennessee State University also offers classified employees the option to take additional courses through the scholarship program. Full-time staff may request sponsorship from their department for a scholarship not to exceed the maintenance fees for the course work taken. The rules below are established as guidelines for the scholarship program.

The scholarship program is available to all full-time staff members who have been employed by the institution for at least six months.

- Staff members shall be defined as not including faculty, administrators, professional employees, graduate assistants, post-doctoral fellows, or personnel holding faculty rank or status.
- Courses may be taken at any Tennessee public institution while continuing work at Tennessee State University.
Personnel must meet the requirements for admission and are subject to institutional regulations and academic procedures.
- Courses must be for credit in a degree program, except non-credit courses directly job-related, as certified by the supervisor and/or designated institutional officer.
- Staff members should not schedule classes during their normal working hours.
- Staff members, in counsel with their supervisors, should limit the number of credit hours in which they enroll so as to maintain an optimum level of job performance.
- The employee must make application and receive final acceptance.
- The employee must submit the request to the supervisor two weeks prior to registration.
- Payment by the institution will be restricted to an amount no greater than the established resident maintenance fee for six semester hours per term.
- The employee will be responsible for the application fee and required deposits, laboratory fees, drop fees, etc.
- Participants must complete with passing grades all courses in which they enroll under this program in order to take subsequent courses in this program. Exceptions will be made only in the cases where a physician has certified failure for health reasons or when the employee has paid for and completed at least two courses since having failed to complete a course taken at institutional expense.

Exceptions to these guidelines can be made by recommendation of the President and approved by the Tennessee Board of Regents.

Educational Assistance/ Student Fee Discount for Spouses and Dependent

Children of Employees-The purpose of this program is to assist regular employees by providing a student fee discount for their spouses and dependent children when enrolled in undergraduate courses at any of the institutions in the TBR or the University of Tennessee system. All full-time employees within the TBR or the University of Tennessee system are eligible for a 50 percent student fee discount for their spouses and dependent children. Spouses and dependent children of regular part-time employees who have one (1) or more years of continuous service within either system working a minimum of 50 percent time shall receive a prorated portion of the 50 percent discount based upon the employee's current percentage of work effort. Dependent children for this purpose include: (a) natural children 26 years of age and under; (b) step-children 26 years of age or under living with the employee; (c) legally adopted children 26 years of age or under; or (d) all other individuals who are 26 years of age or under and living in a parent/child relationship with the employee.

Spouses of employees having ten or more years of continuous full-time service within the TBR system immediately preceding retirement or death are eligible for the fee discount for five years from the date of death or retirement of the employee, whichever shall occur first. Spouses and dependent children of employees having less than ten years of full-time continuous service within the TBR system immediately preceding retirement or death are eligible for the fee discount for twelve months from the date of death or retirement of the employee whichever shall occur first. Spouses and dependent children of employees who had ten or more years of regular continuous part-time service immediately preceding retirement or death are eligible for the fee discount on a pro-rata basis for twelve months from the date of death or retirement of the employee. The prorate discount will be based on the percent of effort worked by the employee at the time of retirement or death. This program is available subject to the funds being budgeted and available within the institution. The forms needed to apply for this plan may be obtained from the Human Resources Office.

Staff Development Program- This program provides tuition or maintenance and related fees for regular clerical and support staff employees who take credit courses in a degree program (or non-credit courses that are directly job-related) and who take the courses at the University while continuing work responsibilities at Tennessee State University. To be eligible for this program, an employee must have been employed by the institution for at least six months. Eligible part-time employees shall receive a prorated discount based upon the employee's percentage of work effort. This program is available subject to the funds being budgeted and available within the institution. For more detailed information, contact the Human Resources Office.

Faculty or Administrative/ Professional Staff Tuition or Maintenance Fee

Reimbursement Program-This program provides tuition or maintenance and related fees for regular faculty and administrative/ professional employees who take credit courses on a part-time basis at Tennessee State University while continuing work responsibilities at the University. To be eligible for this program, an employee must have been employed by the institution for at least six months. This program is available subject to the funds being budgeted and available within the institution. For more detailed information, contact the Human Resources Office.

