



**FISCAL AFFAIRS MANUAL**  
**Human Resources Policies and**  
**Procedures**

**Albany State University**

Revised July 2016

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## **GENERAL STATEMENT**

The information provided in the Human Resources Management section of the Fiscal Affairs Policies and Procedures Manual is designed to inform you about your connection with Albany State University. It includes basic University information, governance, structure, compensation and benefits programs, and employee relations policies. There are many things about the University that you will want to know. To answer some of these questions, we have provided some key information for you. Please read through it and retain it for future reference. The policies, procedures, and processes stated in this manual are to work in conjunction with the policies, procedures, and processes set by your division or department and are subject to change without notice at the discretion of the University and its governing body. Violation of any of these policies could result in disciplinary action, including termination of your employment with Albany State University. From time to time, you will receive information from your department that addresses the administration of the information contained in this manual. If you have any questions regarding any of the statements in the manual, please see your supervisor or contact a member of the Human Resources Management staff, or the Office of Legal Affairs.

Albany State University is committed to maintaining an environment in which each employee is able to realize his/her maximum potential while contributing to the working efficiency and success of the University. To achieve these objectives, it is important that lines of communication remain open at all times. These lines of communication are essential to ensure that all employees know what is expected of them in terms of work performance and can interact effectively with peers, supervisors, and subordinates.

# **HUMAN RESOURCES MANAGEMENT**

## **FUNCTIONS OF HUMAN RESOURCES MANAGEMENT**

The Director of Human Resources Management, who reports to the Vice President for Fiscal Affairs, is responsible for the following functions: Personnel Administration, Employee Benefits, Recruitment, Selection and Hiring of Non-Academic Personnel, Compensation Plans & Programs, Training and Development of Non-Academic Personnel, Employee Relations

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## **FUNCTIONS AND RESPONSIBILITIES OF THE DIRECTOR OF HUMAN RESOURCES MANAGEMENT**

The Director of Human Resources Management is charged with the following:

Administration of programs in recruitment, selection, and hiring process of non-academic personnel and certain assigned personnel in accordance with established policies and procedures of the University, the Board of Regents of the University System of Georgia, and the State of Georgia; Administration of the employee benefits program; Administration of the University's payroll preparation function, ensuring that strict separation of duties is maintained; Administration of training and development programs for non-academic personnel; Administration of employer/employee relations programs, including all aspects of fair employment practices; Representation of the University in hearings relative to unemployment, workers' compensation, fair employment practices, Office of Civil Rights, and other employee-related risk management assignments; Serve on campus committees and task forces, as assigned; and Performance of other duties assigned by the Vice President for Fiscal Affairs.

# **EMPLOYMENT POLICIES**

## **EQUAL EMPLOYMENT OPPORTUNITY**

Albany State University is an equal employment, equal access, equal educational opportunity and affirmative action institution which adheres to all federal and state civil rights laws banning discrimination in public institutions of higher education.

The University is committed to insuring equal opportunity to all students, employees, and applicants for employment or admission without regard to race, color, religion, sex, national origin, age, veteran status, physical or mental disabilities, or sexual orientation. It is the policy of Albany State University to comply with all federal laws, including the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA) of 1990 (Title II), Title IX of the Education Amendments of 1972 (Title IX), Title VI of the Civil Rights Act of 1964 (Title VI), Executive Order (E.O.) 11246, and all subsequent amendments and implementing regulations which prohibit discrimination as above described. In accordance with the requirements above, Albany State University affirmatively states that it does not discriminate on the basis of race, color, religion, sex, age, veteran status, disability or national origin in its employment and/or educational programs and activities. Albany State University is an Affirmative Action/Equal Opportunity Institution.

The University shall take action, to the extent allowed under state and federal law, to ensure fulfillment of this policy. For questions or more detailed information regarding this policy, or to file a complaint regarding violation of this policy, please contact the Albany State University Office of Human Resources, 504 College Drive, ACAD Building, Room 382, Albany, Georgia 31705, Interim Director of Human Resources, Kimberly Carter at 229.430-4623. Students requiring disability related accommodations for participation in any event or to obtain print materials in an alternative format, please contact the Student Disability Services Center, New Student Center, 2<sup>nd</sup> Floor, Green Zone (Room 2-140), Dr. Stephanie Harris-Jolly, Director of Counseling and Student Disability Services, 229.903-3610.

## **AFFIRMATIVE ACTION**

It continues to be the policy of Albany State University to implement affirmative equal opportunity to all Employees, Students, and applicants for employment or admission without regard for race, creed, color, national origin, religion, age, veteran status, or handicap. Affirmative Action shall be taken to ensure fulfillment of this policy, including, but not being limited to, the following personnel actions:

- Recruitment, enrollment, and educational practice;
- Hiring, placement, upgrading, transfer or promotion;
- Treatment during employment;
- Recruitment, advertising or solicitation for employment;
- Rates of pay or other forms of compensation;
- Selection for training;
- Layoff or termination; and
- Fringe Benefits.

The policy of the University is consistent with the requirements and objectives of Executive Order No. 11246, as amended; Vietnam Era Readjustments Act of 1974, as amended (38 U.S.C. 2012); Section 503 of the



Rehabilitation Act of 1973, as amended; and their implementing regulations. Albany State University embraces the objective to employ, without discrimination, individuals qualified and/or trainable for positions by virtue of job related standards of education, training, experience or personal qualifications. In conformance with the Federal regulations listed above, Albany State University does not discriminate against any Employee or applicant for employment or against any Student or applicant for admission regarding any position for which the Employee or Student is qualified. For all Employees, applicants for employment, and Students with physical and mental limitations, Albany State University will provide reasonable accommodations. The Affirmative Action Officer is responsible for ensuring compliance and continued affirmative implementation of the policy. This Officer will conduct periodic reviews for measuring progress against stated objectives as well as for considering revisions and updates.

### **AMERICANS WITH DISABILITIES ACT (ADA)**

The Americans with Disabilities Act (ADA) became effective July 26, 1992 for employers with 25 or more employees. The ADA gives civil rights protection to individuals with disabilities. It guarantees equal opportunity for this protected group in the areas of public accommodations, employment, transportation, state and local government services, and telecommunications.

Albany State University, a member of the University System of Georgia, does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. Albany State University does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

Individuals with disabilities who require reasonable accommodation to participate in any portion of the application, interview and/or testing process must advise the Office of Human Resources Management in advance. Upon request, applicants must provide documentation confirming a disability and the need for accommodation. Advance requests for reasonable accommodation should be directed to the Office of Human Resources Management.

### **AFFORDABLE CARE ACT (ACA)**

The Affordable Care Act provides Americans with better health security by putting in place comprehensive health insurance reforms that will:

- Expand coverage,
- Hold insurance companies accountable,
- Lower health care costs,
- Guarantee more choice, and
- Enhance the quality of care for all Americans.

In compliance with the regulations, Albany State University offers affordable medical insurance to all eligible employees.

### **AGE CRITERIA**

The employment of all persons under the age of eighteen (18) years shall be in compliance with the regulations of the U.S. Department of Labor.

## **SEXUAL HARASSMENT**

In the same manner as other forms of discrimination prohibited by law, sexual harassment, that is, verbal or physical conduct of a sexual nature which creates an unproductive offensive learning or working environment and has a detrimental effect on an individual, is prohibited. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment. Albany State University embraces and fully adheres to the Board of Regents' Policy on Sexual Harassment.

Sexual harassment of Employees or Students of Albany State University is prohibited and shall subject the offender to dismissal or other sanctions after compliance with due process requirements. Unwelcome sexual advancements, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an employment or academic standing; or
- B. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting an individual; or
- C. Such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating air or offensive working or academic environment.

### **Definition of Sexual Harassment**

For purposes of this policy, sexual harassment is defined as follows:

- A. Sexual conduct of any nature which is not freely and mutually agreeable to both parties;
- B. Communications of a sexual nature, whether verbal, written or pictorial, which are made with the intent to intimidate the person receiving such communications; or
- C. Solicitation of sexual conduct of any nature, when submission to or rejection of such is intended to be the basis for, either implicitly or explicitly, imposing adverse or favorable terms and conditions of employment or academic standing.

### **Unwanted Pressures**

Unwanted pressures are considered sexual harassment; those pressures from people in authority are judged more frequently to be sexual harassment than those same pressures from peers.

## **TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**

Title IX of the Education Amendments of 1972 was the first comprehensive federal law to prohibit sex discrimination against students and employees of educational institutions. Title IX states, in part: No person shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

The policy of Albany State University is to implement affirmative action and equal opportunity for all employees, students and applicants for employment or admission without regard to race, color, religion, national origin, sex, age, veteran status or disability.

Title IX prohibits sex discrimination. Sexual harassment is a form of prohibited sex discrimination. Students (male and female) and employees (faculty and staff) are protected from sexual harassment.

The Title IX Coordinator is responsible for enforcing the law. Faculty, staff, and students can file complaints of sex discrimination with the Title IX Coordinator. Retaliation against complainants is prohibited. The Title IX Coordinator is Mrs. Cadedria Hill and the office is located in the Reese Building.

### **DRUGS AND ALCOHOL POLICY**

Albany State University, as any other educational institution, has a clear responsibility to its students, their parents, its employees, and the entire University community. This involves providing the best academic environment for students and a wholesome working environment for University employees.

As a recipient of Federal funds, Albany State University supports and complies with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989. The Drug-Free Workplace Coordinator for Albany State University is the Director of Human Resources Management. His or her office is located in Room 382 of the Billy C. Black Building. His or her office telephone number is 228-430-4623.

### **DRUG-FREE WORKPLACE ACT OF 1988**

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace by an Albany State University employee is prohibited by institutional policy.

Violations of this policy, including felony and/or misdemeanor drug convictions and/or pleas of nolo contendere, during the course of employment with Albany State University will result in appropriate disciplinary penalties being imposed by the University.

Appropriate disciplinary penalties may include a range of actions up to and including termination, or lesser sanction, within 30 days of a conviction (including a plea of nolo contendere); or may include, at the discretion of the University, satisfactory participation in an established drug abuse assistance rehabilitation program.

As a condition of employment in which an employee is directly involved in the performance of a federal grant or contract, the employee must:

Abide by the University's policy on controlled substances; and

Inform the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

In a cooperative effort between the Department of Counseling, Disability Services and the Office of Human Resources Management, a Drug-Free Awareness Program is available to inform employees about the dangers of drug abuse in the workplace; the institutional drug-free workplace policy; available drug abuse assistance rehabilitation programs; and penalties that may be imposed for workplace violations.

### **DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989**

The unlawful possession, manufacture, distribution, dispensation, and use of illicit drugs and alcohol by employees or students on the University campus is prohibited and violations of this policy will result in appropriate disciplinary action.

Penalties for violations of this policy and of applicable local, state, and federal statutes, range from warnings and probation to expulsion; loss of academic credit; suspension; temporary or permanent suspension and withdrawal of organization recognition; referral to the legal system for prosecution; demotion; and termination of employment.

## **VOLUNTARY DISCLOSURE OF DRUG USE**

If, prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies his or her immediate supervisor that he or she illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program approved by the institution president, such employee shall be retained by the institution for up to one (1) year as long as the employee follows the treatment plan. Retention of such employee shall be conditioned upon satisfactory completion of the program. The employee's work activities may be restructured if in the opinion of the immediate supervisor it is deemed advisable. The rights herein granted shall be available to a System employee only once during a five (5)-year period and shall not apply to any employee who has refused to be tested or who has tested positive for a controlled substance, marijuana, or a dangerous drug.

## **WORKPLACE VIOLENCE**

The University is committed to providing a safe workplace free from violence, threats of violence, or disruptive behavior of a violent or threatening nature. The University does not tolerate behavior, whether direct, indirect, or through the use of university facilities, property, or resources that:

- Is violent;
- Threatens violence;
- Harasses or intimidates others;
- Interferes with an individual's legal rights of movement or expression
- Disrupts the workplace, the academic environment, or the University's ability to provide service to the public and/or its students, faculty, or staff.

Violent or threatening behavior can include, but is not limited to: physical acts, oral or written statements, harassing email messages, harassing telephone calls, bullying, or behaviors such as stalking. Individuals who engage in violent behavior, including but not limited to physical attacks, intimidation, bullying, threats, or property damage, may be removed from the premises, and be subject to dismissal or other disciplinary action, up to termination, arrest and/or criminal prosecution.

Violence in the workplace includes relationship violence that intrudes into the workplace, endangering a person in the relationship or others in the workplace. This policy applies to all Albany State University work locations including offices, classrooms, worksites, vehicles, and field locations.

Workplace is defined as any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to and from work assignments. If an employee has been confronted with a violent incident, the employee is encouraged to report such incident to the Office of Human Resources and/or to the University Police Department.

## **SMOKING/TOBACCO FREE CAMPUS**

Albany State University promotes a clean, healthy, productive and safe environment for all students, faculty, staff, and visitors. Smoking and tobacco use, of any kind, is prohibited on all University owned and/or leased locations/premises; all internal and external areas; all parking lots; and in all University owned and/or leased vehicles. Smoking is also prohibited of all building entrances and exits. Albany State University reserves the right to initiate disciplinary procedures against any individual found to be in continuous violation of this policy; however all faculty, staff, and students have a collective responsibility to promote the safety

and health of the campus community and therefore share in the responsibility of enforcement. Individuals observed smoking/using tobacco are to be reminded in a professional and courteous manner of this policy.

### **FAIR LABOR STANDARDS ACT (FLSA)**

The Fair Labor Standards Act (FLSA) is a group of federal rules and regulations that determine eligibility for overtime pay. In August 2004, major changes to these rules and regulations were implemented by the Department of Labor (DOL). Generally under FLSA, if you perform duties that do not meet one of the exemption tests developed by the DOL, your position is classified as non-exempt and you are eligible for compensatory time/overtime. However, if you perform duties that meet one of the exemption tests developed by the DOL, your position is classified as exempt and you are not eligible for compensatory time/overtime pay per the FLSA guidelines.

### **OVERTIME**

Overtime work shall be authorized for employees who are not exempt from the provisions of the Fair Labor Standards Act only when the work is deemed necessary by the President or his or her designated representative. Payment for approved overtime work will be made in accordance with provisions of the Fair Labor Standards Act. In lieu of payment for approved overtime work, the President or his or her designated representative may approve the granting of compensatory time off at the rate of one and one-half hours of compensatory time for each hour of overtime worked. Approved compensatory time is subject to a maximum accumulation of sixty (60) hours and must be expended by the end of the succeeding calendar semester.

### **AMOROUS RELATIONSHIPS**

A faculty or staff member, including a graduate teaching assistant, is prohibited from having an amorous relationship with any student who the faculty or staff member supervises, teaches, or evaluates in any way. An Albany State University employee is prohibited from having an amorous relationship with any other employee if either employee supervises, evaluates, or in any other way directly affects the terms or conditions of the other's employment. Any individual who violates this policy is subject to disciplinary action commensurate with the offense, up to and including termination.

### **CHILDREN IN THE WORKPLACE**

It is expected that employees will not bring their children to work during the employee's scheduled work hours. In addition, children may not be cared for in the workplace. Other arrangements must be made. Employees bringing children to work may be asked to leave and be required to take unpaid leave or use accrued leave.

### **NEPOTISM - EMPLOYMENT OF RELATIVES**

The basic criteria for the appointment and promotion of Albany State University employees shall be appropriate qualifications and performance as set forth in these policies. Relationship by family or marriage shall constitute neither an advantage nor a disadvantage. No individual shall be employed in a Department or Unit if the employment results, through any line of authority, in a subordinate-superior relationship between such individual and any relative. "Line of authority" shall mean authority extending vertically through one or more organizational levels of supervision or management. For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the preceding. Any individual employed as of February 14, 1990, where a relative of such individual then holds a superior position at least one level of supervision removed from such individual in any line of authority; or Exceptions approved by the Board of Regents upon recommendation of the Chancellor as being clearly in the best interest of the University and the University System.

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## **CATEGORIES OF EMPLOYMENT**

Depending on the number of hours worked, employees will be designated as a full-time or part-time employee. At Albany State University, employees whether full-time or part-time, are classified as either exempt or non-exempt in accordance with the requirements of applicable wage and hour laws. The terms exempt and non-exempt are from federal law (the Fair Labor Standards Act, or FLSA). The FLSA designates the types of jobs that must be tracked and paid on an hourly (non-exempt) basis, and the types of jobs that may be paid on a salaried (exempt) basis.

**Benefits Eligible:** There are three definitions pertaining to benefits eligible as described below:

1. **Full Benefits Eligible:** This is defined as 30 or more hours per week or .75 FTE and greater, which applies to regular faculty and regular staff employees. Full benefits include all benefits in accordance with University System of Georgia of Board of Regents policy 8.2.9 Insurance.
2. **Partial Benefits Eligible:** This is defined as 20 to 29 hours per week or .5 FTE to .74 FTE. Partial benefits eligible may apply to regular faculty and regular staff employees. Partial benefits include retirement and pro-rated leave accruals.
3. **Non-Benefits Eligible:** This is defined as 19 or less hours per week (.49 FTE or less), which applies to regular faculty and staff employees. Non-benefits eligible also includes temporary faculty, staff, and student employees who may not work more than 1,300 hours in a 12 month period as defined later in this policy. Students may not be placed into a regular status.
  - **Board of Regents:** The governing body of the University System of Georgia Employee Categories
  - **Faculty:** The faculty shall consist of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.
  - **Staff:** Staff employees shall consist of two major employee groups 1) staff *professional and administrative employees* and 2) *staff non-exempt* and defined as follows:
    1. **Staff Professional and Administrative Employees** are exempt from the Federal Wage-Hour provisions of the Fair Labor Standards Act (FLSA) because of their professional or administrative responsibilities. (This group does not include faculty or graduate assistants); and
    2. **Staff Non-Exempt Employees** are not exempt from the federal wage-hour provisions of the Fair Labor Standards Act (FLSA). (NOTE: The University System of Georgia position classification system includes the appropriate FLSA status in the “Master List with Definitions and Guidelines”.)
    3. **Classified Employees** shall consist of the Staff Professional and Administrative, and Staff Non-exempt employees as defined above.
  - **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers.

Employment Status
  - **Regular Employment Status:** Regular employment is *considered continuous* and may also be defined by agreement, contract, term, or restricted funding source(s). Regular employment may be benefits eligible, partial benefits eligible, non-benefits eligible, full-time or part-time, exempt or nonexempt. Regular exempt employment must meet the “salary basis” requirement under the federal Fair Labor Standards Act (FLSA).
  - **Salary Basis:** Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis and the predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work subject to exceptions under FLSA.

- **Temporary Employment Status:** Temporary employment is short in duration to address business needs and must meet the requirements and characteristics described below:
  1. A temporary is non-benefits eligible.
  2. A temporary does not have an expectation of long-term employment.
  3. A temporary may be full-time or part-time.
    - A temporary employee may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Once a temporary employee has worked 1,300 hours or has been employed for 12 consecutive months, whichever comes first, the temporary employee must have a break in service of 26 consecutive weeks. Employment applies across all USG institutions.
    - If a temporary employee is needed beyond the 1,300 hours, they must be moved to a regular employee status.
    - A temporary who is dually or jointly employed in more than one position must have all hours worked counted towards the 1,300 hour worked limit from the date of hire into the first position this includes Temporary Staff Arrangements.
  4. A temporary may be separated at any time for any reason without notice and either the employer or the employee can end the employment relationship. Such separation is not grievable or subject to appeal.
  5. A temporary is typically considered non-exempt under the federal Fair Labor Standards Act's overtime provisions and paid for all hours worked on an hour-for-hour basis, and they must receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. In some instances, temporary employees, such as graduate assistants, post docs or credentialed professionals, may be exempt.

**Note:** If a temporary employee exceeds an average 30 or more hours per week during the ACA measurement period and meets the definition of healthcare eligibility under ACA, if they continue employment in a regular position, they will become eligible to enroll in healthcare benefits during the ACA administrative period.

Employee Categories: Types of Employment:

- **Faculty:** Consists of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.
  1. The types of faculty are described below:
    - **Regular Faculty employees** are employed on a continuous basis and whose duration of employment may also be defined by agreement, contract, term, and/or restricted funding source(s). Regular Faculty may be full-time or part-time. Those faculty with a work commitment of half-time or greater are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible. Regular Faculty who are not hired through a competitive search will typically be given a "term" appointment for one academic or fiscal year, and may be reappointed for one (1) additional year, not to exceed a total duration of 2 years. Regular Faculty who have a full-time (1.0 FTE) appointment may be tenured, on tenure track or hold a non-tenured position in accordance with Sections 8.3.7 and 8.3.8 of the Policy Manual of Board of Regents of the University System of Georgia.
    - **Temporary Faculty employees** are employed on a short term basis through written appointment. They are not employed on an academic year contract. If they are employed for more than one consecutive academic semester for 30 hours or more, except when the Academic semester is combined with Summer semester immediately preceding or following the Academic Semester, they shall be employed as Regular Faculty. Temporary Faculty are non-benefits eligible.

