



**CLASSIFIED EMPLOYEE  
HANDBOOK**

An interesting and challenging experience awaits you as an employee of the **University of Louisiana at Monroe**. This handbook has been prepared to answer some of the questions you may have concerning the University and its policies. Please read it thoroughly and retain it for future reference. The policies stated in this handbook are subject to change at the sole discretion of the University. The most current information will be maintained on the Human Resource Department Webpage at [www.ulm.edu/hr/classhandbook](http://www.ulm.edu/hr/classhandbook). Should you have questions regarding any of the established policies, please ask your supervisor or a member of the Human Resources Department staff for assistance.

This handbook is not a contract guaranteeing employment for any specific duration. Although we hope that your employment relationship the **University of Louisiana at Monroe** will be long-term, either you or the University may terminate this relationship at any time, for any reason, with or without cause in accordance with Civil Service Rules. Please understand that no supervisor, manager, or representative of the **University of Louisiana at Monroe** other than the President or his/her designee, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing.

# CLASSIFIED EMPLOYEE HANDBOOK

## CONTENTS

COMPENSATION .....	1
APPOINTMENT TYPES .....	2
EMPLOYEE WORK SCHEDULES .....	3
PERFORMANCE PLANNING AND REVIEW (PPR).....	4
POSITION CHANGES .....	5
REALLOCATIONS .....	6
REGULAR PAY PROCEDURES.....	7
SALARY ADMINISTRATION.....	8
LEAVE BENEFITS.....	9
ANNUAL AND SICK LEAVE.....	10
FAMILY AND MEDICAL LEAVE (FMLA) .....	14
COMPENSATORY LEAVE.....	15
CRISIS LEAVE.....	16
CIVIL, EMERGENCY, AND SPECIAL LEAVE. ....	20
JURY DUTY AND WITNESS LEAVE (CIVIL LEAVE).....	21
FUNERAL LEAVE.....	21
VOTING LEAVE.....	21
VOLUNTARY DISASTER SERVICE LEAVE.....	22
LEAVES OF ABSENCE WITHOUT PAY .....	23
MILITARY LEAVE.....	25
SUPPLEMENT TO WORKERS' COMPENSATION .....	27
EMPLOYEE CONDUCT.....	28
COURTESY .....	29
ABSENTEEISM AND TARDINESS .....	30
APPROPRIATE CONDUCT/WORK RULES .....	31
COMMUNICATION.....	35
CONFIDENTIALITY OF INFORMATION .....	36
SOLICITATIONS & DISTRIBUTION OF LITERATURE.....	37
PERSONAL APPEARANCE AND DEMEANOR .....	38
POLITICAL ACTIVITY .....	39
SAFETY AND HEALTH.....	43
DISCIPLINE .....	46
PROBATIONAL REMOVAL – CLASSIFIED EMPLOYEES .....	49
GRIEVANCE POLICY .....	50
NON-DISCIPLINARY REMOVAL FOR UNSCHEDULED ABSENCES .....	54



# **COMPENSATION**

## **APPOINTMENT TYPES**

Employees are appointed to positions in the classified service in several ways. The most common are restricted appointments, job appointments, provisional appointments, and probational appointments.

### **Restricted Appointment**

Employees hired on a restricted appointment are temporary employees. The appointment cannot exceed six months. The Director of Civil Service or the University's Appointing Authority (Human Resources Director) may cancel a restricted appointment at any time. Employees hired on restricted appointments are not eligible to receive funeral leave, special leave (except for some types of military leave), or any holiday leave. A person serving a restricted appointment cannot gain permanent status, and cannot earn or take leave. They are only paid for the hours they work.

### **Job Appointment**

Employees hired on a job appointment are temporary employees. Persons on job appointments do not attain permanent status and may be separated by the employing agency at any time. A job appointment may be made for a period up to but not exceeding three years at a time.

### **Probational Appointment**

The probational appointment is the most common method of filling vacancies. Applicants are hired from a certificate of eligible applicants (register) or based on having a certifiable score for competitive positions. For noncompetitive positions, the best-qualified applicant is selected. Each person appointed to a probational appointment serves a probationary or working test period of no less than twenty-four months. During this period the supervisor determines whether or not the employee can satisfactorily perform the job duties.

If the employee's performance does not meet the required standards, the employee may be removed at any time during the probationary period.

If the employee satisfactorily completes the probationary period he/she attains PERMANENT STATUS. Attainment of permanent status is extremely important, as many rights under the Civil Service system are limited to permanent employees. Some of the more important ones include: the right to appeal disciplinary actions, preference in layoffs, noncompetitive re-employment rights, and promotions.