E. Food Services

All employees are invited to dine in the University cafeterias or snack bars located in the Floyd-Payne Campus Center on the main campus, the Williams downtown campus, and the Rudolph Residence Center.

The food service contractor provides catering and banquet services on a contract basis for University-sponsored and personal events. Call food services at 963-5495 for further information.

F. Library/Computer Labs

All employees are welcome to use the University libraries on the main and Williams campuses. Assistance is available to help new employees unfamiliar with procedures. An ID card must be presented to borrow books.

Computer lab facilities are also available for use by employees. Computer passwords may be obtained by completing the appropriate forms in the Academic Computing Center located on the first floor of McCord Hall.

G. Post Office

Postal services, except delivery of personal mail, are available through the University Post Office in the Floyd-Payne Campus Center on the main campus and the Williams Post Office downtown campus. It is expected that personal mail service will be maintained at your home address. Official mail will be distributed through the campus mail system to your department.

H. Recreational Facilities

All University employees are entitled to use the Floyd-Payne Campus Center and Gentry Center provided that use does not interfere with scheduled classes or other student activities.

I. Season Tickets to Athletic Events

Employees may purchase discounted season football and basketball tickets. For more specific information, contact the Athletic Ticket Office at 963-5841.

J. Unemployment Compensation

The University provides unemployment compensation as a benefit to former employees. Unemployment compensation is a weekly payment made for a limited time when one is out of work through no fault of one's own. No deduction is made from the employee's pay for this purpose. This compensation should not be confused with Social Security or Workers' Compensation. If unemployed, one may apply for compensation at the local office of the Tennessee Department of Employment Security.

According to applicable laws of the Tennessee Department of Employment Security, the following conditions render the unemployed ineligible for unemployment compensation: (a) voluntary resignation from work without just cause; (b) discharge for misconduct; or (c) refusal or failure to apply for or to accept suitable work.

K. United States Savings Bonds

The University offers savings bonds through payroll deductions. Savings bond enrollment forms are available in the Human Resources Office.

SECTION VII – DISCIPLINARY POLICY AND PROCEDURES

A. Purpose

The university's grievance policy is designed to provide an effective procedure for resolution of problems arising from the employment relationship or environment. The instructions below are provided to establish a disciplinary procedure that will afford consistent and equitable treatment of all employees.

B. Disciplinary Policy

The following are components of the University's disciplinary policy:

1. All new employees are on probation for a period of six (6) months. If during this period, there is cause for disciplinary action, it may result in dismissal.
2. Normally, the reason for taking disciplinary action is to correct an individual's misconduct and to warn that repetition of similar behavior can result in discharge.

3. No disciplinary action involving demotion, suspension, or dismissal is to be taken against any regular, full-time employee until such disciplinary action has been discussed with the Human Resources Office or a designated representative, except when, in the judgment of the employee's supervisor, immediate suspension is necessary to protect the safety of persons or property or for similar grave reasons. In addition, dismissal requires the concurrence of the appropriate Vice President and the President.

C. Supervisory Responsibility

The supervisor is responsible for maintaining proper conduct and discipline of University employees under his/ her supervision. When disciplinary action appears to be necessary, the supervisor will conduct an interview with the subject employee for the following reasons:

1. To give the employee a clear understanding of exactly what is expected;
2. To explain in what way the employee has failed in meeting the requirements or in what way his/ her conduct has been unacceptable;
3. To give the employee an opportunity to account for his/ her actions or lack of actions;
4. To take appropriate disciplinary action if the situation warrants it. All disciplinary discussions should be done in a climate conducive to good understanding and reasonable discussion.

D. Examples of Circumstances and Instance of Misconduct Requiring Disciplinary Action

1. There are circumstances that will require immediate discharge, as in the following cases:
 - a. Possession or use of liquor on University property;
 - b. Buying, selling, using, possessing, or being under the influence of any unauthorized narcotic, including marijuana, heroin, LSD, and any other related or similar drugs;
 - c. Inappropriate behavior on University premises;
 - d. Theft (including removal of discarded items);
 - e. Fighting on University property;
 - f. Possession of unauthorized weapons on University property;
 - g. Falsification of records or fraud;
 - h. Willful violation of safety rules;
 - i. Willful damage to University property;
 - j. Gross insubordination, including overt refusal to follow, and/ or willful disregard of explicit instructions.