2. **Requirements of the Affordable Care Act (ACA):** Under the ACA, a reasonable method of crediting hours for Part-time Regular and Temporary Faculty may be used to determine healthcare eligibility. The University System of Georgia has determined that a reasonable method for converting credit hours or contact hours to standard hours work is as follows: 1.25 Prep/Grading hours + .5 Office/Meeting hours per each Classroom/Contact hour per week. Graduate Assistants and Graduate Research Assistants will track hours worked. Below is a conversion chart which will be used for crediting hours on a weekly basis for Part-time Regular and Temporary Faculty for purposes of the ACA to determine healthcare eligibility:

Contact Hours per week	Classroom/Contact Hours	Prep/Grading Hours	Office/Meeting Hours	Standard Hours Worked	FTE/Effort
1 Contact Hours	1	1.25	.5	2.75	.07
2 Contact Hours	2	2.5	1	5.5	.14
3 Contact Hours (1 course)	3	3.75	1.5	8.25	.21
4 Contact Hours	4	5	2	11	.28
5 Contact Hours	5	6.25	2.5	13.75	.34
6 Contact Hours (2 courses)	6	7.5	3	16.5	.41
7 Contact Hours	7	8.75	3.5	19.25	.48
8 Contact Hours	8	10	4	22	.55
9 Contact Hours (3 courses)	9	11.25	4.5	24.75	.62
10 Contact Hours	10	12.5	5	27.5	.69
11 Contact Hours	11	13.75	5.5	30.25	.76
12 Contact Hours (4 courses)	12	15	6	33	.83

*\*Regular part-time faculty eligible for leave accrual and retirement at .5 FTE and above*

*\*\*Regular faculty are fully benefits eligible at .75 and above (includes health and voluntary benefits and retirement and leave)*

- **Staff Employees:**

1. The types of staff employees are described below:
  - **Regular Staff** are employed on a continuous basis and whose duration of employment may also be defined by term and/or restricted funding source(s). Regular Staff employees may be full-time or part-time. Those with a work commitment of half-time or greater or .5 FTE are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible.
  - **Temporary Staff Employees** are employed for a short duration and are non-benefits eligible.
2. **Requirements of the Affordable Care Act (ACA):** Under the ACA, all regular staff employees who work less than 30 hours per week (less than .75 FTE) and all temporary staff employees shall record and report all hours worked to determine health benefits eligibility.
- **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers. Student Employees may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Student employees' are not subject to the re-employment restriction requiring a break-in-service after 12-consecutive months of employment. International students in lawful F-1 and J-1 status who are enrolled full-time are



eligible to work for an institution but must not work more than 20 hours per week in accordance with visa restrictions and must ensure compliance with Federal Work Study requirements.

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## **HIRING AND TERMINATION GUIDELINES**

### **BACKGROUND CHECK**

As a condition of employment with Albany State University, employees shall submit to a background investigation. A background check shall also be performed on any existing employee being transferred, reassigned, reclassified, or promoted to a “position of trust”, unless a background investigation confirming this procedure was conducted less than six (6) months of the transfer, reassignment, reclassification, or promotion. (Positions of trust are determined by the hiring unit in conjunction with the Office of Legal Affairs and are positions that routinely, as part of the job, involve interaction with children, after-hours access to facilities, access to financial resources, or have been otherwise identified by the hiring unit in conjunction with the Office of Legal Affairs to require a more extensive background investigation).

Offers of employment shall be conditional pending the result of the background investigation, which shall include, at a minimum, the following:

- A state and federal criminal history check covering seven (7) years;
- A nationwide sex offender registry search;
- A social security number check;
- For positions of trust with financial responsibility, a financial report; and
- For all professional, faculty and academic positions, an academic credentials check.

Offers of employment for positions of trust may be conditional pending the result of a state and federal criminal history check covering more than the minimum of seven (7) years. A criminal background investigation plus credit check will be conducted on final candidate(s) if the position handles cash, checks or financial information. If a credit check has been conducted within the last year, a new investigation will not be conducted.

### **CREDIT INQUIRIES**

No information concerning the rate or amount of compensation of any employee will be revealed to credit bureaus, loan companies, merchandising concerns, etc., without the written authorization of the employee. All credit inquiries signed and authorized by an employee, will be referred to the Office of Human Resources Management. A copy of all documents signed and authorized by an employee concerning credit inquiries will be placed and retained in an employee’s individual personnel file.

### **PRE-EMPLOYMENT DRUG TESTING**

During the 1995 session of the Georgia General Assembly, legislation was passed which requires the pre-employment drug testing of candidates selected for certain categories of state employment. O.C.G.A. 45-20-111 mandates that the head of each state agency, department, commission, bureau, board, college, university, institution or authority must conduct an analysis of all jobs to determine those positions whose duties/responsibilities warrant conducting an established test for illegal drugs.

O.C.G.A. 45-20-111 identifies examples of position functions that should be included in a pre-employment drug testing program. Some of the examples specifically referenced include: **“law enforcement duties which include carrying weapons and utilizing arrest powers; administering medications; teaching hearing and**

vision impaired students . . . ; driving cars, trucks, vans, buses, and other types of vehicles on state roads and highways to transport patients, passengers and equipment; using heavy machinery and equipment; providing social work and counseling services often directly related to substance abuse difficulties; and . . . [providing] drug education, interdiction and counseling services.”

### **General Provisions**

- A. Albany State University will conduct pre-employment drug tests of individuals selected for positions which, through an incumbent’s performance of assigned tasks, may directly impact the health, safety and welfare of others.
- B. Three (3) general categories of positions have been identified for inclusion in the Albany State University pre-employment drug testing program. Those general categories are: (1) health, safety and security, (2) care and custody, and (3) access to controlled substances.
- C. Those positions at Albany State University that will be subject to pre-employment drug testing include but not limited to:
  - (1) Chief of Police; (2) Lieutenant; (3) Sergeant; (4) Police Officer; (5) Patroller; (6) Dispatcher; (7) child care workers, and (8) positions in which a Commercial Driver’s License (CDL) is required.
- D. An applicant who is offered employment with Albany State University in a position requiring a pre-employment drug test will, prior to commencing employment or within ten (10) days after commencing employment, submit to an established test for illegal drugs.

### **Failure or Refusal of Pre-employment Drug Testing**

Any applicant who is offered employment in a position requiring a pre-employment drug test and who:

(a) Declines to submit to an established test for illegal drugs; (b) fails to appear for an established test for illegal drugs after being properly notified to do so; or (c) who tests positive for the use of illegal drugs will be disqualified from employment with Albany State University.

Such disqualification will not be removed for a period of two (2) years from the date such test was administered or offered, whichever is later. The identity of any applicant who declines a pre-employment drug test, who fails to appear for a pre-employment drug test, or who tests positive for illegal drug use, will not be considered a public record and will be withheld from all persons except those who have a need for such information in their official capacity. The results of pre-employment drug tests will remain confidential and will not be a public record unless necessary for the administration of or otherwise mandated by state or federal law.

### **Random Drug Testing of High-risk Employees**

State laws of Georgia require the random testing of University personnel identified as holding high risk positions. All University employees defined to hold “high-risk” jobs will be notified, in writing, at the time of employment. Campus Law Enforcement Officers and maintenance employees working in “high-risk” jobs on a regular basis will be subject to random drug testing for evidence of use of illegal drug.

#### **A. Campus Law Enforcement Officers include:**

Campus Law Enforcement Officers who regularly perform “**high-risk**” work where inattention to duty or errors in judgment while on duty will have a potential for significant risk of harm to the employee, other employees, or the general public, and Campus Law Enforcement Officers employed by private organizations which contract with the University to provide security services, with such Officers subject to random drug testing procedures prescribed by their employer and consistent with this policy.

- B. **“High-risk”** is defined as any employee who is employed on a regular basis or a temporary basis as a Campus Law Enforcement Officer and who is required to be certified under the provisions of the Peace Officers Standards and Training Act (P.O.S.T.). A “high risk” employee will also include any P.O.S.T certified employee that is contracted to provide security services. Those who are engaged full-time in purely administrative or clerical duties are excluded from the definition of **“high risk”** employee.

**“Random testing”** for such employees of Albany State University will be performed in accordance with the regulations and procedures approved by the Board of Regents of the University System of Georgia. The drug screening program will give due consideration to the security of sample collection, chain of custody requirements, accuracy of testing and the confidentiality of results of tests of individuals deemed to have used illegal drugs.

- C. Once each quarter, an HR professional, will select, at random, a sample of positions from the pool subject to testing. The HR Professional will not notify in advance the individuals to be selected for random screening. Individuals selected for random screening will report to an identified collection facility on the same day that they are notified of their selection. The HR Professional will identify the name and location of the collection facility to be used.

#### **Failure or Refusal of Drug Screening**

Any Campus law enforcement officer or other **“high-risk”** employee subject to testing in accordance with these procedures will, after compliance with the dismissal procedures of Albany State University for Classified employees, be terminated from employment if he or she declines to submit to a random drug test, if he or she fails to appear for drug screening after being properly notified to do so, or if he or she tests positive for the use of illegal drugs.

#### **Disqualification from Employment**

Any employee whose employment is terminated due to express refusal to submit to drug screening, failure to appear for drug screening, or for screening results which indicates the use of illegal drugs will be disqualified from employment with Albany State University for a minimum of two (2) years from the date of termination. Any individual so disqualified may file an appeal to the Board of Regents of the University System of Georgia.

#### **Voluntary Disclosure of Drug Use**

If prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies his or her Immediate Supervisor that he or she illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program approved by the University President, such employee will be retained by the University for up to one year as long as the employee follows the treatment plan.

Retention of such employee will be conditioned upon satisfactory completion of the program. The employee's work activities may be restructured if, in the opinion of the Immediate Supervisor, it is deemed advisable. No statement made by an employee to a supervisor or other person, in order to comply with this policy, will be admissible in any civil, administrative or criminal proceeding as evidence against the employee. The rights herein granted will be available to a University employee only once during a five-year period and will not apply to any such employee who has refused to be tested or who has tested positive for a controlled substance, marijuana, or a dangerous drug.

## **Drug and Alcohol Screening of University System Employees Holding a Commercial Driver's License (CDL)**

The Omnibus Transportation Employee Testing Act of 1991 requires alcohol and drug testing of safety-sensitive employees in the motor carrier industry, including employees of the University System of Georgia who hold a Commercial Driver's License (CDL). Rules mandating the implementation of controlled substance abuse and alcohol misuse prevention programs were published by the United States Department of Transportation in the Federal Register in February 1994. The legislative intent of the Act is to demonstrate a desire by the federal government to prevent accidents and injuries resulting from the misuse of alcohol and drugs by drivers and other persons performing safety-sensitive duties.

Six (6) categories of screening are included in this program: (1) pre-employment, (2) random, (3) reasonable suspicion, (4) post-accident, (5) return to duty, and (6) follow-up. Screenings must indicate the absence of drugs and/or alcohol concentration of less than .02 percent. Employees in positions which require a commercial driver's license (CDL) will be subject to disciplinary action, up to and including termination, for testing positive for the presence of drugs and/or alcohol.

### **General Provisions**

Albany State University will conduct alcohol and drug screenings of individuals who occupy positions which require a Commercial Driver's License (CDL) consistent with the provisions of the Omnibus Transportation Employee Testing Act of 1991 and the directives of the Board of Regents of the University System of Georgia. An applicant who is offered employment with Albany State University in a position requiring a Commercial Driver's License (CDL) will, prior to commencing employment or within ten (10) days after commencing employment, submit to an established test for drug and alcohol screening. An HR Professional will provide the applicant with the appropriate alcohol and drug screening document that must be presented to collection facility personnel. The HR Professional will identify the name and location of the collection facility to be used. The HR Professional will also handle the random selection process of individuals identified for alcohol and drug screenings.

### **Failure or Refusal of Alcohol and Drug Screening**

Any applicant who is offered employment in a position requiring a Commercial Driver's License and who:

- (a) Declines to submit to an established test for alcohol and drug screening; or (b) fails to appear for an established test for alcohol and drug screening after being properly notified to do so will be disqualified from employment with Albany State University.

### **Dismissal**

If an employee expressly refused to submit to alcohol and drug screening, failed to appear for alcohol and drug screening, failed the drug screening, or failed to appear upon receipt of documentation from the Medical Review Officer that the results of a random alcohol and drug screening indicate that an employee has used an illegal drug, Human Resources Management will notify the employee in writing of immediate termination of employment effective the date of the notice. If an employee

has satisfactorily completed his or her six-month provisional employment period, the employee will be afforded a right of appeal consistent with the provisions of Albany State University for Classified Employees.

## **CONDITIONS OF EMPLOYMENT**

The following actions are required of all employees as conditions of employment:

### **State Security Questionnaire**

Completion of the State Security Questionnaire for all persons employed for thirty or more days is required. This form will be prepared and filed in the Personnel records in the Office of Human Resources Management.

### **Withholding Tax Forms**

Federal and Georgia withholding tax forms must be completed.

### **Forms for Membership in Retirement System(s)**

Completion of applications for membership in the Teachers Retirement System, the Regents' Retirement Plan or the Georgia Defined Contribution Plan, when applicable, is required.

### **Completion of I-9**

This form identifies an individual's legal right to employment in the United States and must be completed within three days of employment.

## **EMPLOYMENT OF ALIENS**

Any Department/Unit of Albany State University needing to employ an alien must notify the Office of Human Resources Management prior to a commitment to the prospective employee. The Director of Human Resources Management will assist the Department/Unit staff in preparing a certification that the services to be performed by the alien do not involve direct participation in the formulation, execution or review of broad public policy and that United States citizenship does not bear some rational relationship to the special demands of the position to be filled by the alien.

## **TESTING FOR CLERICAL POSITIONS/SKILL PROFICIENCY DEMONSTRATIONS**

The Office of Human Resources Management conducts comprehensive clerical testing and clerical typing examinations. Instructions will be provided to all applicants as to testing specifics in the job announcement. Testing must be scheduled and completed by the application deadline. When a hiring department has a clerical position vacancy, the department will be expected to contact the Office of Human Resources Management to review the active pool. A hiring department must interview or attempt to interview a minimum of three candidates.

## **HIRING CLASSIFIED PERSONNEL**

1. A proposal to hire for a position is discussed by the hiring managers to determine the following:
  - a. a position description outlining responsibilities of the person filling the position
  - b. qualifications required and/or preferred:
    - a. education
    - b. experience
  - c. conditions of employment/salary
    - a. full/part-time status
    - b. regular/temporary
    - c. salary range

- d. availability of funds
- d. desired starting date

2. Once all signatures have been obtained via the Critical Hire Approval Process, the hiring manager logs into PeopleAdmin and enters position information into PeopleAdmin according to the steps in the PeopleAdmin “Hiring Manual User’s Guide”. This guide is located on the home page of the login site, [www.albanystatejobs.com/hr](http://www.albanystatejobs.com/hr), once the hiring manager logs in.

**3. Posting and Advertising of Positions:**

Once a position has been entered into PeopleAdmin by the administrative support/hiring manager and all signatures of approvals have been obtained via PeopleAdmin, the approved position is forwarded to Human Resources Management via PeopleAdmin for posting; the HR Administrator begins the process for posting position by clicking on position and editing position; once all edits have been completed and all additional required info has been inserted into position description (See Human Resources Administrator User’s Manual), clicks “Approved for Posting” and confirms. Then HR Administrator clicks “Create Posting from Position” and completes required information, confirms and position will be posted on PeopleAdmin Applicant website; the HR Administrator also advertises with various agencies; however, the hiring manager can request additional advertising, but must be responsible for cost of any additional advertising.

The position will be advertised according to the dates agreed upon by the hiring manager and Human Resources Management.

Once applicants apply for positions via the PeopleAdmin Applicant website, their applications will be submitted electronically via PeopleAdmin to the hiring manager for review. The hiring manager will review the applications for qualifications and experience and manage the review and selection process via the on-line PeopleAdmin according to processes in the PeopleAdmin Hiring Manager User’s Manual.

**Testing**

Some positions require testing and applicants are advised to schedule for testing as they complete their application process for employment via PeopleAdmin. Applicants are provided written instructions as to testing requirements and deadlines on the position announcement being advertised at that time. Tests are given in the University Testing Center in BCBB Room 195 Applicants receive pass/fail results once the test is completed in the Testing Center.

**Interview Process**

Once the hiring manager selects the applicants for interview, the status should be changed to “Interview Pending” in PeopleAdmin by the hiring manager. At this time the hiring manager sends a request for review via email to the HR Administrator requesting interview scheduling for the selected interviewees, providing the dates and blocks of time the hiring manager will be available to interview, as well as the specified location for the interview. The HR Administrator schedules interviews for candidates via telephone and/or e-mail. Once candidates agree to interview date and time they are asked to report to the Human Resources Management Office prior to reporting to the interview site to pick up their Interview Card to present to the interviewer at the time of interview.

Once all interviews are scheduled, an email regarding confirmed/non-interviews scheduled is sent to the hiring manager along with rating sheets via email. The hiring manager completes an Interview Rating Sheet

on each interviewee at the end of the interview process. The hiring manager will make his/her selection of the most qualified applicant and will rate the applicants in the order of his choice (1, 2, etc.), number one being the best candidate. The interview cards and Interview Rating Sheets should be completed and returned to the Office of Human Resources Management as soon as the interview process has been completed and inserted in the job folder for that position.

Once interviews have been conducted, the hiring manager will then change the status of applicants that were interviewed to “Interviewed” in PeopleAdmin, proceed in reviewing interview results to make a recommendation to hire the most qualified applicant by preparing a Hiring Proposal in PeopleAdmin utilizing processes in the PeopleAdmin Hiring Manager’s User Manual.

Candidates that were interviewed and not selected will have their status changed to “Interviewed - Not Hired” and an email notification will automatically be generated at that time to the interviewees informing them of their status regarding the hiring process. All other candidates will have their statuses changed appropriately in PeopleAdmin by the hiring manager.

### **Reference Checks and Background Checks**

Once the Hiring Proposal has been received in HR recommending a candidate for hire, the Office of Human Resources Management begins the pre-employment screening process by checking references and conducting background checks on the recommended candidate(s). Employment reference checks are conducted by telephone. The responses of the former employers, teachers, etc., are documented for inclusion in the application file. If the candidate receives an unfavorable reference check, the hiring supervisor will be notified by the Human Resources Management Department. Applicant(s) recommended for employment are also asked to present their valid driver’s license and complete a consent form for a background check conducted by the Office of Human Resources Management. Once background checks are completed, results are forwarded to the Office of Human Resources Management. Unfavorable results may result in applicant not being hired for position.

### **Drug Screening**

Pre-employment drug screenings are currently conducted externally on the following new hire positions: all Police Office employees, transportation workers and child care workers (The external agency responsible for processing the screenings provides the required form).

### **Offer of Employment**

Once the pre-screening process has been successfully completed, the Human Resources Management Department will make the official offer of employment to the selected job applicant (Attachment 9). For Police Officer positions filled with applicants that are not certified police officers, requiring training, these applicants are required to sign an “Acknowledgement of Reimbursement”. A verbal employment offer is made via telephone to applicant; upon acceptance, an offer letter is prepared for candidate’s acceptance. At the time of signing off of their employment letter, he/she also meets with the Benefits area to receive an Orientation Package as well as schedule for an Orientation session.

### **Closing out of Job Folder**

The job vacancy file is then ready to be closed out.

Once the required documentation has been verified as being in folders, job vacancy files are filed in closed out files.

## **HIRING FULL-TIME FACULTY AND TOP ADMINISTRATORS**

The following procedural steps are established for the employment of faculty and full-time (twelve-month) top administrators:

1. The appropriate supervisor within the respective units and/or the President will determine priorities for faculty and top administrative positions that are to be hired. When the needs have been assessed, the appropriate supervisor will determine: (a) existing vacancy to be filled, (b) existing position to be reallocated, if needed, and (c) new position to be requested.

The appropriate supervisor determines the following:

- a. a job description responsibilities of the person filling the vacancy
  - b. qualification required and/or preferred:
    - (1) education
    - (2) experience
  - c. conditions of employment/salary
  - d. desired starting date
2. Once all signatures have been obtained via the Critical Hire Approval Process, the hiring manager logs into PeopleAdmin and inserts position information into PeopleAdmin according to the steps in the PeopleAdmin "Hiring Manual User's Guide". This guide is located on the home page of the login site, [www.albanystatejobs.com/hr](http://www.albanystatejobs.com/hr), once the hiring manager logs in.

### **Posting and Advertising of Positions:**

Once a position has been entered into PeopleAdmin by the hiring manager and all signatures of approvals have been obtained via PeopleAdmin, the approved position is forwarded to Human Resources Management via PeopleAdmin for posting; the HR Administrator begins the process for posting position by clicking on position and editing position; once all edits have been completed and all additional required info has been inserted into position description (See Human Resources Administrator User's Manual), clicks "Approved for Posting" and confirms. Then HR Administrator clicks "Create Posting from Position" and completes required information, confirms and position will be posted on PeopleAdmin Applicant website; the HR Administrator also advertises with various agencies, however, the hiring manager can request additional advertising, but must be responsible for payment of any additional advertising.