### **Non-Competitive Probational Re-employment**

For competitive positions, a former permanent employee who has been separated from classified service and who was in good standing (last separation from the classified service was not by dismissal or resignation to avoid dismissal) may, within ten years from separation, be non-competitively re-employed to any competitive position for which he/she is qualified and which has the same or a lower entrance salary as the current minimum for the class in which he/she had permanent status. This is a probationary appointment.

## EMPLOYEE WORK SCHEDULES

According to state law, all full-time classified employees are required to work 40 hours per week. The workweek consists of seven (7) days beginning at 12:01 a.m. on Saturday and ending at 12:00 midnight the following Friday. A workday is a period of twenty-four (24) consecutive hours from midnight to midnight. Employees required to work overtime shall be compensated at the appropriate overtime rate in accordance with Chapter 6 of the Civil Service Rules and the Fair Labor Standards Act, with the Fair Labor Standards Act taking precedence.

Regular University business hours are from 7:30 a.m. to 5:00 p.m. Monday through Thursday and from 7:30 a.m. to 11:30 a.m. on Friday, with one-hour for lunch instead of two (2) fifteen minute paid rest breaks. However, campus departments may have official hours which differ in order to provide necessary services, including multiple shifts.

A department head must have written approval from the appropriate Vice President for the department to have a work schedule which differs from the normal business hours. Work schedules which differ from the normal business hours must be in the Office of Human Resources for documentation.

It is the policy of the University to comply with applicable laws that require records to be maintained of the hours worked by employees. To ensure that accurate records are kept of the hours employees actually work (including overtime hours worked where applicable) and of the accrued leave time taken, and to ensure that employees are paid in a timely manner, employees are required to record time worked and absences on the University's official time record form. At the end of the pay period, the time should be reported as it was worked. Any leave taken should be reported. Employees are required to sign their time sheet certifying that the time reported is correct. The completed time sheet is to be reviewed and signed by the supervisor/department head with any discrepancies worked out before it is forwarded to the Payroll Office for processing.

The employee and their supervisor/department head are responsible for ensuring that all actual hours worked and leave time taken are recorded accurately. Falsification of payroll records is a breach of University policy, a violation of state law, and is grounds for disciplinary action, including termination for payroll fraud.

The University has the authority to require overtime work as needed. Overtime must be approved in advance by the Department Head of the respective area and the appropriate Vice President.

## **PERFORMANCE PLANNING AND REVIEW (PPR)**

New employees hired on probational appointments serve up to a twenty-four month probation period. If their job performance is satisfactory during this time, the supervisor/department head can recommend that they be made permanent as early as six months into the probationary period. A probational employee may be terminated at any time during the probationary period. The supervisor will have a planning session with the employee within 30 days of his/her date of hire so that there will be a clear understanding as to what is considered standard performance of the tasks assigned. At the end of the sixth month of work the supervisor will be required to formally evaluate the new employee to determine whether to continue probation, or to recommend permanent Civil Service status and/or a merit increase. If the probationary employee is recommended for permanent status and funds are available the employee may be granted a 4 % merit increase. The employee will be evaluated each year within 60 days of their respective Eligibility Date to determine if they qualify for a merit raise provided funds are available and the employee has not reached the maximum of the pay range. Even employees who are given a satisfactory rating may have their merit raise denied if their performance has not merited a raise. For example, an employee with a tardiness or attendance problem could have their merit raise denied. Comments on the PPR forms should be consistent with the ratings given for each factor.

Supervisors are to conduct PPR planning and review sessions in a timely manner. Failure to follow proper PPR planning and review procedures should be reflected on the supervisor's performance review. Each supervisor should be rated on Work Group Management and Leadership and Performance Planning and Review of subordinate staff.

Supervisors are to review PPR ratings when considering employees for permanent status, merit raises or promotions. To ensure that employees' perform their respective jobs to the best of their abilities, it is important that they be recognized for good performance and that they receive appropriate suggestions for improvement when necessary. Consistent with this goal, their performance will be evaluated by their supervisor on an ongoing basis. All written performance reviews will be based on overall performance in relation to job responsibilities and will also take into account conduct, demeanor, and record of attendance and tardiness along with other related factors.

In addition to the regular performance evaluations described above, special written performance evaluations may be conducted by a supervisor at any time to advise the employee of the existence of performance problems. After a supervisor reviews an employee's performance rating with the employee, the employee will have the opportunity to attach comments regarding the evaluation to the appraisal form.

## **POSITION CHANGES**

Most employees who remain in state government for any length of time change positions one or more times. Most changes result from promotions, demotions, or transfers.