2. There are cases of misconduct that usually do not warrant immediate discharge but will result in disciplinary action. Usually this disciplinary action will be either a noted oral warning or a written reprimand. While not inclusive, examples of such misconduct are as follows:
 - a. Ineffective use of University time;
 - b. Improper or careless use of equipment, including failure to report damage to equipment;
 - c. Repeated absenteeism or tardiness, including failure to report to the supervisor the circumstances and occasion when absence or tardiness may unavoidably occur (i.e., employees are to call their supervisors on such occasions);
 - d. Disregard for instructions or general University rules;
 - e. Failure to report an accident occurring during work hours. All employees who are injured must file a written report of such accident/ injury with the TSU Police Department.

E. Forms of Disciplinary Action

1. **ORAL WARNING**: If the problem was caused by inattention or neglect of minor significance and the employee has not been reprimanded for a similar offense during the previous six months, an oral warning is suggested. The basic cause of the incident should be clearly pointed out, suggestions made for its correction, and the employee told what consequences to expect should incidents of like nature continue to occur. The supervisor may administer an oral warning without prior approval and will record the date and other pertinent information, retaining it for future reference.

2. **WRITTEN WARNING**: If a problem is caused by a second occurrence of the act(s), which had previously resulted in an oral warning for the first offense, a written warning (or possibly discharge) may be necessary. However, under most circumstances, a second occurrence of an incident that had necessitated the earlier noted oral warning and which is NOT judged to have been premeditated or deliberate will result in a written warning. When it is the employee's second offense with a same problem within a six-month period, the supervisor SHALL initiate a written warning. A written warning is to be issued only when accompanied by written documentation of the exact facts and occurrences, including a record of the previously noted oral warning. Before writing and presenting the written reprimand to the employee, the supervisor must have the concurrence of the department head or the person to whom the supervisor directly reports. The written warning presented to the employee shall be copied and placed in the employee's file in the Human Resources Office.

3. **TIME OFF WITHOUT PAY (Suspension)**: This action may be taken to impress upon the employee the serious nature of his/ her act or offense. This should be considered as a notice that the employee is facing possible termination if his/ her performance or attitude does not improve. The supervisor will consult the department head and the Director of Human Resources and the time-off period will be determined through such consultation. In addition to the time off without pay, a letter of warning will be issued to the employee and a copy placed in his/ her personnel file.

4. **TERMINATION**: When an employee is recommended for termination for disciplinary reasons, the following procedures (*TSU Policy 6.37*) will occur:

- a. The Budget Head will submit to the appropriate Vice President:
 - a1. copies of performance evaluation(s) on the employee,
 - a2. copies of previous disciplinary notice(s),
 - a3. copies of any related documentation,
 - a4. an original PARF (personnel action request form) indication effective termination date;
- b. After approval, the Vice President will submit these documents to the Director of Human Resources;
- c. The Director of Human Resources will review the recommendation and documentation and may meet with the department head, as necessary;
- d. The Director of Human Resources will meet with the AA/EEO Officer to obtain a signature on the PARF. The PARF and a termination letter will be presented to the President for signature and materials will be returned to the Human Resources Office;
- e. The Director of Human Resources will present the Termination Letter (or Suspension Letter, see item #5 below) to the employee and arrange for an EXIT Interview, as appropriate;
- f. In case(s) of GROSS MISCONDUCT, warranting immediate dismissal, the Director of Human Resources may act as necessary to expedite the President's approval.

5. **SUSPENSION**: When, in the judgment of the supervisor, immediate suspension of an employee is necessary to protect the safety of persons or property or for similarly grave reasons:

- a. The supervisor will direct the employee to leave the University premises at once and either: (1) to report back to the supervisor the following day, or (2) to remain away until further notice;
- b. The procedures in 4 a through 4e, above, will then be followed.