The HR Administrator will copy posting from PeopleAdmin applicant website, [www.albanystatejobs.com](http://www.albanystatejobs.com) into Microsoft Word, save and proceed with posting to websites above. The position will be advertised according to the dates agreed upon by the hiring manager and Human Resources Management.

1. Once the supervisor is notified of approval and advertisement of position, he/she then chooses a search committee and notifies Human Resources of participants. The appropriate supervisor may establish the Search Committee from the various employees within the University and others deemed appropriate within the community; in addition, the supervisor should establish the Chair of the Search Committee.



2. Once applicants apply for positions via the PeopleAdmin Applicant website, their applications will be submitted electronically via PeopleAdmin to the hiring manager for review. The hiring manager will review the applications for qualifications and experience and manage the review and selection process via the on-line PeopleAdmin according to processes in the PeopleAdmin Hiring Manager User's Manual.

### **Interview Process**

3. Once the hiring manager selects the applicants for interview, the status should be changed to "Interview Pending" in PeopleAdmin by the hiring manager. At this time the hiring manager sends a request for review via email to the HR Administrator requesting interview scheduling for the selected interviewees, providing the dates and blocks of time the hiring manager will be available to interview, as well as the specified location for the interview. The HR Administrator schedules interviews for candidates via telephone and/or e-mail. Once candidates agree to interview date and time they are asked to report to the Human Resources Management Office prior to reporting to the interview site to pick up their Interview Card to present to the interviewer at the time of interview.
4. Once all interviews are scheduled, a confirmation letter for interviews scheduled is sent to the hiring manager along with rating sheets via email.
5. The hiring manager completes an Interview Rating Sheet on each interviewee once the interview has been conducted. The hiring manager will make his/her selection of the most qualified applicant and will rate the applicants in the order of his choice (1, 2, etc.), number one being the best candidate. The interview cards and Interview Rating Sheets should be completed and returned to the Office of Human Resources Management as soon as the interview process has been completed and inserted in the job folder for that position.
6. Telephone reference checks should be documented on the appropriate form by the Search Committee. References are checked by the Search Committee prior to making a job offer.
7. The top applicants will be interviewed. Interviews for all of faculty and the majority of top administrative positions are scheduled by the Search Committee.
8. At the conclusion of the interview process, the search committee will submit the following to the appropriate supervisor:
  - a. a narrative summary of interviewed candidates describing each candidate's strengths and weakness
  - b. Interview rating sheets
  - c. reference check forms
9. Once interviews have been conducted, the hiring manager will then change the status of applicants that were interviewed to "Interviewed" in PeopleAdmin, review interview results and make a recommendation to hire the most qualified applicant preparing a Hiring Proposal via PeopleAdmin utilizing processes in the PeopleAdmin Hiring Manager's User Manual.
10. Candidates that were interviewed and not selected will have their status changed to "Interviewed - Not Hired" and will be sent a courtesy "not selected" letter by Human Resources Management

at the end of the application process. All other candidates will have their statuses changed appropriately in PeopleAdmin by the hiring manager.

11. The appropriate supervisor reviews the information, makes a written recommendation and submits to his or her supervisor, along with the information listed above.
12. The hiring supervisor submits a letter of recommendation to hire to the Vice President or President approving selection of candidate, stating effective employment date, salary rate, probationary credit, and tenure status, after receiving written budget approval.
13. Should the first candidate decline the offer, the appropriate supervisor may extend an offer to the next candidate, or he/she may opt to re-open the search.
14. Once the selection process is complete, the Search Committee shall return all interview findings and documentation to the Office of Human Resources as soon as possible. The Office of Human Resources Management will then notify the remaining candidates of the status of the selection process.

#### **Closing out Job Folder**

Once the documentation has been verified as being in folders, job vacancy files are filed in closed out files.

#### **STUDENTS WORKING FOR THE UNIVERSITY**

All students employed by the University, and designated as Classified Employees who are paid by the University are classified as "Temporary Employees." University employed students, shall be employed only on an hourly basis with remuneration for such work to be computed by the hour unless otherwise determined and authorized by the Director of Human Resources Management. Only upon advance recommendation by the Supervisors of the future work specified, the Director of Human Resources Management, or his or her designee, shall initiate reemployment of a student. Notice of reemployment for any succeeding semester, or fraction thereof, shall be handed to the employee prior to the initiation of such hourly work.

### **EMPLOYEE ORIENTATION**

The Office of Human Resources Management is responsible for conducting an employee orientation for each newly hired employee at Albany State University. This orientation, as a minimum, will include the following: Policies and procedures, explanation insurance benefits, retirement benefits, work week and hours of work, and grievance procedures; and conditions of employment and compensation. A statement signed by the new employee certifying the accomplishment of the orientation and its contents will be made a part of his or her permanent personnel files.

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### **PROVISIONAL PERIOD FOR NEW HIRES, TRANSFERS, AND REHIRES**

Each new classified employee is required to serve the first six (6) months of employment at Albany State University in a provisional status. During this time, the new employee has the first opportunity to evaluate the University as a place to work. Likewise, the supervisor will evaluate the employee's job performance. If the employee's work performance is not satisfactory, the employee will be notified in writing during the six-month provisional period and the *employee may be terminated at that time without the right of appeal.*

University System employees transferring to another University System institution or the University System Office are subject to a new six (6) month provisional period upon beginning at the new location. Employees in the six-month provisional period are eligible for transfer or promotion within the University during that period only when granted permission by the Dean/Vice President of their current college/division. Employees who have successfully completed a provisional period and who are transferring to or being promoted into a new position will not be subject to another provisional period. Former employees who are rehired will be considered new employees and will have another provisional period.

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## **TERMINATION PROCESS**

Employees may leave the University's employ for numerous reasons, and in some cases may be terminated as the result of disciplinary action. Regardless of the nature of the termination, certain procedures must be followed to have the final check released.

### **RESIGNATION**

Resignation is voluntary relinquishment of employment by an employee. An employee should submit written notification of termination a minimum of two weeks prior to his or her last day worked. Before leaving, the employee must return all University property including keys, I.D. cards, etc. Employees who resign for any reason are requested to give as much notice as possible.

### **CLEARANCE PROCESS**

After notification of an employee's departure, that employee will undergo the required clearance process from the University. The Office of Human Resources Management will begin the electronic process of clearing the employee from various departments such as Financial Operations, Library, Post Office, Business Services, Information Technology Services, and other departments. Once clearance has been received from the departments and all obligations have been settled, the employee is cleared from the University. If the employee does not complete the clearance process, his/her final pay (including any vacation payout) will be held until all obligations have been met.

### **DISMISSAL**

The Immediate Supervisor can effect immediate dismissal of a Classified Employee if an employee's performance of duty or personal conduct is not satisfactory. Normally dismissal follows previous reprimands for related offenses; however, multiple reprimands for numerous deficiencies may also be considered adequate cause for dismissal. Immediate dismissal shall be limited to serious offenses or breach of University policies and/or procedures, i.e., destruction of University property, theft, or drug use.

An employee charged with or under indictment for a felony or a crime involving moral turpitude shall be terminated or be suspended without pay unless, in the opinion of University authorities, there are extenuating circumstances which dictate more lenient action. Employees charged with or indicted for other offenses may be suspended by University authorities, with or without pay, pending final disposition of the charges or indictment. Suspension with pay may be charged against accrued leave. When dismissal becomes necessary, an employee shall be advised of all charges, granted the opportunity to appeal through informal channels, and advised of appeal rights through the formal grievance procedures, as deemed appropriate by the employee.

## **REDUCTION IN FORCE (RIF)**

Should it become necessary to reduce the work force at the University, job eliminations or job consolidation may be required. When personnel reductions become necessary, affected employees will be given 60 days' notice, when possible so that they may seek employment elsewhere within or outside of Albany State University. For more information, please see the Reduction in Force Policy at the USG website.

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## **PAY POLICIES/ADJUSTMENTS**

### **Starting Salary for Classified Employees**

It is the policy of Albany State University that the starting salary for a new employee will normally be at the base rate or minimum of the pay grade for the position. The Director of Human Resources Management may offer a new employee up to a maximum of the mid-point of the pay grade under the following conditions:

- Reasonable efforts have failed to provide qualified applicants for a vacant position having been advertised at the entry level;
- Funds are available in the hiring department's budget; and
- Justification has been submitted by the hiring department documenting an extraordinary level of knowledge and experience pertinent to the open position by the new employee.

**NOTE: Before submitting a request to employ an individual at a rate higher than the entry level salary, department heads are strongly advised to review the salary levels of all other current employees in the same or similar classifications.**

Under no circumstances will a new employee be hired at a rate greater than the mid-point of the pay grade without prior written approval from the Vice President for Fiscal Affairs.

### **Promotion to a Higher Job Classification**

An employee is considered to have been promoted when:

- The employee is selected to fill a vacant position with a higher classification and pay grade. This may occur within an employee's own department or with another campus department. Any employee seeking promotion must meet the published minimum requirements of the higher level position.
- An employee's current position is upgraded to a higher classification at a higher pay grade.

Pay upon promotion will allow an employee to be eligible for a salary increase consistent with the following guidelines:

- When an employee is promoted to an open position at a higher classification and pay grade, the employee's present salary may be increased up to a maximum of 5% or to the minimum of the new job classification, whichever is greater. However, the new salary may not exceed the maximum amount authorized for that pay grade.
- When a promotion is effected through reclassification of an employee's present position, the employee's current salary may be increased up to a maximum of 5% or to the minimum of the new job classification, whichever is greater. The new salary may not exceed the maximum amount authorized for that pay grade.

## **Demotion to a Lower Job Classification**

When an employee is demoted to a job classification in a lower pay grade, the Director of Human Resources Management has the authority to establish the new rate of pay at any point from the minimum of the new job classification to the present salary of the employee, provided that the present salary of the employee does not exceed the maximum amount authorized for the new job classification.

## **Lateral Transfer**

Transfers must be based on mutual agreement between department heads. A transfer is the shift of an employee from one position to another of the same classification or to one with comparable skills at the same pay grade. There is no salary change involved in a lateral transfer. To be eligible for promotion or transfer outside the employee's department, an employee must have completed his or her initial six-month provisional period of employment. An employee is eligible for promotion and/or transfer within the same department at any time. To be either promoted or transferred, an employee must meet the minimum requirements of the position as identified. Whenever practicable, vacancies are filled by the promotion or transfer of current employees. Eligible employees may apply for transfer with the Office of Human Resources Management. To assist a department in filling an open position that results from the transfer of an employee to another department, a two (2) week notice should be provided to allow sufficient time for recruitment activities. A shorter notice may be given if acceptable to the respective departmental supervisors.

Upon a move of an employee between institutions of the University System, accumulated sick leave, retirement benefits and service continuity will be transferred if there is no actual break in service. Upon a move between University System institutions, with no break in service, an employee must transfer accrued vacation leave of between one (1) and twenty (20) days. For employees with accrued vacation leave of greater than twenty (20) days, the employee may elect one of the following options:

1. Transfer of the total accrued vacation balance, not to exceed forty-five (45) days; or
2. Payment by the institution from which the employee is moving of accrued vacation leave greater than twenty (20) days. The total accrued vacation leave for which the employee may be paid shall not exceed twenty-five (25) days.

## **SALARY INFORMATION**

The implementation of policies and procedures pertaining to pay policies for classified employees is always contingent on the availability of funding. Requests for authorization to exceed the budgeted amount for any position, regardless of the classification and/or pay range must be submitted to the Vice President for Fiscal Affairs for written approval. The rate of pay for temporary employment in a position will be established by the Office of Human Resources Management based on the pay for full-time employment in similar positions. Under extenuating circumstances, a temporary employee may be paid at a varying rate with the written approval of the Vice President for Fiscal Affairs.

## **MERIT INCREASES**

The University recognizes and rewards individual performance by awarding merit increases. The funds available for merit increases vary from year to year depending upon budgetary constraints set by state legislators, the University System of Georgia, and identified marketplace and economic conditions. The University System of Georgia develops merit increase guidelines which establish ranges for individual merit

increases based on performance criteria. Individual departments and supervisors designate how merit increases will be awarded to employees.

Salary increases are normally approved only at the start of a new fiscal year. The fiscal year begins on July 1. Salary increases are normally made on the basis of job performance/merit. Salary adjustments are, also, normally approved only at the start of a new fiscal year. Salary adjustments are normally made on the basis of market conditions which negatively impact the institution's ability to recruit and retain qualified employees. Salary increase and/or adjustment monies are dependent on availability of funding as allocated to Albany State University by the Board of Regents through the State of Georgia legislative appropriations

### **POSITION CLASSIFICATION SYSTEM**

Classification of a new or existing position will normally be accomplished on or before April 1 of each year for inclusion in the next fiscal year's budget. Exceptions will be made when new positions are to be established as a result of new grant awards or major unforeseen program changes. Hiring managers should confer with the Office of Budgets and Contracts and Human Resources Management prior to any recruitment actions to fill the position.

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## **ADDITIONAL PAY SCALE FOR INTERIM POSITIONS**

The current practice of the University is to appoint (when possible) **qualified** employees into interim positions that have been vacated for various reasons (ex. an absence from an employee on extended medical or personal leave, departure, retirement, etc.). These employees continue to perform their primary job functions as well as take on the duties of the additional position until the position has been advertised and filled or an appointment made. The pay scale is below.

<b>POSITION</b>	<b>COMPENSATION</b>
Staff/Professional/Administrative Level	\$500 monthly
Chair/Director Level	\$1000 monthly
Dean/Associate/Assistant VP Level	\$1500 monthly
Provost/Vice President Level	\$2000 monthly

### **EXTRA COMPENSATION TO EMPLOYEES ON UNIVERSITY PAYROLL**

Any employee receiving extra compensation from the University for personal services or for personal services for any other purpose will be paid such extra compensation through the University payroll system. Such

compensation, when paid through the payroll system, shall be subject to existing Internal Revenue Service regulations and other Federal and State regulations as to taxability, withholding taxes, F.I.C.A., unemployment taxes, fringe benefits and the like. No compensation referenced above which is paid to an employee of the University who is on the University payroll, shall be paid as Per Diem and Fees.

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## **PAYROLL INFORMATION**

### **WITHHOLDING OF PAY**

As a condition of employment at Albany State University, the University is authorized to withhold paychecks or deduct from paychecks amounts owed by employees of the University for any fine, fee, penalty or other financial obligation(s) to the University.

### **GARNISHMENT OF WAGES**

All employees of Albany State University are subject to various State laws governing garnishment of wages. In any case where the University receives a "Summons of Garnishment" the Office of Human Resources Management will promptly notify the named employee and comply with all requirements of the summons.

### **CREDIT UNION**

Employees of Albany State University and members of their immediate family may participate in the DOCO School Employees Federal Credit Union, a full service banking institution. Employees desiring enrollment forms, payroll deduction authorization forms or other information should contact the Office of Human Resources Management.

### **DIRECT DEPOSIT**

All new hire employees are required to enroll in direct deposit. Please see a payroll representative for additional details.

### **PAY PERIODS**

An employee's classification will determine his or her pay cycle. Professional and Administrative Personnel are paid monthly on the last working day of each month unless otherwise specified by official notice. Staff Personnel or hourly employees are paid every other Friday. Employees are advised to review their checks to make sure that the proper deductions have been made. If any errors are discovered, an employee should immediately notify the Office of Human Resources Management.

### **REPORT OF ABSENCE**

Exempt employees should report all absences from duty in ADP. If an absence occurs after the 15th day of the month, the employee must complete a Leave of Absence form for all absences from duty. This form must be signed by the employee and supervisor and filed with the Office of Human Resources Management. Leave of Absence for non-exempt employees should also be reported in ADP on their timecards.

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# **BENEFITS**

## **INSURANCE**

### **Group Health Insurance**

Albany State University offers eligible employees the opportunity to participate in various benefit plans provided by the Board of Regents and/or Albany State University, which includes but is not limited to health insurance, dental insurance, vision insurance, life insurance, accidental death and dismemberment insurance, disability income insurance, dependent life insurance, flexible spending accounts, and retirement plans. The University contributes toward the premiums for health and basic life insurance and matches mandatory retirement contributions based upon terms set by the Georgia Legislature and Teachers Retirement System of Georgia. The Benefits Office provides each eligible employee with complete descriptions and comparisons of the available benefit plans, along with the respective monthly premiums.

#### **New Employees**

New benefits-eligible employees may enroll in available benefit plans within the first 30 days of employment. Employees who do not enroll in benefit plans within the first 30 days of employment will be subjected to a medical underwriting review and approval.

#### **Eligible Dependents**

Eligible dependents include the spouse and dependent children up to age 19 (up to age 26 with proof that the dependent is either disabled or is enrolled at an accredited institution as a full-time student). If the spouse or dependents' last name is different from the employee's, it is required that the employee present a marriage license, birth certificate, or other documentation establishing a dependent relationship as a condition of their coverage.

#### **Health Insurance**

New employees who are benefits-eligible have 30 days from their date of hire to select a medical plan for themselves and any eligible dependents. During the Open Enrollment period, employees may change their healthcare plan elections and/or levels of coverage. The University shares in the cost of health insurance. Medical premiums are withheld from the payroll check on a pre-tax basis.

#### **Dental Insurance**

The University offers two voluntary dental programs for all eligible employees. The employee pays 100% of the monthly insurance premium and the premium is withheld from the payroll check on a pre-tax basis.

#### **Flexible Spending Accounts (FSA)**

These programs allow individuals to set aside funds on a pre-tax basis for certain healthcare, dependent care, and transportation related expenses. Any unspent funds left in the account after the end of the plan year must be forfeited. This program requires annual re-enrollment.

#### **Dependent Care Spending Account**

The dependent care reimbursement account may be used to cover the cost of qualifying childcare, elder-care, or care of other legal dependents. IRS maximum election limits combined for both parents cannot



exceed \$5000 in a plan year. Any unspent funds left in the account after the end of the plan year must be forfeited. This program requires annual re-enrollment.

### **Health Savings Account (HSA)**

This is a tax advantage account established to pay for qualified medical, dental, and vision expenses. An employee must be enrolled in a high deductible health plan (HDHP). Any employee not covered by any other health plan that is not an HDHP and is not currently enrolled in Medicare is eligible. Any unused funds are accumulated in the account toward future expenses (i.e. this is not a 'use it or lose it plan'). Maximum contributions are set annually according to IRS guidelines.

### **Section 125 Plan**

Albany State University participates in a Section 125 Plan as authorized by the Internal Revenue Code. Employee health, dental, vision, and flexible spending account premiums are deducted on a pre-tax basis and are not subject to federal tax, state tax, or FICA. Choices made upon initial employment or during the open enrollment remain in effect for the plan year unless there is a mid-year qualifying event. The annual open enrollment period normally occurs during the month of October or November with coverage dates effective January 1 of the following calendar year.

### **Qualifying Events for Mid-Year Changes**

The IRS regulation, under Section 125, has rules regarding the operation of these plans. Exceptions are permitted under IRS rules when a member has a mid-year qualifying event. Employees are required to make the election change and submit documentation to the Benefits Office within 30 days of the qualifying event which includes:

- Change in marital status
- Birth or adoption of a child
- Death of a covered dependent
- Loss of eligibility status by a covered dependent
- Change in employment status that affects eligibility for coverage
- Losing or gaining healthcare coverage eligibility under Medicare or Medicaid
- Change in residence to a location outside of a healthcare plan's service

Any benefits enrolled in on a pre-tax basis may not be cancelled until Open Enrollment to be effective the end of a calendar year, unless the change is due to the IRS regulation qualifying events listed above.

### **Transfer of Benefits to Another Unit within the University System of Georgia**

To transfer benefits to another unit of the University System of Georgia (USG), the employee must notify the current institution at the time of clearance that they will be transferring to another unit of the University System of Georgia. In addition, there must not be a break in service of more than 30 days. Benefit plans that are consistent between the USG Institutions will transfer. Plans which are unique to Albany State University may not be transferred to an employee's new employment. Plans unique to a given USG Institution are not transferable. When the external transfer occurs with no break in service, an employee must transfer accrued vacation leave of between one (1) and twenty (20) days. For employees with accrued vacation leave of greater than twenty (20) days, the employee may elect one of the following options:

- Transfer of the total accrued vacation balance, not to exceed forty-five (45) days;
- Payment by the institution from which the employee is moving of accrued vacation leave greater than twenty (20) days. The total accrued vacation leave for which the employee may be paid shall not exceed twenty-five (25) days; or

- The transferring employee will restart the provisional period at the new location effective on the first day of employment and serve his/her first six (6) months in a provisional status, subject to all terms and conditions of the provisional period policy.

### **Continuing Benefit Plans at Termination**

Benefits remain intact until the last day of the month in which the employee terminates. Applicable premiums must be paid. The cost for COBRA for employees and/or dependents is 100% of the total premium, plus a 2% administrative fee. Employees are offered continued coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) for up to 18 months. In special instances, the 18-month period may be extended. The election period and duration of coverage is outlined in the official notice sent by vendor to the former employee's home address.

### **COBRA Disabled Status**

If a qualified beneficiary is determined to be disabled under Title II or XVI of the Social Security Act at the time employment ends, the qualified beneficiary may elect continuation for up to twenty-nine (29) months.