### **Promotion**

A Promotion involves the movement to a position in a class with a higher pay maximum. Only permanent employees can be promoted. University policy requires the applicants to have an active score for positions they are applying for. It is to the employee's advantage to prepare in advance for future opportunities by taking the appropriate tests for the higher positions that are available at the University.

A promotion may be either competitive, (i.e. the employee must compete with others either within or outside the agency for the job) or noncompetitive, (i.e. there is no requirement to compete with others). To determine whether a particular promotion will be competitive or noncompetitive, contact staff in the Human Resources Office. For more information see the Promotional Pay Policy at [https://webservices.ulm.edu/policies/index.php?a=browse&budget\\_code=12300](https://webservices.ulm.edu/policies/index.php?a=browse&budget_code=12300).

The Department of Civil Service does not maintain lists of eligible applicants for promotions. Instead, agencies post selected vacancies on the Civil Service Job Search Program. Interested applicants apply directly to the agencies. For more information about job openings at the University of Louisiana at Monroe go to <http://www.civilservice.la.gov/asp/jobsearchmain.asp>.

### **Demotion**

A Demotion involves the movement from a position in one class to a position in another class with a lower minimum pay rate. A demotion may result from inefficiency, from the employee's own request, or from other reasons. For more information see the Demotion Pay Policy at [https://webservices.ulm.edu/policies/index.php?a=browse&budget\\_code=12300](https://webservices.ulm.edu/policies/index.php?a=browse&budget_code=12300).

### **Transfer**

A Transfer involves the change of an employee from a position in one department (state agency) to a position in another department (state agency). The transfer can be to a higher position (transfer and promotion), lower position (transfer and demotion), or to the same level (lateral transfer). For more information see the Transfer Hiring Policy at [https://webservices.ulm.edu/policies/index.php?a=browse&budget\\_code=12300](https://webservices.ulm.edu/policies/index.php?a=browse&budget_code=12300).

## **REALLOCATIONS**

When additional duties and responsibilities are assigned to a position, it may become necessary to file an updated job description. The reallocation of a position from one job class to another job class results from a determination by the Human Resources Office subject to the review of the Department of Civil Service that a different official allocation must be made for a position. It is important to know that the job duties assigned to a position determine the allocation not the experience of the incumbent in the position. Updating computers and software do not necessarily constitute additional or changed duties as they are typically viewed as work tools. In addition, the incumbent must meet the minimum qualifications for the higher classification.

## **REGULAR PAY PROCEDURES**

Classified employees are paid bi-weekly over 26 pay periods per year. Checks are normally distributed on alternating Fridays. For new employees, it is important to remember that due to a one-week lag, they probably will not receive their first check until they have worked about three weeks. At that time, they will receive a check for the first pay period they worked. If a scheduled payday falls on a holiday, employees are usually paid on the day preceding the holiday.

All required deductions such as federal and state taxes, retirement or social security contributions, and Medicare taxes will be automatically deducted from the employee's paycheck. Employees must sign payroll deduction forms to have voluntary deductions made from their checks. Voluntary deductions include: health insurance, life insurance, credit unions, cancer policies, United Way, union dues, annuities, etc.

Employees should review their paychecks for errors. If a mistake is found, it should be immediately reported to the supervisor, who in turn needs to report the error to the Payroll Office. If the employee still has the check, the Payroll Office may be able to void and reissue the check. If the check has been cashed, the employee may have to wait until the next pay period for the next check to be adjusted accordingly.

In the event a paycheck is lost or stolen, notify the Payroll Office immediately; they will attempt to put a stop payment on the check. If the Payroll Office is able to stop payment, a new check will be issued. However, the University does not take responsibility for lost or stolen paychecks. If the University is unable to stop payment, the employee will be responsible for the loss.

## **SALARY ADMINISTRATION**

A classified employee's salary is based on the pay grade assigned to the Civil Service classification to which he/she is assigned. Each position is allocated based on job duties. Pay grades are assigned to each classified position and include a minimum and a maximum salary. The minimums and maximums of each pay grade are set by the Department of Civil Service. For more information on these pay grades, go to the Civil Service web site located at: <http://www.dscs.state.la.us/>.

# **LEAVE BENEFITS**

## ANNUAL AND SICK LEAVE

Annual Leave is leave with pay granted an employee for the purpose of rehabilitation, restoration and maintenance of work efficiency, or transaction of personal affairs. Sick Leave is leave with pay granted an employee who is suffering with a disability which prevents him/her from performing his/her usual duties and responsibilities and/or who requires medical, dental, or optical consultation or treatment, including annual physical exams.