6. **JOB ABANDONMENT:** An employee who is absent from duty for more than three (3) consecutive business days without giving notice to the appointing authority or appropriate manager concerning the reason for such absence and without securing permission to be on leave, or who fails to report for duty or to the immediate supervisor or the appointing authority within two (2) business days after the expiration of any authorized leave of absence, absent unusual circumstances causing the employee's absence or preventing the employee's return, is considered as having resigned not in good standing.

SECTION VIII – COMPLAINT AND GRIEVANCE PROCEDURES FOR EMPLOYEES

A. Purpose

The purpose of these procedures is to provide a clear, orderly, and expedient process through which all employees of the institution may process bona-fide complaints or grievances. Specific appeal processes cover some grievances. Therefore, this policy has no applications to those grievances. These include appeals of tenure and promotion decisions. For allegations of discrimination in employment on the basis of race, religion, color, sex, age, disability, national origin, or veteran status, refer to *TSU Policy 6.6.1*; or for complaints about sexual harassment, see *TSU Policy 6.6.2* and contact the Director of Equal Opportunity and Affirmative Action, who will accept and process such complaints. Tennessee State University strictly prohibits sexual harassment. Sexual harassment is a form of sex discrimination and is illegal under state and federal laws. Generally, sexual harassment may be defined as any unwanted attention, verbal or physical, of a sexual nature. Questions, concerns, and complaints about sexual harassment should be directed to the Equal Opportunity/ Affirmative Action Office. Complaints will be handled in a prompt and confidential manner pursuant to TSU procedures and TBR policies.

B. Policy Statement

It is the policy of Tennessee State University to provide an effective procedure for resolution of problems arising from the employment relationship or environment. To this end, formal complaint and grievance procedures have been established. When an employee believes a condition of employment affecting him/ her is unjust, inequitable, or is a hindrance to effective performance of his /her employment responsibilities, the employee should first seek resolution through the complaint procedure without fear of coercion, discrimination, or reprisal. It is the policy of TSU to make every effort to resolve disputes before they become grievances. The President is responsible for implementation of these procedures and has the final decision-making authority in any action subject to these procedures.

C. Matters Subject to the Complaint or Grievance Procedures

1. There are two types of matters that are addressed by this policy.
 - a. **COMPLAINT** (Committee review not available): A complaint is a concern that an employee wants to discuss with supervisory personnel in an effort to resolve the matter. Personnel actions such as performance evaluations, rates of pay, position reclassifications, or position terminations due to reduction in force, do not fall under the definition of complaint.
 - b. **GRIEVANCE** (Committee review available): Committee members are appointed by the President and shall be no less than three nor more than five persons, (see *SECTION VIII-F, Step 3: Written Statement*, following). An employee may only grieve those matters defined in b1 and b2, following—

A grievance may result from any action the institution has taken against the employee which:

- b1. Violates institutional or TBR policy, or involves an application of these same policies;
- b2. Violates any constitutional right. The most likely areas of concern are the First, Fourth, or Fourteenth Amendments of the federal constitution when that action hampers free speech, freedom of religion, the right to association, provides for improper search and seizure, or denies constitutionally required notice or procedures.

2. EMPLOYEES

Employees shall include administrators, faculty, (including fulltime faculty on term or temporary contracts), professionals, clerical and support personnel. Probationary employees are also included in this definition. Student workers, graduate assistants, adjunct faculty, and temporary workers are not included in the definition of employees.

D. Definitions

As used in these procedures, the following terms shall have the meanings designated below.

1. Immediate supervisor: That person who is directly responsible for the supervision of the employee's activities.
2. Next-higher-level supervisor: That person who is directly responsible for the supervision of the immediate supervisor's activities.

3. Working days: Days on which the Business Office of the institution is officially open.
4. Date of the decision: Date the decision is communicated to the employee if communicated in person; three (3) days after mailing of the decision, if communicated by mail.

E. General Rules of Implementation

1. Employees using this procedure shall be entitled to do so without fear of retaliation, interference, coercion, or discrimination.
2. A complaint/ grievance must be presented to the employee's immediate supervisor (Step1) within ten (10) working days after the occurrence of the incident. Any claim not presented within the time frame provided shall be deemed to have been waived. (For repetitive or ongoing incidents or circumstances, the complaint/ grievance must be filed within ten working days of the last occurrence of such incident or circumstance).
3. Employees shall be given the opportunity to pursue complaints/ grievances during their assigned work time. Access to procedures under this policy shall not interfere with the normal workflow of the institution.
4. The President may grant a reasonable extension of the applicable time limit at each stage of the procedure upon the timely showing of good cause. The request for an extension must be in writing. The approval or denial of the request shall also be in writing.