### **COBRA Dependents**

Dependents who lose eligibility may continue coverage for thirty-six (36) months.

### **Disability Insurance (Voluntary)**

Eligible employees may participate in long-term and/or short-term disability insurance. These plans allow employees to receive 60% of their salary (up to the established plan maximum) if ill, injured, and unable to perform their current job duties. An enrollment request, after initial eligibility, requires medical underwriting review and approval.

### **ANNUITY/DEFERRED COMPENSATION PROGRAMS**

Albany State University is authorized to enter into tax-sheltered annuity and deferred compensation plans to make available for employees a nonforfeitable annuity contract and/or a nonforfeitable deferred compensation contract under the provisions of Internal Revenue Code, Section 403(b), and Internal Revenue Code, Section 457(b), respectively. Additionally, the University is authorized to provide for employee deductions for the Georgia Higher Education Savings Plan under the provisions of Internal Revenue Code Section 529. The University currently authorizes four tax-sheltered annuity sources for its eligible employees. They are Variable Annuity Life Insurance Company (VALIC), Lincoln Investment Planning, Inc., TIAA-CREF, and Waddell and Reed. Employees may obtain from the Office of Human Resource Management detailed information regarding these benefit programs.

### **Group Life Insurance**

#### **Accident Insurance**

All benefits-eligible employees under age 70 can enroll in accidental death and dismemberment insurance. The employee pays 100% of the monthly insurance premium and the premium is withheld from the payroll check on a post-tax basis.

#### **Group Life Insurance**

The University provides \$25,000 of basic life insurance for all eligible employees at no cost.

### **Supplemental Life Insurance**

Eligible employees may purchase supplemental life insurance in increments of up to 5 times their annual salary. The premiums are based on the age of the insured and the amount of coverage selected. This is optional coverage and is paid by the employee on a post-tax basis. Upon retirement, the maximum amount of coverage for supplemental life insurance is \$40,000.

### **Dependent Life Insurance**

Eligible employees may also insure their dependents (spouse & children). All dependents are insured for \$10,000 each between the ages of six months and 19 - 26 (if they are unmarried, full-time students at an accredited institution).

### **Other Insurance**

The Board of Regents of the University System of Georgia may provide any additional types of group insurance protection on a voluntary basis if the total cost of such protection is paid by the employee with the same benefits eligibility definitions and benefits effective dates as that of Group Health Insurance.

### **Benefits Continuation into Retirement**

A USG retiree or career employee, who upon his/her separation of employment from the USG meets the criteria for retirement, shall remain eligible to continue as a member (if eligible on retirement date) and currently enrolled in the basic, supplemental and dependent group life insurance and health benefits plans. The USG shall continue to pay the employer's portion of the cost for only those benefits that included an employer contribution during the employee's active service.

### **Disabled Employees Insurance**

Employees who become permanently and totally disabled and who have less than nine and a half (9.5) years of continuous benefited service with the USG shall remain eligible for group health and life insurance benefits for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. The USG shall continue to pay the employer portion of the cost of group insurance for disabled employees for this 12-month period. Participation in the group healthcare plan may continue after the 12-month period under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). USG participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare summary plan documents shall apply.

Continued participation in the group life insurance program is not covered by the provisions of COBRA. Participation in the group life insurance program may continue after the 12-month period; however, University participation in the cost shall cease.

Employees who are deemed to be permanently and totally disabled following nine and a half (9.5) years of continuous benefited service with the USG, shall remain eligible for group health and life insurance benefits. The University shall continue to pay the employer portion of the cost of group insurance for these retirees.

Eligibility in the group plans will cease for reasons including, but not limited to, the following:

1. Failure to remit premiums in a timely manner;
2. A dependent child no longer meets the definition of a "qualified dependent" under the plan's provisions;

3. The dependent becomes covered by another group health plan; and/or,
4. The plans cease to be offered to employees.

### **Dependents of Deceased Employees, Disabled Employees, or Retirees**

The dependents of a deceased employee, a disabled employee, or a retiree may remain in the USG group health and life insurance programs consistent with the following provisions. In no event shall the spouse of the deceased continue in the group after remarriage. Dependent children may remain in the group until they reach the legal age of majority or until they become eligible for another group benefits plan. The definition of dependent children as defined in the USG's healthcare summary plan documents shall apply.

Eligibility in the group plans will cease for reasons including, but not limited to, the following:

1. Premiums are not remitted in a timely manner;
2. A spouse remarries;
3. A dependent child no longer meets the definition of a "qualified dependent" under the plan's provisions;
4. The dependent becomes covered by another group health plan; and/or,
5. The plans are no longer offered to any employees.

### **Dependents of Deceased Employees with Fewer than 10 Years of Continuous Benefited Service**

If an employee with fewer than ten (10) years of continuous benefited service dies while in active service with the USG, his/her dependents shall remain eligible to participate in the group health insurance program for a period of twelve (12) consecutive months following the death of the employee. The USG shall continue to pay the employer portion for the cost of the group health insurance for the surviving dependents for this period of 12 consecutive months.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). University participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare plan summary documents shall apply.

If a deceased employee with fewer than ten (10) years of continuous benefited service had elected to participate in the dependent life insurance program prior to his/her death, his/her dependents shall remain eligible to continue to participate in this program for a period of twelve (12) consecutive months following the death of the employee. The surviving dependent(s) will be responsible for the entire cost of the dependent life insurance. At the conclusion of this 12-month period, a dependent will have individual policy conversion privileges.

### **Dependents of Deceased Disabled Employees with Fewer than 9.5 Years of Continuous Benefited Service**

Those employees who become permanently and totally disabled and who have less than nine and a half (9.5) years of continuous benefited service with the USG shall remain in the group health insurance program for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. If a disabled employee dies during this 12-month period, his/her dependents shall remain eligible to participate in the group health insurance program for the remainder of the 12-month period. The USG shall continue to pay the employer portion for the cost of group health insurance for the surviving dependents for the remainder of the 12-month period.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of COBRA. University participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare plan summary documents shall apply.

If a permanently and totally disabled employee with less than nine and a half (9.5) years of continuous benefited service had elected to participate in the group life and/or dependent life insurance programs prior to becoming disabled, plan coverage will be permitted for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. If a disabled employee dies during this 12-month period, his/her dependents shall remain eligible to participate in the dependent life insurance program for the remainder of the 12-month period. The surviving dependents will be responsible for the entire cost of the dependent life insurance. At the conclusion of this 12-month period, a dependent will have individual policy conversion privileges.

#### **Dependents of Deceased Employees with at Least 10 Years of Continuous Benefited Service**

If an employee with at least ten (10) years of continuous benefited service dies while in active service with the USG, his/her dependents shall remain eligible to continue participating in the group health insurance program. The USG shall continue to pay the employer portion of the cost of group health insurance for the surviving dependents.

If a deceased employee with at least ten (10) years of continuous benefited service had elected to participate in the dependent life insurance program prior to his/her death, his/her dependents shall remain eligible to continue participating in this program. The surviving dependents will be responsible for the entire cost of the dependent life insurance.

#### **Dependents of Deceased Retirees**

Upon the death of a retiree, his/her dependents shall remain eligible to continue participating in the group health insurance program. The USG shall continue to pay the employer portion of the cost of group health insurance for the surviving dependents.

If a deceased retiree had elected to participate in the dependent life insurance program while in active service, his/her dependents shall remain eligible to continue participating in this program. The surviving dependents will be responsible for the entire cost of the dependent life insurance.

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## **RETIREMENT SYSTEMS**

### **Retirement Plans**

It is the policy of the Board of Regents to provide for the retirement of all eligible employees either through the Teachers Retirement System of Georgia or the Regents' Retirement Plan. Georgia law requires membership in the Teachers Retirement System of Georgia (TRS) or the Board of Regents Optional Retirement Plan (ORP). Membership in these plans is based upon exempt or non-exempt work status.

### **Definition of a USG Retiree/Eligibility for Retirement**

Effective November 1, 2002, to be eligible for retirement from the USG, an employee must meet one of the following four conditions at the time of his/her separation from employment, regardless of the retirement plan elected by the employee:

1. An employee must have been employed by the USG for the last ten (10) years in a regular, benefited position and have attained age 60; or,
2. An employee must have at least twenty-five (25) total years of benefited service established with a State of Georgia sponsored retirement plan, of which the last five (5) years of employment must have been continuous and with the USG. An early pension benefit penalty will apply to an individual who elects to participate in the Teachers Retirement System of Georgia, or in the Employees Retirement System, if he/she decides to retire with between twenty-five (25) and thirty (30) years of benefited service, prior to attaining age 60; or,
3. An employee must have at least thirty (30) total years of benefited service established with a State of Georgia sponsored retirement plan, of which the last five (5) years must have been continuous and with the USG; or,
4. An employee must be deemed to be totally and permanently disabled, as documented through the receipt of disability benefits from Social Security or from the Teachers Retirement System of Georgia, following nine and one-half (9.5) years of continuous service to the USG in a regular, benefited position.

An individual who has retired from another State of Georgia sponsored retirement plan may not count such retirement service toward meeting the eligibility criteria for retirement from the USG. The Vice Chancellor for Human Resources shall have the authority to waive the requirements regarding continuous service with the USG as it relates to the eligibility to receive benefits provided by the Board of Regents. The decision of the Vice Chancellor shall be final and unappealable. The Vice Chancellor shall notify the Committee on Personnel & Benefits of any waivers granted under this policy.

### **Employment Beyond Retirement**

An individual, who has retired from the USG and is receiving benefits from the Teachers Retirement System, the Employees Retirement System, or the Regent's Retirement Plan, may be eligible for reemployment on a part-time basis by the USG. Reemployment of USG retirees by the USG must fall under the following conditions:

1. The reemployment of a USG retiree must be approved by the hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the Office of Faculty Affairs.
2. A rehired retiree must have a minimum break of at least one (1) month between the effective date of his/her retirement and the effective date of his/her reemployment.
3. The work commitment of a rehired retiree must be less than half-time; i.e., less than 49%.
4. The salary that is paid to a rehired retiree must be either:
  - No more than 49% of the annual benefit-base compensation amount that he/she was earning at the time of his/her retirement, with consideration for the average merit increase percentages that have been applied since the employee retired; or,
  - No more than 49% of the average compensation for the position into which the retiree is being hired based on the institution's existing compensation plan, or, if not applicable, the average compensation of existing or previous incumbents; or,
  - No more than 49% of a reasonable market competitive rate for the position into which the retiree is being rehired as determined by the institutional chief human resources officer.
5. The salary that is paid to a rehired retiree must be consistent with his/her work commitment.

### **Career State Employees Eligibility for Retirement with Health and Life Benefits**

A State of Georgia employee who transfers to the University System of Georgia without a break in service shall be eligible to retire with Health and Life benefits provided that on the date of his/her separation of employment:

1. He/she has attained age 60 and he/she has a minimum of ten (10) years of service established with a State of Georgia sponsored retirement plan; the last 12 months of employment must have been served with the USG; or,
2. He/she has a total of twenty-five (25) years of service established with a State of Georgia sponsored retirement plan, regardless of age; the last 12 months must have been served with the USG.

An employee must be enrolled in the Health and Life benefits coverage at the time of retirement in order to continue coverage in retirement. An individual, who has retired from another State of Georgia sponsored retirement plan, may not count such retirement service toward meeting the criteria for being a career employee.

### **Georgia Defined Contribution Plan**

The Georgia Defined Contribution Plan was created by 1992 Georgia Law, Act 996 and was effective July 1, 1992. The purpose of the law is to provide a retirement system for temporary, seasonal and part-time State of Georgia employees who are not eligible for membership in other State retirement systems.

### **SOCIAL SECURITY**

Terms, conditions, requirements, reservations, benefits, privileges, and other conditions of Title II of the Social Security Act, as amended, shall apply to all Albany State University officers and employees except those specifically excluded under the agreements with the Employee's Retirement System of Georgia providing coverages.

Under agreements between the Employees' Retirement System of Georgia and the Board of Regents of the University System of Georgia, Social Security coverage was extended to the following classes of employees:

1. All employees eligible for the Teachers Retirement System of Georgia.
2. All temporary, seasonal, or intermittent employees whose work hours constitute a normal full-time working period.

The following employees are not covered by Social Security:

1. Student assistants
2. Graduate assistants
3. Laboratory assistants
4. Employees working less than half-time

Non-immigrant aliens may be exempt, in accordance with the provisions of their visas.

There shall be withheld from any salary or compensation due any employee covered by Social Security a percentage of salary, wage, or compensation required to be withheld by the Act, whether computed in cash, quarters, subsistence, or in kind and reserved in an institutional agency account for quarterly remittance to the Employees' Retirement System of Georgia. Rules and regulations of the Employees' Retirement System of Georgia for administration of the Act shall be followed.

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## **TUITION ASSISTANCE PROGRAM**

The USG and its institutions will encourage full-time faculty, staff, and administrators to participate in development activities and study by remitting tuition for those activities that have been authorized by the employee's institution. Participation in the Tuition Assistance Program shall be available to full-time, benefits-eligible employees who have successfully completed at least six (6) months of employment in a benefits-eligible position as of the date of the Tuition Assistance Program application deadline for the desired academic semester. Full-time employees (who meet the applicable admissions standards and who have received appropriate prior authorization from their institution) may enroll in up to nine (9) academic semester credit hours for each of the three (3) designated semester periods: fall semester, spring semester, and summer semester.

Student status will be secondary to employee status in all considerations, including student fee waivers. Tuition assistance is the waiver of tuition and the waiver of certain fees. Tuition Assistance Program participation will be granted on a space-available basis. For limited-slot enrollment programs, approval must be granted by the teaching institution. An employee must receive a grade of C or better in each approved Tuition Assistance Program academic course.

Employees may not enroll in the following professional schools:

1. Dental
2. Medical
3. Pharmacy
4. Veterinary
5. Law
6. Executive/premiere or comparable graduate programs

### **Employee Auditing of Courses**

Employees of a USG institution may attend classes offered by the same institution without registering as "auditors" and without credit being offered for such attendance. This provision applies to non-credit courses on a space-available basis. Institutions may permit employees to attend job-related continuing education classes, as determined by appropriate supervisory authority, at a reduced rate or without payment of a fee.

### **Special Tuition Assistance Program for Nursing Faculty**

The University System and the institutions encourage full-time faculty, staff, and administrators to participate in development activities and study by remitting tuition for those activities that have been authorized by the employee's institution. **Due to the current shortage of nursing faculty in the state of Georgia, the Tuition Assistance Program is available to Part-Time Nursing Faculty members seeking a graduate degree in Nursing. Any part-time nursing faculty member taking advantage of this program shall be required to work full time within the University System at least two (2) years following receipt of the graduate degree in Nursing (or Education, if such would allow one to teach Nursing at the University level). *The utilization of this program by part-time nursing faculty shall end in 2015, unless such utilization is extended by further action of the Board.***

Participation in the Tuition Assistance Program for Nursing Faculty shall be available to part-time nursing faculty who have successfully completed at least six (6) months of employment as of the date of the Tuition Assistance Program application deadline for the desired academic semester. Qualified part-time nursing faculty (who meet the applicable admissions standards and who have received appropriate prior



authorization from their institution) may enroll in up to nine (9) academic semester credit hours for each of the three designated semester periods: fall semester, spring semester, and summer semester. Student status will be secondary to employee status in all considerations, including student fee waivers. Tuition assistance is the waiver of tuition and the waiver of certain fees. Tuition Assistance Program participation will be granted on a space-available basis. For limited-slot enrollment programs, approval must be granted by the teaching institution. An employee must receive a grade of B or better in each approved Tuition Assistance Program academic course.

## **EMPLOYEE CONTINUING EDUCATION**

With prior approval by the Department/Unit Head, a regular classified employee may enroll for attendance in a course of instruction at the University. The employee is limited to one class per work day. The Supervisor may approve a modification to the schedule of hours worked (short lunch period, etc.) in order to make up time away from his or her job. The Board of Regents of the University System of Georgia, in a commitment to help its full-time employees pursue professional growth and development, has implemented a policy (Tuition Assistance Program - TAP) through which the Board will assist full-time employees in this area.

## **CAREER DEVELOPMENT**

The Board of Regents of the University System of Georgia is committed to the continued professional growth and development of USG personnel. Faculty, staff, and administrators are encouraged to participate in development activities and study. Career development opportunities may include, but are not limited to, the following examples of program offerings:

1. Tuition Assistance Program;
2. Courses offered through Continuing Education;
3. Courses offered through a Technical College System of Georgia (TCSG) institution;
4. External professional programs and conferences; and,
5. System-wide/institutional faculty and staff professional development programs.

Each USG institution shall commit at least one percent (1%) of full-time employee salaries to be used for faculty and staff development. This one percent will be matched by state appropriated funds to the extent that funds are available.

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## **LEAVE**

### **ANNUAL LEAVE (VACATIONS)**

Other than temporary employees, employees working full-time, shall be entitled to vacation at the rate of one and one-fourth (1-1/4) working days per month for each of the first five years of employment, one and one-half (1-1/2) working days per month for each of the next five years of employment, and one and three-fourths (1 3/4) working days per month for each year after the completion of ten years of continual service. Employees, other than temporary employees, working one-half time or more but less than full-time shall earn and accrue vacation time in an equivalent ratio to their percentage of time employed.

### **Leave Accrual and Payment**

Earned vacation may be accrued up to a maximum of forty-five (45) working days, and employees shall be compensated for all accrued vacation time up to, but not exceeding, forty-five (45) days upon termination of service from the University for any reason. The compensation shall be based on University leave records. A terminated employee shall not accrue vacation leave after the last working day of employment. An employee will not be paid for more than 45 days accrued leave upon termination of employment.

Each December 31, an employee's leave record shall be adjusted to show no more than 45 days accrued. (As leave days are earned subsequent to December 31, they shall be added to the days remaining after adjustment. This means that the leave record may show more than 45 days of accumulated leave at times other than January 1. As leave days are used, they shall be subtracted from this accumulation.

### **Scheduling Earned Vacation**

Earned vacation shall be taken at times mutually acceptable to the employee and the Immediate Supervisor. Temporary employees, including student assistants, and regular employees working less than one half-time, do not earn or accrue vacation time.

### **SICK LEAVE WITH PAY**

All regular full-time employees of the University shall accumulate sick leave at the rate of one working day per calendar month of service. Regular part-time employees working one-half time or more will accumulate sick leave in an equivalent ratio to their percentage of time employed. Sick leave for employees shall be cumulative. At the discretion of the University and upon approval of the Supervisor, an employee can be granted sick leave for any of the following reasons:

- Illness or injury of the employee;
- Medical and dental treatment or consultation;
- Quarantine due to a contagious illness in the employee's household; or
- Illness, injury, or death in the employee's immediate family requiring the employee's presence.

If an employee claims sick leave for a continual period in excess of one week, a physician's statement is required to permit further claim of sick leave rights by the employee. Sick leave will not be granted for absences immediately prior to or after a holiday unless it is a continuous illness. A terminated employee shall not accumulate sick leave or be entitled to receive sick pay after the last working day of his or her employment.

Upon an employee's transfer to another institution of the University System, accumulated sick leave will be transferred if there is no actual break in service.

### **Sick Leave Without Pay**

Any employee unable to return to work after exhausting all accumulated sick leave and accrued vacation leave may be granted sick leave without pay for a period not to exceed one year. Furthermore, such approved sick leave shall allow the employee the right to elect to continue his or her group insurance benefits, and the University will continue its share of the cost for such period. All other benefits which otherwise would accrue to the employee are prohibited.

### **EDUCATIONAL LEAVE WITHOUT PAY**

The University President may approve educational leave without pay to full-time employees for periods not to exceed one year at a time for the purpose of encouraging professional development. Such approved leave shall allow the employee the right to continue group insurance benefits with University participation.

### **MILITARY DUTY**

#### **Ordered Military Duty**

For the purpose of this policy, ordered military duty shall mean any military duty performed in the service of the State or the United States, including, but not limited to, service schools conducted by the armed forces

of the United States. Such duty shall be deemed “ordered military duty” regardless of whether the orders are issued with the consent of the employee.

### **Leave of Absence**

An employee who receives orders for active military duty shall be entitled to absent himself or herself from his or her duties and shall be deemed to have a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not to exceed a total of eighteen (18) workdays in any one federal fiscal year (October 1 - September 30) as authorized by Georgia Law O.C.G.A. § 38-2-279[e]. At the expiration of the maximum paid leave time, continued absence by the employee shall be considered as military leave without pay. The employee shall be required to submit a copy of his or her orders to active military duty.

### **Emergency Leave of Absence**

Notwithstanding the foregoing leave limitation of eighteen (18) days, in the event the Governor declares an emergency and orders an employee to State active duty as a member of the National Guard, such employee while performing such duty shall be paid his or her salary or other compensation as an employee for a period not exceeding 30 days in any one federal fiscal year.