### **Earning of Annual and Sick Leave**

Annual and sick leave shall be earned by each full-time and each part-time employee who has a regular tour of duty (permanent, probational, provisional, or job appointment). Employees on a restricted appointment do not earn leave.

The amount of leave earned is based on the equivalent years of full-time State service and is credited at the end of each regular pay period according to the following general schedule. Part-time employees accrue leave in proportion to their percentage of full-time. As an employee's years of service increase, the leave accrual rate will increase according to the leave accrual schedule. The leave accrual rate increase is effective on the employee's anniversary date.

<b>LENGTH OF SERVICE</b>	<b>PER HOUR</b>	<b>PER PAY PERIOD</b>	<b>DAYS A YEAR</b>
Less than 3 years	.0461	3.6880	12
3 but less than 5	.0576	4.6080	15
5 but less than 10	.0692	5.5360	18
10 but less than 15	.0807	6.4560	21
15 or more	.0923	7.3840	24

No classified employee shall be credited with annual or sick leave:

for any overtime hour,

for any hour of leave without pay,

While he/she is on leave with or without pay, until such time as he/she returns to active working duty, except where inability to return to duty is caused by illness or incapacity,

for any hour in on-call status outside regular duty hours,

for any hour of travel or other activity outside regular duty hours, and/or

for any hour of a holiday or other non-work day which occurs while he/she is on leave without pay.

Accrued unused annual and sick leave earned by an employee shall be carried forward to succeeding calendar years.

### **Use of Annual Leave**

Annual leave must be applied for by the employee and may be used only when approved by the employee's supervisor. Leave is requested on a Report of Classified Leave which is sent to payroll with the time sheet. Annual leave must be approved in advance, except in cases of an emergency, which is subject to the approval of the supervisor. Annual leave may only be taken in quarter hour increments.

Employees may be required to use annual leave during University closures; for example, during the Christmas break for days other than State holidays. For this reason all employees are encouraged to save their annual leave. See the University Holiday Schedule for scheduled closures requiring employees to use their annual leave.

The use of annual leave immediately preceding resignation, termination or retirement will be limited to the amount of annual leave the employee earns in a year. Where justifiable, exceptions may be made by the President.

Any employee not reporting to work when a request for leave has been denied will be considered on unauthorized leave without pay and will be subject to disciplinary action.

Annual leave requests exceeding two weeks must include the reason for the request in order to determine FMLA status.

### **Enforced Annual Leave**

An appointing authority may require an employee to take annual leave whenever in his/her administrative judgment such action would be in the best interest of the University.

No employee shall be required to reduce his/her accrued annual leave to less than 240 hours except:

prior to being granted leave without pay, but subject to the right granted the employee by military leave provisions; or,

where it is determined that the need to be absent from work is because of a condition covered by FMLA.

### **Payment For Annual Leave Upon Separation**

Each employee upon separation shall be paid the value of his/her accrued annual leave up to 300 hours in a lump sum disregarding any final fraction of an hour; provided, the employee was not dismissed for theft of agency funds or property. The payment for such leave shall be computed by multiplying his/her hourly rate at the time of separation by the number of hours of accrued annual leave.

No payment for annual leave under this rule shall operate to continue the payee as a classified employee beyond the last date of active duty.

When an employee who has been paid under this Rule for accumulated annual leave is re-employed in a classified position, he/she shall pay the department (state agency) which re-employs him/her the value of such annual leave at the rate paid him/her less the value of the working hours between the last day worked and the date of re-employment and shall be given credit for the number of hours of annual leave for which he/she has made reimbursement. For example, if the employee is paid 150 hours of terminal annual leave and returns to duty after 10 working days or 80 hours, he must reimburse the agency for the 70 remaining hours. The employee will be re-credited 70 hours of annual leave. Normally an employee is out of state service a sufficient time to avoid any such repayment.

### **Use of Sick Leave**

Sick leave may be utilized by an employee who has sufficient leave to his/her credit for necessary absence from duty because of:

Illness or injury which prevents performance of usual duties, and/or

Medical, dental, or optical consultation or treatment.

Sick leave may only be taken in quarter hour increments.

Sick leave may not be used to care for a child or family member.

In order to qualify for paid sick leave, an employee must follow the call-in procedures established by his/her department. Should the employee fail to call in or notify the supervisor, all hours absent will be charged as unauthorized leave without pay, unless it is shown that it was medically impossible or impractical to follow the established procedure. Unjustified absence may be cause for disciplinary action. All leave information should be submitted immediately upon return to work. Failure to submit information in a timely manner may result in time being charged as (AWOL) Absent Without Leave (W).