F. Steps for Filing the Complaint/Grievance

Step 1: DISCUSSION WITH IMMEDIATE SUPERVISOR

The employee should state in writing the basis for the complaint or grievance and the corrective action the complainant is requesting or desires. The written statement should cite facts, times, dates and specific events of occurrences. The statement should be presented in reasonable and temperate terms, which would enable a reasonable person to ascertain facts of the matter.

The employee and the supervisor shall discuss the complaint in an attempt to resolve the matter. The supervisor shall conduct any necessary or appropriate investigation and inform the employee of a decision based upon full and fair consideration of all the facts within five (5) working days of the initial discussion. The immediate supervisor will assure that the decision is clearly communicated to the employee.

If the employee is satisfied with the decision, no additional action is required. If the employee is not satisfied, the employee may proceed to Step 2. If no decision is communicated to the employee within five (5) working days of the initial discussion, the employee may proceed directly to Step 2. (This procedure is applicable **ONLY** for persons with complaints about their IMMEDIATE SUPERVISOR; all others should proceed to STEP 3.)

Step 2: DISCUSSION WITH HIGHER-LEVEL SUPERVISOR

If the employee and the immediate supervisor are not able to reach a mutually satisfactory resolution, the employee may proceed to discuss the matter with the next higher-level supervisor within five (5) working days of the date of the decision of the immediate supervisor. Failure to comply with Step 2 in a timely manner shall be deemed a waiver by the employee and the complaint may not be raised again. The next higher level supervisor and the employee shall then follow the same procedure as required in

If the employee is satisfied with the decision reached by the next-higher-level supervisor, no additional action is required. If the employee is not satisfied, the employee may proceed to Step 3. (If no decision is communicated to the employee within five (5) working days of the initial discussion between the employee and the next higher-level supervisor, the employee may proceed directly to Step3.)

Step 3: WRITTEN STATEMENT-OFFICIAL GRIEVANCE/COMPLAINT FORM

If the employee and the higher-level supervisor are not able to reach a mutually satisfactory resolution to the complaint, the employee may file a WRITTEN grievance or complaint. The form is available in the Human Resources Office. The employee should complete the form and file it along with any other written documentation with the Director of Human Resources. For allegation of unlawful discrimination, a written statement must be filed with the Director of Equal Employment Opportunity/Affirmative Action (EEO/AA). Records for complaints/ grievances that allege unlawful discrimination are retained in the office of EEO/AA. The grievance statement must be filed within five (5) working days of the date of the decision of the higher-level supervisor. Failure to comply with Step 3 in a timely manner shall be deemed a waiver by the grieved person and the grievance may not be raised again. A copy of all documentation shall be given to both the supervisor and the next-higher supervisor. The Director of Human Resources shall attempt to mediate the matter under consideration with the goal of gaining agreement as to the appropriate solution to the matter. If no solution is agreed to by both employee and supervisor(s), the Director of Human Resources shall write a synopsis of the matter under consideration. The areas of continuing disagreement shall be identified, as well as the Director's suggested solution(s) or recommendation(s) for solution. This documentation shall be submitted to the President for review.

Upon receipt of the documentation and recommendation, the President, in consultation with the appropriate Vice President, shall within ten (10) working days, review all pertinent information presented by the Director of Human Resources. The President's decision shall be directed to the employee, and copies shall be provided to all parties involved.

Grievances, as defined *Section VIII, C, b1 and b2* above, which cannot be resolved shall be referred to a grievance committee as detailed in paragraph G, following, and where the grieved person requests such review. The grieved person has the option of choosing committee review when attempts to resolve the matter have failed or where it is apparent that such an attempt would be futile. Within ten (10) working days of receipt of a request for committee review, the President of the University shall appoint the grievance committee.