### **Military Differential Pay**

Institutions of the University System of Georgia may pay an employee Military Differential for absence while engaged in the performance of ordered military duty and while going to and returning from such duty, after expiration of the payment period provided for in the paragraphs above. Military Differential Pay is equal to the amount by which an employee’s projected state base pay for a covered pay period exceeds the employee’s actual military pay and allowances as applicable to that pay period. Military Differential Pay programs must be applied consistently to all eligible employees within the Institution, not to exceed a total of twelve months in any one federal fiscal year (October 1 - September 30). At the expiration of the maximum Military Differential Pay, continued absence by the employee shall be considered as military leave without pay unless annual leave is allowed. Funding for Military Differential Pay is based on existing institution budgets.

### **Payment of Annual Leave**

After an employee has exhausted his/her paid military leave, an institution may pay the employee for his/her accumulated annual leave.

### **FAMILY MEDICAL LEAVE**

In accordance with the federal Family and Medical Leave Act (FMLA) of 1993, to be eligible for FMLA leave, the employee must have worked for the USG:

1. For at least twelve (12) months total; and,
2. For at least 1,250 hours during the 12-month period immediately preceding the commencement of such leave.

The FMLA entitles an employee to up to twelve (12) work weeks of leave for one of the following conditions:

1. Birth and care of a newborn child of the employee;
2. Legal placement of a child with the employee for adoption or foster care;
3. Care of an immediate family member (defined as the employee’s spouse, child, or parent) with a serious health condition; or,

4. A serious health condition of the employee himself/herself, which renders the employee unable to perform the duties of his/her job.

Section 585 of the National Defense Authorization Act (NDAA) amends FMLA to permit certain relatives of military personnel to take up to twenty-six (26) work weeks of leave to care for a member of the Armed Forces in various situations. NDAA also permits an employee to take FMLA leave for a qualifying exigency arising out of the fact that an immediate family member, as defined by the FMLA, is on active duty in support of a contingency operation.

## **MATERNITY LEAVE**

Disability due to pregnancy shall be considered as any other disability and appropriate sick leave provisions of these policies shall apply.

## **LACTATION SERVICES**

### **Worksite Lactation**

As a family-friendly employer, Albany State University provides a supportive environment that enables breastfeeding employees to express their milk during business hours. The information below outlines information regarding a designated on-campus lactation room and reasonable break times to accommodate milk expression.

### **Lactation Rooms**

Human Resources Management has partnered with Student Health Services to implement a designated private and sanitary location on campus so that lactating mothers may express their milk during business hours. The designated lactation room is located in the Student Health Center, Billy C. Black Building, on the First Floor. The lactation room provides an electrical outlet, comfortable chair, and nearby access to hot running water and soap. Breastfeeding mothers are responsible for keeping the general lactation room clean for the next user.

### **Reasonable Break Times**

Lactating mothers shall be granted flexible and reasonable breaks, using their normal break periods and meal times, to accommodate milk expression. Nursing mothers who wish to express milk during the work period should keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department.

### **Time away from Work - Instructions for Supervisors**

Supervisors should keep in mind that expressing breast milk may be a physical necessity for some mothers. Thus, supervisors should make every reasonable accommodation to support the needs of nursing mothers. Such accommodations should include permitting nursing mothers who need to express breast milk to visit lactation room(s) during normal break times or meal times and providing reasonable unpaid time or use of sick time if applicable. Supervisors should be flexible in allowing nursing mothers to select appropriate times to utilize the lactation room provided by the University.

## **DEATH IN THE FAMILY**

Benefits eligible employees who have a death in the immediate family may be allowed to use accrued sick leave for absences related to the death. Any leave in excess of five days for a death in the employee's immediate family must be approved and charged to vacation. Validated documentation must be presented to the supervisor upon return to work.

### **FAIR LABOR STANDARDS ACT (FLSA) FOR EXEMPT EMPLOYEES**

When exempt employees are absent from work for less than one scheduled work day and their accumulated leave is insufficient to cover the partial day of absence, they shall be placed on FLSA leave with pay for the period of absence.

### **COURT DUTY**

Court duty leave with pay shall be granted regular employees for the purpose of serving on a jury or as a witness. Such leave shall be granted upon presentation of official orders from the appropriate court.

### **VOTING**

Employees of the University are encouraged to exercise their constitutional right to vote in all Federal, State, and Local elections. When an employee's normal working hours coincide with voting hours, the employee shall be granted leave as stipulated by his or her Immediate Supervisor, for the purpose of voting.

### **PERSONAL LEAVE**

At the discretion of the University President personal leave of absence without pay for periods not to exceed one year may be approved. Such approved personal leave shall allow the employee the right to elect to continue group insurance benefits.

### **EDUCATION SUPPORT LEAVE**

To supplement work-life balance options for University System of Georgia employees, each full-time, non-temporary employee of the USG shall be eligible for up to eight hours of paid leave per calendar year for the purpose of promoting education in this state as authorized by O.C.G.A. § 45-20-32. Only activities directly related to student achievement and academic support will qualify for education support leave. Education support leave is not charged against any other leave. Education support leave does not accumulate or rollover and is not paid-out upon change of employment status.

### **ACCEPTANCE OF LEAVE FROM A STATE OF GEORGIA AGENCY BY THE USG**

The USG shall accept up to a maximum of ninety-six (96) hours of sick leave from a benefited employee who moves from a State of Georgia agency to the USG. For a USG unit to accept sick leave, the employee must have no more than a 30-calendar-day break in service. Written verification of the employee's sick leave balance must be provided to the USG by the terminating State of Georgia agency.

Annual leave will not be accepted for a benefited employee who moves from a State of Georgia agency to the USG.

### **OTHER LEAVE/UNIVERSITY CLOSING**

In the event of inclement weather or any emergency which requires leaves of absence of employees, the University President or his or her designee may declare leave with or without pay.

### **WORKER'S COMPENSATION BENEFITS**

All employees of the University, regardless of status, are covered by provisions of the Workers' Compensation Act, currently administered by the Department of Administrative Services, State of Georgia. This protection provides benefits to employees who are injured on the job.

### **Report of Injury**

When injured, an employee should report the accident, regardless of severity, to his or her Immediate Supervisor. The Supervisor must immediately contact AmeriSys by calling 1-877-656-7475. Additionally, the supervisor must complete the First Report of Injury Form and forward it to the Office of Human Resources Management.

### **Medical Treatment**

Injuries requiring medical treatment should be attended immediately. If required, the employee should be taken to the nearest emergency care facility. After the emergency situation subsides, the employee must call the AmeriSys Case Manager at 1-678-781-2848 or 1-800-900-1582.

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## **EMPLOYEE PERSONNEL RECORD**

Albany State University shall maintain the proper documents in employee personnel files. The Institution shall collect, use and retain only those items of personal information, which are required for business, regulatory, compliance with federal and state law, and legal purposes. When requested, the Institution shall provide employees the opportunity to inspect and verify the accuracy of their personnel record. The Institution shall provide interested members of the public access to public records upon proper legal request.

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## **EMPLOYEE HEALTH AND SAFETY**

### **SAFETY AND ACCIDENT PREVENTION**

Employees should make every effort to develop and practice safe working habits for themselves and to create a safe work environment for those around them. Employees should use all required safety equipment when performing their duties, observe area work rules and, upon detection, report all hazardous conditions to their Supervisors.

The safety of employees is a matter of vital concern to Albany State University. It is the policy of the University to provide the safest possible working conditions for all employees; to require no employee to perform a hazardous task with which he or she is not familiar and in which there is not proper close supervision and proper instruction; and to make available where necessary, special equipment and clothing to protect employees against particular hazards.

### **Responsibility**

- A. On-the-job safety is the joint responsibility of both the employee and the supervisor or department head.
- B. All employees are expected to perform their duties in a safe manner. An employee should make every effort to avoid careless work habits; to wear proper safety attire as may be required; and to report unsafe working conditions to one's immediate supervisor or department head.
- C. The department head or supervisor is basically responsible for accident prevention and safety within his or her department. The department head or supervisor, therefore, has the following responsibilities:
  1. To establish and actively enforce rules and procedures pertaining to accident prevention and safety;
  2. To detect and eliminate, or to report for attention, all physical hazards;
  3. To insist on the proper use and maintenance of machines, tools, equipment and physical facilities;
  4. To make certain every employee is fully informed about hazards to which he or she may be exposed, and to demonstrate the proper and safe way to do the job;

5. To continually conduct on-the-job safety training and to make regular checks for unsafe practices.

### **Safety and Accident Prevention Efforts**

A department head or supervisor should consider conducting or requesting assistance in conducting timely inspections of the facilities and equipment to determine possible safety hazards; to review past reports of employee accidents/injuries; and to implement preventive measures that can be identified to minimize on-the-job injuries.

### **Georgia Public Employees Hazardous Chemical Protection and Right-to-Know Act of 1988**

The State of Georgia Public Employee Right-to-Know Act ensures that all public employees are accorded certain rights regarding hazardous chemicals in their workplace. Employees have both a need and a right-to-know the identities and hazards of the chemicals they use on the job. The Right-to-Know program informs employees of chemical hazards in the work place and how to protect against these hazards.

BASIC TRAINING will be given to all employees. This training will provide an overview of the hazardous chemical protection laws, regulations and policies currently in place in the University System. A summary of employee rights will be discussed. Individual employee questions will be addressed and any additional Right-to-Know policies that may be established will be presented. CHEMICAL SPECIFIC TRAINING will be provided only to employees who routinely handle or are exposed to hazardous chemicals/materials. This type of training will be coordinated by the Director of Environmental Health and Safety. Information concerning training programs for Albany State University employees will be disseminated by the "Right to Know" Coordinator. The "Right to Know" Coordinator may be contacted at: Office: Facilities Management Telephone: 229-430-4707

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## **USE OF UNIVERSITY SERVICES AND PROPERTY**

University owned and controlled facilities, systems, and equipment are state property and may not be used by University employees for personal or commercial purposes or in a manner that interferes with the performance of their University job duties. Electronic mail, voice mail, fax machines and copiers should be used for official Albany State University business only. Employees should understand that electronic mail and voice mail messages are not secure and therefore should not be assumed to be private. No expectation of privacy exists in the use of any University owned or controlled facilities, systems, or equipment issued or made available to University employees including, but not limited to, offices, phones, voicemail, computers, email accounts, data storage devices, file cabinets or lockers. The University reserves the right to enter, inspect, inventory, use, recall or transfer property it owns or controls at any time deemed appropriate, in the University's sole discretion.

### **Use of Albany State Stationery**

Albany State University stationery is intended for University business and must not be used by staff members for personal or non-University correspondence.

### **Use of Telephones**

The use of all State of Georgia telephone services should be limited to official University business only. Telephone calls should be handled in a prompt and courteous manner, and University telephone lines must be kept clear for University business calls. Using office phones for personal long distance calls is a violation of University policy, which is subject to disciplinary action up to

and including termination. Employees may not make personal long distance calls with the intention of repaying the University at a later date.

### **Mail and Packages**

The University is not responsible for loss or damage to personal packages or mail addressed to any of its employees at an Albany State facility. In order to avoid a possible financial loss, it is strongly recommended that such items be mailed or shipped to the employee's home address. Employees may not use the Campus Mail services for personal mail. This service is staffed to handle only official University correspondence; its use for other purposes slows down delivery of official mail.

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## **WORKPLACE ETHICS POLICY**

### **UNIVERSITY SYSTEM OF GEORGIA ETHICS POLICY**

#### **Introduction**

The USG and Albany State University are committed to the highest ethical and professional standards of conduct in pursuit of its mission to create a more educated Georgia. Accomplishing this mission demands integrity, good judgment and dedication to public service from all members of the USG community.

While the USG affirms each person's accountability for individual actions, it also recognizes that the shared mission and the shared enterprise of its institutions require a shared set of core values and ethical conduct to which each member of the USG community must be held accountable. Furthermore, the USG acknowledges that an organizational culture grounded in trust is essential to supporting these core values and ethical conduct. The following Statement of Core Values and Code of Conduct are intended to build, maintain and protect that trust, recognizing that each member of the USG community is responsible for doing his/her part by upholding the highest standards of competence and character.

#### **Applicability**

The USG Ethics Policy applies to all members of the USG community. The USG community includes:

1. All members of the Board of Regents;
2. All individuals employed by, or acting on behalf of, the USG or one of the USG institutions, including volunteers, vendors, and contractors; and,
3. Members of the governing boards and employees of all cooperative organizations affiliated with the USG or one of its institutions.

Members of the Board of Regents and all individuals employed by the USG or one of its institutions in any capacity shall participate in USG Ethics Policy training, and shall certify compliance with the USG Ethics Policy on a periodic basis as provided in the USG Business Procedures Manual. Cooperative organizations, vendors, and contractors shall certify compliance with the USG Ethics Policy by written agreement as provided in the USG Business Procedures Manual. The USG Ethics Policy governs only official conduct performed by or on behalf of the USG. Violations of the USG Ethics Policy may result in disciplinary action including dismissal or termination.

#### **Statement of Core Values**

Every member of the USG community is required to adhere to the USG Statement of Core Values – Integrity, Excellence, Accountability, and Respect – that form and guide the daily work of the organization.

1. **Integrity** – We will be honest, fair, impartial and unbiased in our dealings both with and on behalf of the USG.



2. **Excellence** – We will perform our duties to foster a culture of excellence and high quality in everything we do.
3. **Accountability** – We firmly believe that education in the form of scholarship, research, teaching, service and developing others is a public trust. We will live up to this trust through safeguarding our resources and being good stewards of the human, intellectual, physical and fiscal resources given to our care.
4. **Respect** – We recognize the inherent dignity and rights of every person, and we will do our utmost to fulfill our resulting responsibility to treat each person with fairness, compassion and decency.

### **Purpose of the Code of Conduct**

The USG recognizes that each member of the USG community attempts to live by his or her own values, beliefs and ethical decision-making processes. The purpose of the Code of Conduct is to guide members of the USG community in applying the underlying USG Statement of Core Values to the decisions and choices that are made in the course of everyday endeavors. Each USG institution must ensure that its institutional ethics policies are consistent with this USG Ethics policy.

### **Code of Conduct**

We will:

1. Uphold the highest standards of intellectual honesty and integrity in the conduct of teaching, research, service and grants administration.
2. Act as good stewards of the resources and information entrusted to our care.
3. Perform assigned duties and professional responsibilities in such a manner so as to further the USG mission.
4. Treat fellow employees, students and the public with dignity and respect.
5. Refrain from discriminating against, harassing or threatening others.
6. Comply with all applicable laws, rules, regulations and professional standards.
7. Respect the intellectual property rights of others.
8. Avoid improper political activities as defined in law and Board of Regents Policy.
9. Protect human health and safety and the environment in all USG operations and activities.
10. Report wrongdoing to the proper authorities; refrain from retaliating against those who do report violations; and cooperate fully with authorized investigations.
11. Disclose and avoid improper conflicts of interest.
12. Refrain from accepting any gift or thing of value in those instances prohibited by law or Board of Regents policy.
13. Not use our position or authority improperly to advance the interests of a friend or relative.

### **Interpretation and Sources**

The Statement of Core Values and Code of Conduct do not address every conceivable situation or ethical dilemma that may be faced by members of the USG community. Members of the USG community are expected to exercise good judgment absent specific guidance from this policy or other applicable laws, rules and regulations.

Specific questions pertaining to the Statement of Core Values or Code of Conduct should be directed to a supervisor or other competent authority at the University System Office or at the institution's office of Legal Affairs, Internal Audit, Compliance, Human Resources, Academic Affairs, or other appropriate office.

There are also multiple sources of authority that address specific questions or situations. Examples include:

1. [Board of Regents Policy Manual](#)
2. [Board of Regents Business Procedures Manual](#)
3. [Board of Regents Human Resources Administrative Practice Manual](#)
4. Institutional policies, handbooks and procedures
5. State Laws and Regulations
6. Federal Laws and Regulations

Further specific explanatory notes and references may be found on the USG's website at <http://www.usg.edu/audit/compliance/ethics/> or its successor reference

## **ETHICS TRAINING**

Each actively employed University System of Georgia (USG) employee, to include institutional employees, is expected to complete the Ethics Training and Certification within 90 days of their initial day of employment as a condition of employment. Additionally, the USG may require periodic "refresher" ethics training and related certification courses.

All individuals employed by the USG or one of its institutions in any capacity shall participate in USG Ethics Policy training and shall certify compliance with the USG Ethics Policy on a periodic basis.

The USG Ethics Policy governs only official conduct performed by or on behalf of the USG. Violations of the USG Ethics Policy may result in disciplinary action, up to and including termination.

## **CONFLICT OF INTEREST**

### **Outside Activities**

An employee of Albany State University should avoid actual or apparent conflict of interests between his or her University obligations and his or her outside activities.

### **Occupational Activities**

An employee of Albany State University shall not engage in any occupation, pursuit, or endeavor which will interfere with the regular and punctual discharge of official duties. All full-time Faculty, Administrators, and other Professional Staff members employed by Albany State University are expected to give full professional effort to their assignments of teaching, research, and service. Professional employees are encouraged to participate in professional activity that does not interfere with the regular and punctual discharge of official duties, provided the activity meets one of the following criteria: (1) a means of personal professional development; (2) service to the Community, State or Nation; or (3) consistency with the objectives of Albany State Albany State University. For all activities, except single-occasion activities, the employee shall report in writing through official channels the proposed arrangements and secure the approval of the University President or his or her designee prior to engaging in the activities. Such activities include consulting, teaching, speaking, and participating in business or service enterprises.

### **Political Activities**

As responsible and interested citizens in a democratic society, employees of Albany State University are encouraged to fulfill their civic obligations and otherwise engage in the normal political processes of society. The following policies governing political activities have been adopted:

- A. Employees may not manage or take an active part in a political campaign which interferes with the performance of duties or services for which he or she receives compensation from the University;
- B. Employees may not hold elective political office at the State or Federal level;
- C. Employees seeking elective political office at the State or Federal level must first request a leave of absence without pay beginning prior to qualification as a candidate in a primary or general election and ending after the general or final election. If elected to State or Federal office, such person must resign prior to assuming office.
- D. Employees may seek and hold elective office at other than the State or Federal level, or appointive office, when such candidacy for or holding of the office does not conflict or interfere with the employee's duties and responsibilities to the University.

## **GRATUITIES**

### **Prohibited Receipt of Gifts by USG Employees**

An employee of Albany State University shall not directly or indirectly solicit, receive, accept, or agree to receive a thing of value by inducing the reasonable belief that the giving of the thing will influence his/her performance or failure to perform any official action. The acceptance of a benefit, reward or consideration where the purpose of the gift is to influence an employee in the performance of his/her official functions is a felony under O.C.G.A. § 16-10-2.

An Albany State University employee or any other person on his/her behalf, is prohibited from knowingly accepting, directly or indirectly, a gift from any vendor or lobbyist as those terms are defined in Georgia statutes (O.C.G.A. § 21-5-70(6) and 45-1-6(a)(5)b). If a gift has been accepted, it must be either returned to the donor or transferred to a charitable organization. A gift may be accepted by the employee on behalf of the institution subject to reporting requirements of the Board of Regents. If the gift is accepted, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

For purposes of this policy a gift is defined as lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value.

A gift shall not include:

1. Food or beverage consumed at an occasional meal or event, provided the value is reasonable under the circumstances but in no event exceeds \$100 per person.
2. Food, beverages, and registration at group events to which substantial numbers of employees of an institution are invited.
3. Food, beverage, or expenses afforded employees, relatives or others that are associated with normal and customary business or social functions or activities.
4. Actual and reasonable expenses for food, beverages, travel, lodging and registration provided to permit participation in a meeting, demonstration, or training related to official or professional duties if participation has been approved in writing by the Chancellor, the President, or his/her designee.
5. Promotional items generally distributed to the general public.
6. Textbooks, software, and instructional materials to be reviewed by teaching faculty.

7. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement.
8. Legitimate salary, honoraria, benefit, fees, commissions, or expenses associated with the recipient's non-public business, employment, trade, or profession.
9. Gifts from a person or entity who is neither a lobbyist nor a vendor as those terms are defined in State Statutes, nor a student or patient at an institution.
10. Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with USG policies, institution policies, and Georgia law.
11. Gifts to or from USG foundations or other separately incorporated, charitable entities.

### **Appearance of Conflicts of Interest**

An employee shall make every reasonable effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person will conclude from the circumstances that the employee's ability to protect the public interest, or perform public duties, is compromised by personal interest. An appearance of conflict can exist even in the absence of a legal conflict of interest.

### **Other Rules of Conduct**

Every employee shall make a due and diligent effort to determine whether he/she has a conflict of interest or appearance of conflict before taking any action.

Every employee shall continually monitor, evaluate, and manage his/her personal financial and professional affairs to ensure the absence of conflicts of interest and appearance of conflicts.

### **Violations**

A violation of this policy may subject an employee to disciplinary action, including termination of employment.

### **Consulting**

Recognizing that teaching, research, and public service are the primary responsibilities of USG faculty members, it shall be considered reasonable and desirable for faculty members to engage in consulting activities, which are defined for purposes of this policy as any additional activity beyond duties assigned by the institution, professional in nature and based in the appropriate discipline for which the individual receives additional compensation during the contract year.