G. Grievance Committee

The grievance committee, which is appointed by the President, shall include no less than three and not more than five members selected under the following guidelines:

1. The chair and committee members will include individuals who will be disinterested in the outcome;
2. At least one committee member will be a peer of the aggrieved person;
3. Every effort will be made to include racial and gender balance in the
4. The committee shall conduct an independent and thorough investigation. In order to do so, it has the power to receive evidence from the aggrieved person and gather evidence from all sources and all witnesses;
5. The procedure shall involve a fact-finding by the committee, at which time the committee will hear each witness (including the aggrieved person) separately;
6. The committee shall make a written report of its recommendation and reasons to the President. The President may then adopt the committee's recommendation, in whole or in part, or make a decision independent of the committee's findings;
7. The aggrieved person shall be provided a copy of the committee's report along with the President's decision.

H. Appeal to Chancellor

Grievances that can be appealed to the Chancellor are those that have been processed through the grievance committee and those that fall within the parameters set out in the *TBR policy No. 1:02:11:00*. These generally include all grievances defined in *Section VIII, C 1, a and b*, above, EXCEPT those where the grieved party has filed a lawsuit or appeal with a state or federal administrative body or court.

I. Maintenance of Records

Copies of written grievances/ complaints and accompanying responses and documentation except those, which allege unlawful discrimination (SEE: *Section VIII, F, Step 3, WRITTEN AGREEMENT*, above) will be maintained in the Human Resources Office for three years.

SECTION IX – MISCELLANEOUS INFORMATION

A. Bulletin Boards

Bulletin boards have been placed in most departments. Notices that relate to you, your job, your department, and other items of general interest are posted on these boards. Your supervisor will show you where the bulletin boards are in your department. It is your responsibility to check the bulletin board for notices of importance to you and the university

B. Safety Belt Usage

The executive order of Tennessee and Tennessee Board of Regents and Tennessee State University policies require the use of seat belts in state-owned vehicles by all occupants. The Governor of Tennessee signed an executive order stating that all persons operating or riding in a state-owned motor vehicle are required to use seat belts when the vehicle is in motion. Employees are to notify Facilities Management or the Tennessee State Motor Pool (if State Motor Pool vehicle is used) if safety belts appear to be inaccessible and/ or defective. TSU encourages everyone to comply with the state law to use seat belts in all vehicles, private as well as state-owned, for the safety of everyone.

C. Tennessee State University Association of Organized Personnel (TSUAOP)

The Tennessee State University Association of Organized Personnel exists to promote better services and greater efficiency for the University. Its goals are:

- To develop a closer working relationship for improved and increased services within the University;
- To promote professionalism among office personnel;
- To encourage unity;
- To promote vocational skills development;
- To inspire initiative in service to the University in achieving its goals in the community;
- To assist in the improvement of the working environment, conditions and office staff morale.

SUMMARY

WHAT IS EXPECTED OF YOU.....

As an employee you may want to use the following guidelines to help you be an efficient and productive member of the Tennessee State University family.

- Sincerely believe that you are an important member of the University staff.
- Treat University property as you would your own.
- Seek each day to make some improvement over the previous day's efforts.
- Treat every individual with whom you have contact with the same respect that you would expect.
- Share your best job techniques, as well as your problems, with your supervisor. They may benefit others.
- Accept a compliment graciously and constructive criticism appreciatively.
- When given an assignment, always be sure that you understand completely what is expected of you. If you are unsure, ask question.
- Go about your work with the thought that our purpose is to serve not only the students, faculty, and staff, but also the public in general.

PLEASE DO NOT.....

- Borrow or salvage material or equipment from or through the University for personal use.
- Seek contributions or sell tickets or merchandise.
- Speak or write as a representative of the University except in situations for which you are authorized to do so.

PLEASE DO.....

- Refer employment applicants whom you can recommend.
- Help in maintaining the neat appearance of the campus; report repairs needed; and in general, practice good housekeeping.
- Be friendly and do your part to see that other University employees, students, and the public have a favorable impression of the University.
- Make suggestions on needed improvements, whatever the subject might be.
- Keep the Human Resources Office informed of any change of address, telephone number, dependents, marital status, etc.
- Reduce expenditures wherever possible. We are all taxpayers.

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