Each USG institution shall adopt guidelines governing consulting activities of faculty members which shall include the following:

1. A plan for reimbursing the institution for use of the institution's personnel, facilities, equipment and/or materials consistent with rates charged outside groups or persons.
2. A procedure for obtaining prior approval of the president or his/her designee.
3. A procedure for defining and prohibiting conflicts of interest.

### **CONFORMITY WITH FEDERAL REQUIREMENTS**

All employees of Albany State University are required to comply with any and all requirements, laws, and regulations, as specified by Federal Departments from which Federal grants, contracts, and other awards are received for the University. Should there be a conflict in the policies and procedures of this Manual with any requirements of the terms of such grants, contracts, and other awards, the Vice President for Fiscal Affairs or the Director of Human Resources Management will be responsible for resolving the conflict. Any Faculty

member or other employee discovering such conflict is responsible for notifying the Vice President for Fiscal Affairs and requesting guidance in the matter.

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## **GENERAL WORKPLACE PRACTICES**

### **WORK RULES**

A diverse assemblage of personnel such as Albany State University must necessarily establish uniform work rules to serve as a guide for its employees and supervisors. The purpose of these rules is not to restrict employees, but to improve efficiency; to provide for fair, consistent, and equal treatment of all employees; and to communicate clearly management's expectations. Not all work environments are identical and, therefore, one set of work rules will not apply to all employees. Supervisors must know the rules that apply to their Departments/Units as well as unwritten practices that are commonplace. Work rules should be clear, reasonable, and understandable. Employees are more likely to conform to rules that are clear and reasonable. Supervisors should regularly review and, if necessary, update all rules and practices. A Supervisor should not assume that employees will learn rules by word of mouth. Initially, work rules may be communicated orally, but it is necessary to reinforce this communication in writing. Electronic notices are the most common forms of communication and may be reinforced by inclusion in policy manuals and employee handbooks.

Supervisors who enforce work rules consistently and without discrimination gain the respect and cooperation of their employees. This respect can be quickly lost if some employees are allowed to bend the rules. A basic attitude for Supervisors to remember and practice is to treat their employees as fairly as the Supervisors themselves would like to be treated. Being overly lenient or overlooking rules altogether invites disrespect, and over a period of time the rules become dormant and unenforceable. To enforce a dormant work rule, Supervisors must again communicate to employees the rule and the consequence of infraction.

By establishing clear, reasonable, and understandable work rules, communicating the rules to employees and applying the rules consistently, a Supervisor sets the standards for employee performance and behavior. As one might expect, not every employee will measure up to performance standards or comply with established work rules. When this occurs, a Supervisor's responsibility is to take the necessary progressive disciplinary action.

Not every work situation can possibly be covered in this section. Past practices and common sense should guide employees in these instances. For additional information, employees and Supervisors should refer to other sections of this manual.

If an employee believes he or she has been treated unfairly or inconsistently with respect to the established work rules, the employee should bring the concern to the attention of his or her Supervisor. If satisfaction is not received from the Immediate Supervisor, the employee should request resolution through the proper administrative channels and ultimately through the Human Resources Office.

These Work Rules are not intended to replace or modify the Policies and Procedures of this Manual. They are intended to summarize them and, in some cases, simplify and/or further explain the basic policies and procedures.

### **NOTARY SERVICES**

Notarization of legal documents or other instruments, at no cost to employees, is available through the Office of Human Resources Management. Contact the office for assistance.

## **DRESS CODE/BUSINESS CASUAL DRESS FOR SUMMER AND FRIDAYS**

While all Albany State University employees are expected to dress and groom appropriately for our work environment, the normal dress code will be relaxed during the summer to provide a more practical and comfortable clothing standard. The business casual dress code begins the first Monday following Spring Commencement and ends the first Tuesday after the Labor Day holiday. Fridays throughout the year will be designated as business casual spirit days, in which employees may wear ASU paraphernalia along with business casual attire. It is the intent that employees may choose to wear less formal attire (i.e. blue jeans and ASU paraphernalia) as long as the clothing is in good taste and will not negatively affect the University's image.

Under the University's dress code policy, acceptable personal appearance is an ongoing responsibility of each employee. Specifically, "common sense" should be the basic guideline and employees should not wear suggestive attire, athletic clothing, shorts, T-shirts, novelty buttons, baseball hats, and similar items of casual attire that do not present a businesslike image. Ties and jackets are optional during business casual and Fridays.

As always, supervisors are responsible for determining appropriate dress for each specific work situation or environment. Radical departures from conventional dress or personal grooming standards will not be permitted. When dealing with customers and the public, employee attire should be consistent with a positive business image.

There is no established standard regarding hair length. Hair restraint or hair covering rules may be established by individual Departments/Units where safety and/or sanitation is a factor.

Albany State University will provide uniforms for all employees required to wear specific attire as a condition of employment (protection, identification). The supervisor will inform the employee if the Department/Unit has a policy on uniforms. Operating units will determine responsibility for cleaning and maintenance of protective clothing; and if uniforms are provided, they are to be worn for University-related duties only. Employees whose jobs require them to wear uniforms and/or whose attire must meet prescribed safety standards are not covered by this exception to the dress code.

## **SERVICE AWARDS**

Appropriate awards denoting various lengths of service may be presented by the University, provided that State funds are not used to purchase such awards.

## **INTERNAL INVESTIGATIONS/COOPERATION**

Internal investigations may be of a routine nature, such as cash audits and inventory confirmations, or may be initiated by the ASU Police Department or approved authorities in response to a specific problem such as theft of materials or cash shortages. Employees in the areas are expected to assist in the investigations, and failure to do so shall be considered an act of insubordination. When directed to do so by the Immediate Superior or such other persons who have been given investigative authority by the President of the University, an employee of Albany State University shall cooperate to the fullest extent possible in any internal investigation conducted by his or her employment unit. Failure to cooperate fully shall be grounds for adverse personnel action, including possible termination of employment.

## **HOLIDAYS**

As authorized by the Board of Regents, the University shall establish for employees of the University twelve (12) official paid holidays each calendar year. These holidays shall be awarded in addition to earned vacation

time, and shall be observed in accordance with the rules and regulations set forth by the University. A terminating employee shall not be paid for any official holidays occurring after the last working day of employment. As soon as practicable at the beginning of each calendar year the Office of the Vice president for Fiscal Affairs and/or the Director of Human Resources Management will notify employees by memorandum of the specific dates for holidays as approved by the University President.

### **EMPLOYMENT APPLICATIONS**

Each person formally applying for a position at Albany State University must complete an application via the University's applicant system at [www.albanystatejobs.com](http://www.albanystatejobs.com). The application will remain on file in the Office of Human Resources Management.

### **WORK WEEK**

The standard work week for all Classified Employees of Albany State University is forty (40) hours in accordance with the Fair Labor Standards Act. The established campus-wide hours of work are normally 8:00 a.m. to 5:00 p.m. with an hour for lunch. The summer work week is 7:30 a.m. to 6:00 p.m., Monday through Thursday. Personnel of Facilities Management and various departments with the approval of the Vice President for Fiscal Affairs may establish different schedules for its employees when it is deemed in the best interest of the University and that Department/Unit.

### **CONFIDENTIALITY/CONFIDENTIAL RECORDS AND INFORMATION**

Many employees will have access to confidential records and information in their regular work assignments. Employees entrusted with this information of a confidential nature should not reveal such information to co-workers or others without proper authorization and a right to know. Privileged and confidential information must not be shared with unauthorized personnel or individuals. The unauthorized release of confidential information from files, microfilm, electronic data, conversations, personal observations, or knowledge may be subject to appropriate disciplinary action.

### **STATE BUSINESS TRANSACTION DISCLOSURE REPORT**

All business transacted with the State of Georgia or with any agency of the State of Georgia, by a public official or a state employee must, under certain conditions, be disclosed to the Office of the Secretary of State. If a public official or a state employee transacts business with the State of Georgia, or with an agency of the State of Georgia, and that individual has a substantial personal or family interest in the business transacted with the State, a disclosure report must be filed. Disclosure reports must be filed with the Office of the Secretary of State on or before **January 31** each year for business transactions during the preceding calendar year. Transaction disclosure reports may be obtained from the Office of Legal Affairs.

### **PERSONALLY-OWNED TOOLS/EQUIPMENT ON UNIVERSITY PREMISES**

There are occasions when employees use items of personal property (tools and equipment) on University premises. Such personal tools/equipment should be tagged, engraved, or labeled to clearly indicate personal ownership. Personal equipment remains on campus at the owner's risk. The University's insurance does not cover personally owned property; therefore, the University cannot assume responsibility for maintenance or upkeep.

### **PUNCTUALITY**

Employees shall be punctual and comply with the scheduled hours of his or her official work day, including reporting for work, taking rest periods and lunch breaks, and leaving at the end of the day.

If an employee is late or absent from work, he or she must notify his or her Supervisor, or designee, within the first fifteen (15) minutes of the work day.

Tardiness may result in the employee taking leave or having his or her pay reduced to cover the absence. Habitual tardiness or failure to observe assigned work hours could result in disciplinary action as prescribed by Progressive Discipline Policy in this Manual.

### **REST PERIODS**

Employees are entitled to a rest period taken at a time and place and in a manner which does not interfere with the efficiency of the Unit or other employees. These breaks in the work schedule are authorized in the interest of the employees' health and efficiency. The rest period will be with pay and will not exceed 15 minutes for each four hours of work. This period is intended to be a recess to be preceded and followed by an extended work period. Consequently, it may not be used to cover tardiness, early departure, or extended lunch period or regarded as cumulative if not taken. Because of insurance liability and possible emergency situations, all rest periods must be taken within the building, specific job site, or University grounds.

### **PERSONAL AUDIO EQUIPMENT LIMITATIONS**

Employees shall not wear personal audio headphones while performing duties. Any device which introduces sound directly into the ear is prohibited. Hearing aids are not included in this rule. Wearing of such headphones is prohibited because they may contribute to the following hazardous working conditions:

They can draw the employee's concentration away from potentially hazardous situations; Wires leading to units worn or carried elsewhere on the body may become caught in moving equipment or machinery, or interfere with personal protective equipment; or

They may interfere with the employee's ability to respond to job situations where an auditory alarm or feedback is essential, for example: Where equipment start-up alarms are used; when a change in the sound indicates an equipment malfunction; or where warning or other verbal communication from Supervisors or fellow employees is necessary.

Approved non sound-generating earplugs or muff protectors designed for hearing protection and special headphones approved by Supervisors to be worn during the performance of specific duties are not prohibited.

Other types of radios may be played with Supervisor's permission, provided the volume is kept at a level which does not interfere with the employee's work performance or that of co-workers.

### **KEY POLICY**

Each Department/Unit Head or designee is responsible for keys issued to employees within his or her Department/Unit. Each employee is responsible for the safekeeping of University keys in his or her possession. An employee should never leave keys in a conspicuous place.

It is recommended that extra/duplicate keys be kept in a locked cabinet and coded appropriately with the code being filed separately for security purposes. When an employee terminates or transfers, he or she must return all keys to the Department of Facilities Management. The University does not allow duplication of University keys by outside sources.

### **MEAL BREAKS**

Unpaid Departmental/Unit lunch periods are either thirty (30) minutes or sixty (60) minutes in duration and are scheduled by the Department/Unit. The employee must be completely relieved of all duties. If the



employee must perform work duties—for example, answering the telephone—the time would be compensable.

### **OFFICE DECOR**

Employees should be allowed, within reason, to decorate their offices or desk areas with personal effects. Employees should, however, remember that an office is first and foremost a place of business. Personal effects should not be overpowering and good taste must be maintained. When in doubt, employees should consult their Supervisors.

Pictures, posters, calendars, etc. with nude or partially clothed persons or posters with lewd references are **not** appropriate in a business environment and should not be displayed on work premises, including private offices, shops, break areas, rest rooms or lockers.

### **OFFICE PARTIES**

Parties (including wedding or baby showers, and birthdays) not related to University business should be held during lunch periods, during employee break/rest periods, or after working hours. The use of University space is allowable.

University-related functions (employee retirement, transfer, or termination parties), awards and recognition ceremonies, Departmental/Unit Christmas parties, receptions, and the like are permissible during normal work hours. It is the responsibility of the Department/Unit Supervisor to maintain adequate staffing to ensure that there is no interruption in customer service.

### **VOLUNTEERS**

Individuals who wish to provide voluntary services at the University must be approved prior to services being offered. Contact the Office of Legal Affairs or the Office of Human Resources Management for assistance.

### **PERSONAL VISITORS**

Personal, non-business visitation in the work place should be kept to a minimum. Any abuse should be discussed with the Supervisor for appropriate action.

### **DISRUPTIVE BEHAVIOR**

Any Student, Faculty member, Administrator, or Employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held on the campus of Albany State University is considered by the University to have committed an act of gross irresponsibility he or she shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

### **PROFANITY IN THE WORKPLACE**

Freedom of Speech is one of the basic and most precious rights of American citizens. However, the use of profane or vulgar language can both embarrass other employees and make them unnecessarily uncomfortable. Thus, it is important that each employee be considerate of others in the workplace by not using such language. An employee should bring the use of offensive language to the attention of the appropriate Supervisor.

## **EMPLOYEE/EMPLOYER RELATIONS**

The working environment is extremely important to each employee and should be a very positive factor. To this end, the University makes every effort to enhance working conditions and expects employees to accept a similar responsibility. Occasionally, it becomes necessary for the University to correct employee work habits or for the employee to call attention to inequities or other work-related problems he or she encounters. While these actions are normally attempted and accomplished in an informal, personal setting, it sometimes becomes necessary to pursue more formal avenues of corrective action and/or recourse. This section deals with such procedures. The employee or employer should not take such actions lightly or initiate them indiscriminately, if the University is to foster positive employee/employer relationships.

### **Reprimand**

In most situations, a Supervisor can correct, through simple statements, an employee's actions or even overlook them if they are not serious. However, should the employee's actions become chronic, or if the infraction of University policy leads to serious problems, a formal written reprimand may be in order. The Supervisor must strongly document formal reprimands stating the date(s) of the infraction, the policy violated and any other pertinent data. In addition, he or she should suggest future disciplinary action if further infractions are committed. Repeated reprimands might possibly lead to suspension or termination.

Employees receiving reprimands have the right to explanation of charges, and Supervisors are therefore encouraged to use the reprimand as a constructive document. Employees who believe that the reprimand is not justifiable have the right to appeal as set forth in grievance procedures.

### **EMPLOYEE GRIEVANCES**

Employee grievances are to be expected in any work environment, with numerous reasons for their origin. Albany State University is no exception, and although not every grievance may initially be considered a serious matter, the University wants to maintain a positive position in the quick resolution of problems which occur. The following brief paragraphs provide general statements on the grievance procedure at Albany State University and are supplemented by more detailed information in other sections of this Manual.

### **Grievances Not Covered**

Not all employee complaints or grievances are acceptable or subject to corrective actions. The following examples, while not covering exceptions in their entirety, provide general guidelines on what grievances are excluded:

- A. Any matter which is subject to final administrative review outside Albany State University under law or the policies of the Board of Regents of the University System of Georgia;
- B. The content of published policy. Should published policy be in direct conflict with law or regulation, the employee should advise the Office of Human Resources Management which in turn will advise the President of the University and the appropriate staff member of the Regents Central Office;
- C. Non selection for promotion or grievance related to salary increases unless there is specific evidence to show that said grievance relates to discrimination based on race, color, sex, religion, national origin, handicap or age. The President's decision on all such matters, with this exception, shall be final at the University level with the Board of Regents representing the final review;
- D. A preliminary warning or notice of an action, which, if effected, would be covered by the grievance mechanism; and

- E. Grievances by a temporary, probationary, or non-State-funded employee relating to his or her separation.

### **Initiation of a Grievance**

An employee or group of employees with a grievance which does not fall in the above categories may seek remedy. Two basic processes are followed in expressing a grievance: the informal grievance process and the formal grievance process.

### **The Informal Grievance**

This is the initial step in expressing a grievance and requires that an employee work within his or her departmental organization in seeking redress. Informal grievances may be oral or written and should be directed to the first line Supervisor. The employee should clearly identify the policy infraction involved, the date of the incident, and the preferred solution. If the grievance relates to the first line Supervisor, the employee may use the next organizational level. Normally grievances are solved at this level; however, the employee may elect to pursue the formal procedure if no action is taken, if it is not taken within a prescribed time frame, if the incident or source of the problem recurs or if the Supervisory solution proffered does not adequately address the problem.

### **The Formal Grievance**

Having exhausted the informal process, the employee may file a written grievance to the Affirmative Action Officer if the employee believes that the Supervisor's actions are inappropriate or untimely, do not address the problem, or do not provide adequate redress. An employee must present a formal grievance in writing, expressing policy infraction, date of the incident, preferred action, and efforts taken through the informal procedure to correct the problem.

Should the grievance be acceptable, a Board of Review will be selected and a formal hearing date established. The Board will conduct an administrative review, not requiring strict rules of evidence, and make recommendation(s) for resolution of the problem. The President and his or her Vice Presidents, with assistance from the Director of Human Resources Management, will review the recommendations. The President will then advise the employee of the final decision.

In cases where the Director of Human Resources Management determines that the action alleged to have wronged the Grievant is covered by laws, regulations, policies, etc. pertaining to discrimination of any kind (including sexual harassment), he or she will refer the grievance to the University's Affirmative Action Officer for further action.

### **Appeals**

An employee shall be afforded due process in resolving grievances and shall have the right of appeal at each supervisory level. Although the decision of the President is final at the University level, the employee can initiate further recourse or review by requesting review at the University System level within twenty (20) days from receipt of the President's decision.

### **Retaliatory Action**

An employee exercising his or her right to follow the established grievance procedures shall not be subjected to retaliatory action, harassment, or intimidation or be otherwise penalized for exercising the right to express grievances. Supervisors and other employees found using such tactics will be subject to disciplinary action to include reprimand, possible suspension, or dismissal, depending on the circumstances.

On first occurrence, the employee should report such actions to the Office of Human Resources Management which will advise the President and appropriate Vice President of the retaliatory acts. They, in turn, will determine what disciplinary action shall be taken.

### **Grievance Procedures for Faculty and Classified Employees**

#### **Name**

The Grievance Committee at Albany State University shall be known as the Board of Review.

#### **Purpose**

The Board of Review is established to provide a means to hear the complaints of University employees (Faculty members and Classified Personnel) who have exhausted normal channels of appeal but who have not received satisfaction in the resolution of a grievance. Normal channels shall be construed to mean an appeal to administrative officers, through and including at least one level of authority higher than the Grievant's Immediate Supervisor, to resolve the grievance satisfactorily.

#### **Jurisdiction**

##### **A. Grievance Complaints**

The Board of Review may consider the grievance of any Faculty member or classified employee. The grievance must be reasonably related to the terms and conditions of his or her employment, be supported by affidavit of the Grievant or other credible evidence, and be timely filed.

##### **B. Grievance Referral**

The Board of Review shall consider any referred grievance for hearing by the President of the University or the Board of Regents of the University System of Georgia.

##### **C. Exclusions**

The Board of Review may not consider grievances which concern salary, promotion or dismissal of any employee or which involve the award of tenure or non-renewal of Faculty member unless it is reasonably alleged that the action complained of was the result of discrimination based on race, color, sex, religion, creed, national origin, handicap or age. Nor shall the Board of Review consider any grievance concerning which the President has already made a final decision.

##### **D. Appeal of Academic Decisions**

Pursuant to the provisions of Article IX of the Bylaws of the Board of Regents, grievances based on judgment of academic qualifications which impact such items as salary, promotion, tenure or non-renewal may be appealed at the University through established channels to the President of the University and, thereafter, to the Board of Regents of the University System of Georgia.

##### **E. Dismissal of Faculty**

Grievances related to the dismissal of tenured Faculty or Non tenured Faculty during a contract term are governed by Article VI, Sec. B-6-d of the Bylaws of the Board of Regents.

##### **F. Appeals by Classified Employees**

Grievances of Classified Employees concerning salary, promotion, or dismissal are governed by the Personnel Policies of the Business Procedures Manual of the Board of Regents.

#### **Initiation of Grievance**

##### **A. Request for Hearing**

Any Grievant, within thirty (30) working days after the occurrence of the alleged act causing the grievance, may file a written request for a hearing with the Chairperson of the Board of Review. He or she must describe the grievance and state the following:

1. The actions complained of, including the pertinent facts of the complaint, the date, time and place of the occurrence, the University policies believed to have been violated or improperly applied, with the complaint verified and sworn to by the Grievant;
2. The names of possible witnesses, if any, and a description of the evidence which may tend to support the complaint; and
3. The specified corrective action desired.

**B. Determination of Jurisdiction**

The Chairperson of the Board of Review, within three (3) days from the filing of the application for hearing by the Grievant, shall determine whether the grievance is one which has been properly and timely filed, and whether the nature of the grievance is one which may be properly heard by a Board of Review. If so, the Chairperson will instruct the parties as to the procedures in selecting the panel and members of the Board of Review. If not, the Chairperson will notify the parties and the President of his or her determination and give the reason(s). The President may, nevertheless, direct that the grievance be heard by a duly constituted Board of Review. The Chairperson will within ten (10) days following receipt of a grievance cause the panel and Review Board members to be selected.

**Board of Review**

**A. Selection of Chairperson**

For each Board of Review, there shall be a Chairperson who, along with one or more Alternate Chairpersons, shall be elected annually by the Faculty of the University from among the tenured Faculty of the University for a one (1) year term, to begin no later than November 30 of each academic year, provided, however, that not more than one person shall be elected from the Faculty of any one Department/Unit of the University. University System counsel or the Affirmative Action Officer of the University or University System will thoroughly brief the Chairperson and alternate Chairperson(s) on the conduct of the grievance mechanism. The Chairman and Alternate Chairperson(s) shall rotate the duties of the Chair.

**B. Selection of Review Panel**

Within thirty (30) days after the alleged act prompting the grievance, an employee must file a written grievance with the Chairperson. If the grievance is determined by the Chairperson to be within the jurisdiction of the Board, he or she shall draw by lot, or other random process, from a list of eligible Faculty members or Classified Employees, as appropriate to each case, a panel of nine (9) persons as potential members of the Board. When grievances involve only Faculty, the Chairperson shall draw the panel from Faculty having at least one (1) academic year (nine months) of continual service at the University. For grievances between Faculty and Classified Personnel the Chairperson shall draw four (4) members of the panel from eligible Faculty and five (5) members from eligible Classified Employees, all of whom shall have at least nine months of continual service at the University. For grievances involving Classified Employees only, the Chairperson shall draw the panel from the names of Classified Employees having at least nine months of continual service at the University. In the presence of the Director, Office of Human Resources Management or the Affirmative Action Officer of the University who shall certify to the President that the panel drawing process has been impartially executed, the Chairperson shall draw a new panel for each grievance. (Faculty Members and Classified Personnel are defined in Sections 801 and 802 of the Fiscal Affairs Policies and Procedures Manual, Albany State University.)

**C. Eligibility for Service**

With the exception of the President, all full-time employees (Faculty and Classified) having at least one (1) academic year (nine months) of continual service at the University are potential members of the Board of Review. An employee's name shall be removed from the pool if: (1) employment ends; (2) an employee is a Grievant; or (3) an employee is named or otherwise directly involved in the grievance.

**D. Excuse of Panel Members**

Panel members who are drawn as possible Board of Review members may be excused by the Chairperson if he or she determines that: (1) there is a bona fide conflict of interest between the panel member(s) and either of the parties of the grievance; (2) the potential panel member is ill; or (3) service on the Board of Review should be excused for good cause shown.

**E. Selection of Review Board**

Each Review Board shall consist of the Chairperson (non-voting) and three (3) voting members chosen from a panel of nine (9). Upon notification of the names of the panel members, each party shall in the presence of the Chairperson strike the names of three (3) persons from the panel. The parties shall alternate in exercising their strikes, beginning with the Grievant, until three (3) members remain. These three (3) members shall constitute the Board of Review. It is anticipated that this "striking" process will be completed within five (5) days following the selection of the panel by the Chairperson.

**F. Removal of Review Board Members for Cause**

A party may present a request in writing, at least three (3) days in advance of any hearing, to the Chairperson, to remove any member of the Board for reasonable cause. If the Chairperson grants the request, he or she shall fill the vacancy thus created by random selection of another member. The member chosen to fill the vacancy may likewise be removed for reasonable cause. The Chairperson may on his or her own motion remove any member for reasonable cause.

**G. Notice of Hearing**

After the Board of Review has been selected, the Chairperson, no less than three (3) nor more than ten (10) working days in advance of the date set for the hearing, must hand deliver or mail to the parties and members of the Board of Review written notice of date and time set for the hearing.

**Duties of Chairperson**

The Chairperson of each Board of Review shall not vote but shall be responsible for the conduct of the hearing and the interpretation and implementation of grievance procedures. His or her duties shall include, but not be limited to, the following:

- A. Assuring that all parties are familiar with grievance procedures;
- B. Receiving the grievance and determining whether it is one which is properly heard by a Board of Review (if it is not, notify the grievant in writing) and whether it has been timely filed;
- C. Drawing, at random, within five (5) working days following receipt of a written grievance, a panel of nine (9) persons as potential members of the Board of Review;
- D. Notifying the parties: (1) whether the grievance is one which is properly heard by a duly constituted Board of Review, and (2) if so that a hearing panel of nine (9) members has been drawn and (3) that each party should come before him on a certain date and strike the names of three (3) panelists;
- E. Distributing the complaint (grievance) to the opposite party and members of the Board of Review and setting a date for the hearing after conferring with the Board members;
- F. Convening the hearing after written notice—at least three (3) but no more than ten (10) working days in advance of the hearing—to the members of the Board of Review and the parties; conducting and presiding over the hearing; ruling on motions of the parties and assisting the Board of Review during its deliberations;

- G. Ensuring that a tape recording or transcript of the hearing be made and retained for use in the event an appeal is filed; and
- H. Forwarding a copy of the written Findings of the Board of Review to the President and the Grievant within ten (10) working days after the hearing; and forwarding a copy of the Board's Confidential Recommendation(s) (if any) to the President.

### **Hearing Procedure**

In all instances where a hearing is conducted, the following procedures shall apply:

- A. The Board of Review will conduct the hearings in private; however, the parties may select one (1) person to attend as an observer;
- B. Attorneys are not authorized to participate in grievance hearings; however, the Grievant may select an advisor, other than an attorney, from the University to assist him or her at the hearing;
- C. The Board of Review will keep a tape recording, transcript or written summary of the proceedings and make it available to the parties concerned, at reasonable cost;
- D. The Board of Review shall afford the parties a reasonable opportunity to obtain and present witnesses and relevant documents or other evidence concerning the subject matter of the complaint;
- E. The Board of Review shall afford the parties the right to cross-examine witnesses against them. Should a witness be unable to appear because of illness or other cause acceptable to the Chairperson, the sworn statement (affidavit) of the witness may be introduced into the record;
- F. A notary public shall administer an oath or affirmation to all witnesses;
- G. The Board of Review will not be bound by strict rules of legal evidence. It may receive any evidence deemed by the Chairperson to be of probative value in determining the issues involved. The Board will make every possible effort to obtain the most reliable evidence available. The Chairperson shall decide all questions as to the admissibility of evidence or other procedural matters;
- H. The Board of Review shall make no decision on the merits of the grievance but shall state its Findings which shall be based on the evidence introduced at the hearing. The Chairperson will report the Findings to the Grievant and President.

The Board of Review may also submit Confidential Recommendation(s) to the President; and

- A. To safeguard the confidentiality of the hearing, the Board and all parties concerned must avoid public statements and publicity about the complaint.

### **Findings and Recommendations by the Board**

The Chairperson must send the Findings of the majority of the Board of Review to the President and the Grievant no later than ten (10) working days following the hearing. If a transcript of the hearing is required, the Chairperson must send Findings no later than ten (10) working days following receipt of the transcript. The Board of Review may, in addition to its Findings, make Confidential Recommendation(s) (if any), to the President. The Findings, and Confidential Recommendation(s) (if any), made by the Board of Review to the President shall be advisory only, and shall in no way bind or commit him or her to any suggested course of action.

### **Action by the President**

In making a decision, the President will not be bound by the Findings, or Confidential Recommendation(s) (if any) of the Board of Review. The President should, within ten (10) working days after receipt of such written notification of the Findings, and Confidential Recommendation(s) (if any) of the Board of Review, advise in writing the Faculty member or Classified Employee, his or her direct Supervisor, and other parties concerned of the decision. The President may refer the matter back to the Chairperson of the Board of Review for further response and recommendation(s) before rendering a final decision. The President must advise the employee in writing of his or her right to apply to the Board of Regents for review of the President's final decision, in accordance with the provisions of Article IX of the Bylaws of the Board of Regents.

### **Time Requirements of the Review Process**

The Review process operates on the premise that grievance panels (nine [9] members) should be constituted (drawn by lot) within five (5) working days following receipt by the Chairperson of an acceptable written grievance from any employee of the University. The final selection of a three (3) member Board of Review from the panel should be completed within ten (10) working days after the filing of the alleged grievance. The Chairperson should give written notice of any hearing date to the members of the Board of Review and to the parties at least three (3) but no more than ten (10) working days prior to the date set for the hearing. The Chairperson must forward Findings to the Grievant and the President within ten (10) working days from the conclusion of the hearing unless a transcript of the evidence is required. If a transcript of the evidence is required, the Chairperson must forward such documents to the President within ten (10) working days after receipt of the transcript. The Chairperson must also send any Confidential Recommendation(s) to the President within ten (10) working days. The President must make the final decision within ten (10) working days thereafter unless he or she refers the matter back to the Board for further response and recommendation(s). After a final decision by the President, the employee must file any appeal to the Board of Regents within twenty (20) days.

### **Retaliatory Action**

The Grievant shall not be harassed, intimidated, or otherwise penalized for using the grievance procedures.

### **EMPLOYMENT APPEALS**

The President of the University shall within ten (10) working days after written request appoint, or have appointed in accordance with the approved and published grievance procedures, an impartial Board of Review to hear appeals from employees, excluding those employed in provisional status, when grievances cannot be resolved through normal administrative channels. This evidentiary hearing shall be informal in nature and shall not be conducted under strict rules of evidence or procedures applicable to proceedings in the Superior Courts of Georgia. Normally, attorneys are not authorized to participate in the hearing; however, the Grievant may select an advisor other than an attorney, to assist and advise the Grievant at the hearing. Attorneys may be authorized by the Committee Chairperson to participate in the hearing if it appears that the hearing will in any way involve, or relate to, an indictment of, or the existence of any criminal charge against the grievant.

The recommendation of the Board of Review shall be forwarded to the President for final decision. If the matter is not resolved to the satisfaction of the Grievant, he or she may file an application for review, in writing, to the Board of Regents within twenty (20) calendar days following the written decision of the President. This appeal shall state the decision complained of and the redress desired, and shall be filed and processed in accordance with the provisions of Article IX of the Bylaws of the Board of Regents. The Grievant may be represented by an advisor or an attorney during the appeal process to the Board of Regents.



Applications from University System employees for Board of Regents' review of presidential decisions shall be limited to instances in which an employee is terminated, demoted, or otherwise disciplined in a manner which results in a loss of pay. Any University System employee aggrieved by a final decision of the president of an institution, other than those stated above, may apply to the Board's Office of Legal Affairs for a review of the decision, in accordance with Policy 8.6 Applications for Discretionary Review; provided, however, that an application may be reviewed if (1) the record suggests that a miscarriage of justice might reasonably occur if the application is not reviewed, or (2) whether the record suggests that the institutional decision, if not reviewed, might reasonably have detrimental and system-wide significance.

## **PROGRESSIVE DISCIPLINE**

Whenever the appropriate Supervisor determines that an employee's performance of duty or personal conduct is unsatisfactory and if that classified employee has completed the six months provisional employment (Section 804.04 of this Manual), the Supervisor must follow a sequence of disciplinary actions.

### **Oral Warning**

The Supervisor should discuss the unsatisfactory offense, action, or conduct with the employee, suggest corrective action and the results expected and record in an appropriate place the date, time and a summary of the warning.

### **Written Warning - First**

The Supervisor should reduce to writing a description of the unsatisfactory offense, action or conduct, the suggested or required corrective action, a reference to the previous Oral Warning, the results expected, and any other caution or warning deemed appropriate. The letter or memorandum should be given to the employee and discussed fully with him or her.

### **Written Warning - Second**

The Supervisor, in the second written warning, should document the information in the same manner required for the first warning and recommend suspension of the employee without pay for a maximum of three (3) to five (5) days.

### **Written Warning - Third**

The Supervisor, in the third written warning, should document the required information of the previous two (2) warnings and recommend termination of the employee.

### **Process for Filing Documents**

The Supervisor should forward, through appropriate channels, all documents pertaining to any or all Written Warnings so that such documents can be acted upon and filed in the employee's permanent personnel files.

### **Exceptions to Suspension or Termination**

Only upon the recommendation of the Director, Human Resources Management, with approval by the President, will the actions of suspension and/or termination be changed from these policies.

## **DISMISSAL, DEMOTION, OR SUSPENSION**

Dismissal, demotion or suspension of Classified Employees may be initiated by the employee's Immediate Supervisor when the Supervisor determines that the employee's performance of duty or personal conduct is unsatisfactory. Any employee who is convicted of the unlawful manufacture, distribution, sale, use, or possession of marijuana, a controlled substance or other illegal or dangerous drug, or who admits guilt of any such offense in a court proceeding, shall be suspended for not less than two months or dismissed after compliance with procedural requirements of this section. Such employee shall be required as a condition of re-employment following suspension to complete a drug abuse treatment and education program approved

by the President of the University. Mandatory suspension and/or dismissal for this offense will be accomplished without the exercise of Progressive Discipline procedures. The employee shall be informed in writing of the reasons for the action taken and granted a reasonable opportunity (not less than five working days) to respond to the next highest authority prior to the effective date of the action; provided however, that under emergency circumstances when immediate action is necessary, the employee may be forthwith dismissed, demoted or suspended, with or without pay, by the Immediate Supervisor, pending a review by the next highest authority. Any such employee shall also be entitled to the procedural protection of a hearing before a Board of Review convened upon request made within fifteen (15) working days following the adverse personnel decision of his immediate supervisor, provided that the Board of Review hearing may take place either before or after the effective date of the personnel decision in question. Dismissal, demotion or suspension of Classified Employees, except in cases where the nature and/or severity of the circumstances warrant immediate action, will occur only after Progressive Discipline actions have been taken. An employee who has been dismissed or suspended without pay and is later reinstated shall be entitled to recover back pay unless the President or his or her designee determines otherwise.

The following are some offenses that can lead to disciplinary actions:

1. Dishonesty, deception, or fraud, including computer fraud,
2. Unexcused absence,
3. Repeated tardiness,
4. Excessive absence,
5. Leaving work without permission,
6. Alcohol or drug abuse,
7. Possession of alcoholic beverages or illegal drugs,
8. Willful damage to material or property
9. Fighting,
10. Theft of property,
11. Sleeping on the job,
12. Poor work performance,
13. Use of abusive or threatening language,
14. Insubordination,
15. Sexual harassment, and
16. Failure to perform duties satisfactorily.

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## **REORGANIZATION, PROGRAM MODIFICATION OR FINANCIAL EXIGENCY**

### **EMPLOYEES AFFECTED BY REORGANIZATION, PROGRAM MODIFICATION OR FINANCIAL EXIGENCY**

Employees who are terminated, demoted, or otherwise adversely affected by reorganization, program modification, or financial exigency, as approved or determined by the President of the University or his or her designee, shall not be governed by the procedures described in Dismissal, Demotion or Suspension section of this Manual and Appeals. Such employees shall, however, have the right of appeal to the Board of Regents as provided in Article IX of the Bylaws of the Board of Regents. The Board of Regents' policy on Financial Exigency is presented below verbatim and becomes a policy of Albany State University and a part of this Manual:

Anything in the Policies of the Board of Regents to the contrary notwithstanding, if the Board of Regents finds that a condition of Financial Exigency exists either at an institution, within an academic or other unit of an

institution, or in the University System generally, then the layoff or termination of tenured faculty, non-tenured faculty or other contract employees before the end of their contract term, will be handled in accordance with the Financial Exigency policy set forth below. As used herein, the term 'unit' means any identifiable component of the System at any level of its organization which has an annual budget for the operation of such component.

### **DEFINITION OF FINANCIAL EXIGENCY**

Financial exigency occurs when circumstances cause a shortfall in projected revenues for general operations as compared with projected expenditures over the same period and such shortfall would have a material adverse effect on the operation of either an institution, an academic or other unit of an institution or the System generally. In the event of reduced appropriations, declining enrollments, or other actions or events that compel a reduction in the System's or an institution's current operations budget, the Board of Regents may, in its exercise of fiscal responsibility, decide to reduce the operation of, to modify or to close one or more institutions of the System. Such reductions, modifications, or closings may require the reduction of salaries, layoffs or terminations of tenured faculty, non-tenured faculty or other contract employees before the end of their contract term.

Any response to a financial exigency shall be developed with the understanding that action taken will be consistent with the basic mission of the System to provide the best possible education for its students. The System shall make reasonable efforts to insure that students affected will be allowed to complete their programs, within the limits of budgetary constraints, at the institution or by transfer to another unit of the System.

The determination of the existence and extent of a financial exigency affecting the System or any institution or within an academic or other unit of an institution shall be the sole responsibility of the Board of Regents, but the President of an institution, after consultation with representative faculty members, may request such a determination by the Board. A request for the declaration of a financial exigency at any level below the institution level must originate at the institution. When such determinations are made, this policy, along with approved implementing procedures, will take precedence over those applicable Board policies which govern normal operating procedures. The president of each institution shall follow implementing procedures prescribed by the Chancellor.

### **LAYOFF OR TERMINATIONS**

The term *layoff*, as used in this policy, is defined as the temporary dismissal of any employee, including tenured faculty members or non-tenured faculty or other contracted employees, before the end of their contract term. Layoffs or terminations may occur within an academic unit or other unit of an institution without a net loss of faculty members or other personnel at the institution; that is, layoffs or terminations in some academic or other units may occur with simultaneous authorization of new positions for different duties in academic or other units depending upon the needs of such units. The president of each institution, after consultation with faculty and staff, shall determine whether layoffs or terminations are required and which employees will be affected. This determination shall be made in accordance with the procedures established by the Chancellor, which will give primary consideration to the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

Faculty and other employees under contract who are laid off or terminated before the end of their contract term for reasons of financial exigency shall, whenever possible, be notified at least ninety (90) days in advance of the date of layoff or termination. The notice of layoff or termination shall be delivered personally or by certified mail, with return receipt requested. This notice shall include, in writing, a statement of the conditions requiring layoff or termination, a general description of procedures followed in making the

decision and a statement of the employee's right to respond orally and in writing to the appropriate official at the institution as to the reasons for the layoff or termination. The employee(s) shall also have the right, upon written request within twenty (20) days from the date of the final decision of the President, to apply to the Board of Regents for a review of the President's decision in accordance with the provisions of Article IX of the Bylaws of the Board.

#### **PROGRAM MODIFICATION OR DISCONTINUANCE IN THE EVENT OF FINANCIAL EXIGENCY**

Anything in the Policies of the Board of Regents to the contrary notwithstanding, if the Board of Regents finds that a condition of financial exigency exists either at an institution, within an academic unit or other unit of an institution or in the System then program modifications or discontinuances recommended by the Chancellor and approved by the Board may be made at any such institution, within an academic or other unit of any such institution or the System generally.

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## **TRAINING AND DEVELOPMENT PROGRAMS**

The University recognizes that training and development programs improve individual and organizational performance and help the University achieve its overall institutional goals. All Albany State University employees, including but not limited to managers, supervisors, and staff should work along with their supervisors to make plans to enhance skills and prepare for continually evolving responsibilities in their positions. Since professional development is part of all employees' performance expectations, supervisors should plan for and allow time from work for training programs determined to be mutually beneficial for employees and the University. Such release time should be granted to employees in a fair and equitable manner, regardless of experience, educational background, or job title.

Albany State University is part of the USG Regional Professional Development Consortium. Our regional partner is Valdosta State University. For a current listing of courses/sessions available, contact Valdosta State University Training and Development Department.

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## **GENERAL POLICIES FOR FACULTY**

### **MINIMUM QUALIFICATIONS FOR EMPLOYMENT**

#### **All Ranks**

Minimum employment qualifications for all academic ranks within the University shall be:

1. Master's degree. Exceptions may be made for:
  - a. persons of special learning and ability;
  - b. promising individuals who have recently acquired the bachelor's degree and are proceeding with their graduate training; and
  - c. temporary emergency appointments;
2. Evidence of ability as a teacher;
3. Evidence of scholarly competence and activity;
4. Successful experience (which must necessarily be waived in the case of beginners who meet all other requirements); and
5. Desirable personal qualities judged on the basis of personal interview, complete biographical data, and recommendation.

### **Full Professors**

Initial appointees to full professorships should have a doctorate or the equivalent in training, ability or experience.

### **EMPLOYMENT OF PERSONNEL FOR MAJOR FACULTY AND ADMINISTRATIVE POSITIONS**

Major faculty and administrative positions shall be defined as follows: Chaired Professors; Provosts; Vice Presidents; Deans; Division or Department Heads; Chief Business Officers; Chief Student Affairs Officers; Registrars; Chief Admission Officers; Head Librarians; Directors of Institutes, etc. To ensure the employment of high-caliber personnel in these positions without hampering the effectiveness of the presidents and their advisors, the Board of Regents has established the following policy:

- A. When a position is to be filled, the President of Albany State University shall write the Chancellor a letter stating: (1) the nature of the position; (2) the improvements and changes to be made by the new appointee in this position; (3) the place of the activity in the development of the University; (4) the method to be followed in identifying possible appointees; (5) the professional qualifications and special competencies to be sought; and (6) the salary range anticipated.
- B. When a list of possible nominees has been developed, the President shall forward the list to the Chancellor.
- C. When the best candidate has been identified, the President shall forward to the Chancellor a request to offer the position to the candidate.
- D. Only after receiving approval from the Chancellor to offer the position shall the President make to the candidate a commitment subject to ratification by the Board of Regents.
- E. The President shall then forward the recommendation for appointment to the Chancellor for Board approval.

### **Supplementary Procedures**

- A. If a major Faculty or Administrative Position is to be filled by an individual in acting or interim capacity, the President shall provide the Chancellor with the name of that individual and a description of his or her qualifications for service in the position. No individual shall fill a position in an interim or acting capacity for more than one calendar year unless an extension has the written approval of the Chancellor and approval of the Board.
- B. On the first day of each calendar quarter, the President shall provide the Chancellor a status report on all unfilled major Faculty and Administrative Positions. For the purpose of this quarterly status report, any positions currently filled by acting or interim personnel should be listed as vacant. The Chancellor can require more frequent submission of this report as needed.

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### **INTER-INSTITUTIONAL EMPLOYMENT**

It is recognized as a good practice for units of the University System to employ Faculty from other units of the System. When the President of Albany State University approves the consideration for employment of a faculty member of another institution in the System, he shall secure authorization from the Chancellor prior to contacting the Faculty member. When the President makes a formal offer, the letter shall include a statement that acceptance can be made only after all contractual obligations have been fulfilled or a replacement has been secured.

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## **NOTICE OF EMPLOYMENT AND RESIGNATION**

### **Tenured Faculty**

All tenured Faculty members under written contract for the fiscal or academic year of two semesters shall give to the President or to his or her authorized representative written notice of their intention to resign. The notice must be postmarked no later than February 1, immediately preceding the expiration of the contract period.

### **Non Tenured Faculty**

#### **President's Annual Notification to Non Tenured Faculty with Academic Rank**

Each year, on or before the dates specified in Regents' Tenure Regulations, the President, or his or her authorized representative, shall advise, in writing, all non-tenured faculty who have been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) and who are employed under written contract whether an employment contract for the succeeding academic year will be offered to them. Such written notice shall be delivered to the addressee only, with receipt to show to whom and when delivered and the address where delivered.

#### **Notice of Intent to Renew or not to Renew**

Notice of intention to renew or not to renew a non-tenured Faculty member who has been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) shall be furnished, in writing, according to the following schedule:

1. At least three months before the date of termination of an initial one-year contract;
2. At least six months before the date of termination of a second one-year contract; and at least nine months before the date of termination of a contract after two or more years of service in the institution. This schedule of notification does not apply to persons holding temporary or part-time positions, or persons with courtesy appointments, such as adjunct appointments.

#### **Contract Term for Non Tenured Faculty and Other Personnel Employed Under Written Contract**

Non tenured Faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in the contract; and subsequent or future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract.

## **EVALUATION OF FACULTY**

In accordance with definite and stated criteria (consistent with Board of Regents Policies), against which the performance of each Faculty will be evaluated, and which are developed by the academic officials of the University and approved by the President, each Faculty member will be evaluated at least annually. As a part of the evaluation procedures, a written system of Faculty evaluations by students will be included, with the improvement of teaching effectiveness as the main focus of such student evaluations.

## **CRITERIA FOR PROMOTION**

### **All Professorial Ranks**

Minimum for all professorial ranks:

1. Superior teaching,
2. Outstanding service to the institution,
3. Academic achievement, and
4. Professional growth and development.

Noteworthy achievement in all four of the above need not be demanded, but should be expected in at least two. The Head of the Department/Unit concerned should submit a written recommendation setting forth the reasons for promotion.

The Faculty member's length of service with the University shall be taken into consideration in determining whether or not the Faculty member should be promoted.

#### **Promotion to Full Professor**

Promotions to Full Professorship should require the doctorate or its equivalent in training, ability, or experience. Neither the possession of a doctorate, nor longevity of service is a guarantee *per se* of promotion.

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### **TENURE**

The Board of Regents of the University System recognizes that "tenure resides at the institutional level" and, therefore, allows additional standards and requirements for tenure, consistent with the Board of Regents' Policies and approved by the Board, to be incorporated into the Statutes of the University. This Manual addresses only those general, minimum standards for the award of tenure set forth by the Board of Regents. Any additional standards and requirements or deviations from those herein published which have been approved by the Board of Regents must be provided to the Faculty in writing at the time of employment.

#### **University Responsibility for Tenured Employment**

The responsibility of Albany State University for employment of a tenured individual is to the extent of continued employment on a one hundred per cent workload basis for three out of every four consecutive academic quarters until retirement, dismissal for cause, or release because of financial exigency, or program modification as determined by the Board of Regents.

#### **Eligibility**

As defined by Board of Regents Policies, only Assistant Professors, Associate Professors or Professors who are normally employed full-time by the University are eligible for tenure. The term "full-time" is used in tenure policies, procedures and/or regulations to denote service (employment) on a one hundred per cent work load basis for at least three out of four consecutive academic quarters. Faculty members with adjunct appointments shall not acquire tenure. The award of tenure is limited to the above academic ranks and shall not be construed to include honorific appointments

#### **Probationary Period**

Tenure may be awarded in accordance with stated, written and published procedures, upon completion of a probationary period of at least five years of full-time service at the rank of Assistant Professor or higher, upon recommendation by the President and upon approval by the Board of Regents. The five-year period must be continual except that a maximum of two years interruption because of a leave of absence or part-time service may be permitted; however, no probationary credit for the period of an interruption shall be allowed. A maximum of three years' credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions or for full-time service at the rank of Instructor at Albany State University. Such credit for prior service shall be defined in writing by the President at the time of the initial appointment at the rank of Assistant Professor or higher.

### **Maximum Times Allowed Without the Award of Tenure**

The maximum period of time that may be served at the rank of full-time Instructor shall be seven years. The maximum time that may be served at the rank of Assistant Professor or above without the award of tenure shall be seven years, provided, however, that a terminal contract for an eighth year may be proffered if the University's recommendation for tenure is not approved by the Board of Regents. The maximum time that may be served in any combination of full-time instructional appointments (Lecturer, Instructor, or Professorial ranks) without the award of tenure shall be ten years, provided, however, that a terminal contract for an eleventh year may be proffered if the University's recommendation for tenure is not approved by the Board of Regents.

### **Loss of Probationary Credit**

Tenure or probationary credit toward tenure is lost upon resignation from the University, or written resignation from a tenured position in order to take a non-tenure position, or written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given. In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

### **Notification**

Upon approval of the award of tenure to an individual by the Board of Regents, the President of the University shall notify that individual in writing, with a copy of the notification forwarded to the Chancellor.

### **Notice to Renew or Not Renew Contracts of Non Tenured Faculty**

Notice of the intention to renew or not to renew a non-tenure faculty member who has been awarded academic rank (instructor, assistant professor, associate professor, professor) shall be furnished, in writing, according to the following schedule:

1. At least three months before the date of termination of an initial one-year contract;
2. At least six months before the date of termination of a second one-year contract; or At least nine months before the date of termination of a contract after two or more years of service in the institution.

This schedule of notification does not apply to persons holding temporary or part-time positions in any rank.

### **Dismissal of Tenured Faculty**

A tenured Faculty member, or a non-tenured Faculty member, before the end of his or her contract term, may be dismissed for any of the following reasons, provided that Albany State University has complied with procedural requirements:

1. Conviction or admission of guilt of a felony or of a crime involving moral turpitude during the period of employment—or prior thereto if the conviction or admission of guilt was willfully concealed;
2. Professional incompetency, neglect of duty, or default of academic integrity in teaching, in research, or in scholarship;
3. Unlawful manufacture, distribution, sale, use or possession of marijuana, a controlled substance, or other illegal or dangerous drugs as defined by Georgia laws; teaching or working under the influence of alcohol which interferes with the faculty member's performance of duty or his/her responsibilities to the University or to his profession; or
4. Conviction or admission of guilt in a court proceeding of any criminal drug offense.



### **Program Modification**

As part of its broad constitutional authority to manage the University System of Georgia, the Board of Regents may exercise its authority to modify programs offered by the System generally or at various units of the System. Such modification may be a part of a change of institutional mission and may result in discontinuation of programs or reduction in size. A program modification of such magnitude that requires the termination of tenured Faculty members at Albany State University will be implemented only after completion of a study, with University Administrative and Faculty participation, by the Chancellor's staff. The Chancellor will report the results of that study to the Board along with recommended guidelines under which program modification will be effected.

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### **NON TENURE TRACK PERSONNEL**

Albany State University is authorized to establish professional positions designated as non-tenure track positions. The University shall prepare annually, along with its budget, a list of positions so designated for submission to and approval by the Chancellor. Subsequent requests for such designations submitted during the budget year must also be approved by the Chancellor. Positions designated as non-tenure track positions or as tenure track positions may be converted to the other type only with approval by the Chancellor.

Non-tenure track positions may be established for full-time professional personnel employed in administrative positions or to staff research, technical, special, career, and public service programs or programs which are anticipated to have a limited life span or which are funded, fully or partially, through non-System sources. There shall be no maximum time limitation for service in positions in this category.

The following provisions shall apply to all non-tenure track professional personnel:

- A. Individuals employed in non-tenure track positions shall not be eligible for consideration for tenure;
- B. Probationary credit toward tenure shall not be awarded for service in non-tenure track positions;
- C. Notice of intention to renew or not to renew contracts of non-tenure track personnel who have been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) shall follow the schedule required for tenure track personnel. (This schedule of notification shall not apply to other professional personnel.); and
- D. Individuals employed in non-tenure track positions may apply on an equal basis with other candidates for tenure track positions which may become available. The transfer of individuals from tenure-track positions to non-tenure track positions shall be affected on a voluntary basis only.

### **REMOVAL OF FACULTY MEMBERS**

The President of the University may at any time remove any Faculty member or other employee of the University for cause. Cause shall include willful or intentional violation of the Policies of the Board of Regents or the approved Statutes of the University. Further causes or grounds for dismissal are set forth in the Tenure Regulations of the Policies of the Board of Regents and in the approved Statutes or Bylaws of the University.

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### **DISMISSAL OF TEMPORARY OR PART-TIME INSTRUCTIONAL PERSONNEL**

Temporary or part-time personnel serving without a written contract hold their employment at the pleasure of the President, or Vice President for Academic Affairs, or their Immediate Supervisor, either of whom may terminate employment of such employees without cause or advance notice.

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### **SUSPENSION FOR VIOLATION OF STATE OR FEDERAL LAWS**

When a Faculty member of the University is charged with the violation of a State or Federal law, or is indicted for any such offense, a thorough review of the circumstances shall be carried out by the President of the

University and the Chancellor. In the event a Faculty member is temporarily suspended the President shall immediately convene an AD HOC Faculty Committee or use the services of an appropriate existing Faculty committee, for the purpose of hearing an appeal by the Faculty member. The appeal shall be submitted in writing in accordance with procedures to be established by the Hearing Committee, which shall render its decision within ten (10) days from the conclusion of the hearing. Thereafter, any further appeal by the Faculty member shall be in accordance with the procedures set forth in Article IX of the Bylaws of the Board of Regents.

### **FACULTY APPLICATION FORM**

Each person formally applying for a Faculty position at the University must complete an employment application form at [www.albanystatejobs.com](http://www.albanystatejobs.com). The application must be kept on file at the University. Unless pardoned as provided by law, an applicant will be ineligible for employment if he or she has been convicted of a crime involving moral turpitude.

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### **EMPLOYEE CONTRACT FORMS**

To employ Faculty members, the University shall use only official contract forms approved by the Board of Regents. An employee's failure to sign and return such contracts within the time period specified therein may be construed as an abandonment of employment rights.

Any other provision in these Policies to the contrary notwithstanding, Faculty members who fail to verify or maintain the credentials, degree, certification or licensure required to teach the subject matter of their contract shall be liable to immediate dismissal for breach of their contract.

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### **COMPENSATION OF FACULTY**

#### **Salaries**

The University receives from the General Assembly an annual appropriation allocated by the Board of Regents for all phases of its operations. This appropriation may be increased or decreased by action of the Legislature, the Governor, or the Board of Regents during the period of any fiscal year. Expenditures for operation of the University are therefore necessarily contingent upon Legislative appropriations and Board of Regents allocations. In the event that such an occurrence at any time reduces the amount of funds appropriated to the University, the compensation of all employees and other operating expenses may as a consequence be correspondingly reduced. It shall, however, be the intent of the University and the Board of Regents to maintain current salary commitments insofar as possible to every employee, and they will exert their combined influence and best efforts to that end.

#### **Criteria for Determining Salaries**

Consistent with the University's policy on nondiscrimination and with the approved purpose of Albany State University, the Administration shall use specific criteria for the determination of entry level salaries for full-time teaching Faculty members employed at the ranks of Instructor, Assistant professor, Associate Professor, and Professor and for the determination of the extent of salary increases awarded to currently employed full-time faculty members.

Each entry-level salary shall be determined on the basis of the specific requirements of the position and the qualifications of the individual employed to fill the position. Position criteria shall include: the academic rank, the academic discipline, and the nature of the duties and responsibilities to be performed. Criteria related to the qualifications of the individual shall include: academic degrees earned, teaching and other

relevant experience, research and publication record, academic achievements and honors, and relevant professional achievements or recognitions.

Salary increases for full-time teaching Faculty shall be awarded on the basis of merit. The criteria for the determination of the extent of such increases shall include: teaching ability, completion of significant professional development activities including the attainment of additional academic degrees, promotion in rank, seniority, research productivity, academic achievements and publications, academic honors and recognitions, relevant professional achievements and recognitions, and non-teaching services to the University.

The University shall identify and publish specific criteria, consistent with this policy, upon which the determination of the extent of salary increases will be based. The University shall also identify the methods by which the Faculty member's performance will be evaluated to determine salary increases. Upon approval by the Chancellor, both the criteria and the evaluation methods shall be published in the Faculty Handbook of the University.

When a fiscal year administrative employee returns to an academic appointment as a Faculty member, his or her salary shall be determined on the same basis as other faculty members with similar rank and experience within the Department/Unit to which he or she returns or in other similar positions within the University.

#### **Summer School Salaries**

Payment of compensation to faculty members for full-time employment during the summer quarter shall be at a rate not to exceed 33-1/3% of their regular nine months compensation for the previous academic year.

#### **Research, Saturday Classes and Off-Campus Continuing Education**

Research and Saturday classes will ordinarily be carried by University personnel as part of their normal work load without additional financial compensation. Adequate allowance in time assigned for the extra duties shall be made by a proportionate decrease in the teaching load. An employee may earn extra compensation, however, when all of the following conditions exist:

- A. The work is carried in addition to a normal full load;
- B. No qualified person is available to carry the work as part of his normal load;
- C. The work produces sufficient income to be self-supporting; and
- D. The additional duties must not be so heavy as to interfere with the performance of regular duties.
- E. When an employee earns extra compensation, it shall be in line with compensation paid for performance of his or her normal duties.
- F. When off-campus services conducted through the Continuing Education Center can be included in the normal work load of an individual, he or she will earn no additional compensation unless the off campus service meets the four conditions stated above. (BR Policy No. 803.1404)

#### **Salary Supplements from Foundations**

No consideration shall be given to salary supplements that may be paid from Foundations or other sources in order that salary supplements will be over and above the regular salary paid with State funds. The University shall prepare for the Board of Regents a supplemental budget to include supplements paid from foundations or other sources. The salary to be paid from State funds for summer school employment or for a leave of absence with pay shall be based on the approved salary exclusive of any supplement. Each Faculty or Staff member receiving a salary supplement shall be advised of his or her award of the supplement, the amount and source of funds, and the fact that the salary supplement had the recommendation of the President of the University.

### **Employment of Faculty Members with Agency Funds**

Whenever it is desired to employ a Faculty member whose salary is to be paid in whole or in part with funds provided by a person, foundation, organization, or any agency other than a governmental agency, the President shall recommend to the Board of Regents, through the Chancellor, the employment of the person, with full details of his or her qualifications and the availability of funds for paying his or her salary.

### **Employee Auditing of Courses**

Faculty members of Albany State University may attend classes offered by the University without registering as “auditors” and without credit being offered for such attendance. This provision applies to non-credit courses on a space-available basis. The University may permit faculty members to attend job-related Continuing Education classes, as determined by appropriate supervisory authority, at a reduced rate or without payment of a fee.

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### **LEAVES OF ABSENCE FOR PROFESSIONAL PERSONNEL**

The President of the University may, with the approval of the Chancellor and the Board, grant leaves of absence, with or without pay, to members of the Faculty or Administrative Staff. The President, with notification to the Chancellor, may grant leaves of absence of one academic semester or less, with or without pay. Such leaves may not be renewed or extended without the approval of the Chancellor and the Board. The Board, as a rule, will approve recommendations for leave WITHOUT pay, whenever it appears that the granting of such leave will not be prejudicial to the interests of the University. In considering a request for leave WITH pay, the Faculty member or Administrative Staff should bear in mind that it is the policy of the Board of Regents that such leave shall be granted only for the purposes of promoting scholarly work and encouraging professional development. The President will examine carefully the program or project on which the applicant for a leave proposes to work, and consider the likelihood of the applicant's being able to accomplish the purposes for which leave is requested.

In considering a request for a leave, the President will take into consideration the effect that the granting of the leave will have on the University and/or on the Department/Unit of which the applicant is a member. If the applicant's work cannot be handled by other Faculty members and if funds are not available for the employment of a substitute, the President will be justified in refusing to recommend that the leave be granted or in deferring action upon the request. If, after careful consideration, the President believes that the interests of the University and of the Faculty member will be served by the granting of the leave requested, he or she shall submit a recommendation through the Chancellor to the Board of Regents to this effect, together with a statement of the reasons supporting his recommendation.

The Board of Regents ordinarily will not approve a request for a leave with pay if the applicant has been employed at an institution for the period of less than three years, nor will it ordinarily approve a leave with pay for a person in an academic position who has not already completed the requirements for a master's degree.

Any Faculty member who has been granted a leave of absence with pay shall be required, before beginning the leave, to sign an agreement that the full amount of compensation received while on leave will be returned should the Faculty member not return to the University for at least one year of service after the termination of the leave.

A Faculty or Staff member who returns from an authorized leave which enhances professional study and development shall be entitled to a salary which will include, as a minimum, the mandated across-the-board salary raises which occurred during the period of leave.

No leaves of absence will be granted to persons in the University System who are retired from active duty and who are drawing retirement benefits from the Teachers Retirement System of Georgia or from the University System.

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### **EMERITUS TITLE**

The Board of Regents may confer, at its discretion, the title of “Emeritus” on any retired and tenured Professor, Associate Professor, or Assistant Professor, or Board-approved non-tenure track faculty of equivalent rank, who, at the time of retirement, had ten years or more of honorable and distinguished service in the University System. Also, the Board may confer, at its discretion, the title of “Emeritus” on any Board-approved retired Administrative Officer who, at the time of retirement, had ten years or more of honorable and distinguished service in the University System. This title may be conferred by the Board upon the recommendation of the President of Albany State University, and upon the recommendation of the Chancellor and the Committee on Education.

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## **PERFORMANCE EVALUATION**

Each classified employee of Albany State University will be evaluated in a systematic manner at specified time intervals by the Supervisor or the immediate Department/Unit Head, but in no case less than once each year. This Performance Evaluation System shall be for the purpose of transfer, promotion, demotion, retention, supervisory assistance and future employment references. The following elements shall be involved in each evaluation: adjustment, capability, productivity, efficiency, and potential for Department/Unit and/or University development.

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## **UNIVERSITY SYSTEM OF GEORGIA STAFF COUNCIL**

There shall be a University System of Georgia Staff Council (USGSC), which shall provide a staff voice on all matters related to non-faculty employment within the University System. The USGSC shall be mindful and respectful of matters that are more appropriately within the authority and responsibilities of each institution’s administration. Membership of the USGSC shall be comprised of one voting representative from each USG institution, and that representative must be in the classified service of the represented institution. A copy of each institution’s process for determining its USGSC representative shall be filed with the Vice Chancellor for Human Resources. The organization and governance of the USGSC shall be implemented according to policies and procedures established by the membership of the USGSC in the USGSC’s bylaws, in consultation with, and subject to the approval of, the Chancellor or the Chancellor’s designee. Nothing in this policy or the USGSC’s bylaws shall supersede the authority and responsibilities of institutional presidents addressed in Policy 2.5 (Presidential Authority and Responsibilities). With respect to matters specific to their institutions, presidents remain the official media of communication between institutional employees and the Chancellor.

Albany State University’s Staff Council representatives include Ms. Kimberly Douglas, Administrative Assistant, James Pendergrast Library and Ms. Geraldine Winns, 1<sup>st</sup> and 2<sup>nd</sup> Year Coordinator, Academic Advisement and Retention Center.

## **UNIVERSITY FACULTY SENATE**

The University Senate exercises legislative functions dealing with the general educational policy of the University, the discipline of students and all other student activities and affairs, including all matters where the President determines there is a need for uniform policy throughout the University.

Albany State University's lead representative is Dr. Walter Bowers, Associate Professor, Criminal Justice and Psychology Department.