### **Application and/or Certification Required When Using Sick Leave**

An employee who is absent from work because of illness or disability or other circumstances for which sick leave is appropriate shall immediately report the absence to a designated department official, and upon return to duty, file written certification, if required, for the amount of sick leave taken. Except in the case of Family and Medical Leave, the following shall apply:

Classified employees absent from work for two consecutive work days or less, will not normally be required to provide certification; however, if the employee is absent for more than two consecutive work days, but not more than five consecutive work days, the supervisor may require certification from a registered physician or other acceptable proof of illness; any employee absent for more than five consecutive work days will be required to submit written certification from a registered physician or other acceptable proof of disability. The employee must be advised, in advance, that written certification is required or in sufficient time to allow the employee to produce the certification. The need for written proof of short term illness, including those of two days or less, will be determined by the

employee's attendance record and other matters of which the supervisor may have knowledge.

The abuse of sick leave privileges may result in disciplinary action regardless of the length of absence.

An employee on annual leave may not, retroactively, have hours originally approved as annual leave charged to sick leave unless the charge to annual leave was through administrative error, except in the following case: if, during an approved period of annual leave, an event occurs which qualifies for sick leave and the employee immediately reports this occurrence to the appropriate individual(s), an adjustment may be made to the leave records as to all leave taken after the notice was given.

An employee who has fewer than eight (8) hours of sick leave to his credit and is unable to perform the essential functions of his job due to illness or medical disability may be separated from his/her employment. A separation under these conditions is not considered a disciplinary action and is done because of a need to have the duties of the position performed. An employee must have exhausted 12 weeks under FMLA to be terminated under this provision. When an employee is non-disciplinarily removed under this provision, he/she shall be paid for all remaining sick leave.

Absence from duty caused by maternity is considered to be a temporary disability similar to any other medical disability. Employees may use accumulated sick leave for this purpose. If the employee's sick leave balance is insufficient to cover the entire period of absence, the employee must seek approval from the appointing authority or his/her designee to use annual leave, or to use leave without pay. Sick leave may be used only for that period of time during which the employee is unable to perform her duties because of pregnancy. Any additional time off must be covered by other types of leave when the employee is discharged by her health care professional, usually six weeks following delivery. Maternity leave will be designated under FMLA. (Louisiana Law R.S. 23:342 allows up to 4-months of leave for pregnancy/childbirth leave.)

Before being granted leave for maternity purposes the employee is required to furnish a statement from her health care professional to the effect that she can no longer perform the duties required and the expected date of delivery. Before the employee can return to work from an extended illness, pregnancy, or surgery, the health care professional must certify in writing that the employee is able to return to regular duties. To prepare for possible replacement of an employee who is requesting maternity leave, the employee's written request for leave should be submitted a minimum of two months in advance of the proposed beginning of leave.

An employee cannot be paid for unused sick leave upon termination. If the employee is re-employed in state service within five years from a non-disqualifying separation, the employee will be credited with all sick leave and any annual leave for which he/she was not paid. If the employee transfers to another LA State agency, their leave balances are transferred to the gaining State agency.

There is no maximum accrual of sick leave. Unused sick leave may be used to extend years of service for purposes of retirement credit for employees who are members of LASERS or TRSL. Unused sick leave cannot be used to attain eligibility for retirement.

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

## Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

## Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

## Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

## Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



## COMPENSATORY LEAVE

Compensatory Leave is leave accrued and used by classified employees on job appointments, probational appointments, and permanent appointments for work and duties performed in excess of the normal 40-hour work week or for working on a holiday.

In accordance with Civil Service Rules and the requirements of Federal rules, statutes, regulations and judicial decisions, an employee who is required to perform overtime duty may, at the option of the appointing authority be credited with compensatory leave for the hours he/she has been required to work.

Compensatory leave shall not be credited to any employee in the classified service while serving on an intermittent basis.

Compensatory leave credited to an employee may be used by him/her with the approval of the appointing authority. The minimum charge for compensatory leave shall be one-quarter hour.

An employee who has been credited with compensatory leave may be required by the appointing authority to take all or part of such leave at any time.

In accordance with Civil Service Rule 6.25 the following applies to:

### **Caps on Accumulation of Compensatory Leave**

Time and one-half	240 hours maximum accumulation. After maximum accumulation, any additional overtime work in excess of forty hours per week must be paid at the time and one-half rate.
Hour for hour	Unlimited accumulation during year. Maximum of 360 hours carried forward from one calendar year to the next.  If more than 360 hours accrued as of December 31 then excess over 360 must be paid by March 1.  If an exception to carry over more than 360 hours has been granted by the Civil Service Commission, any leave over that approved maximum number of hours must be paid by March 1.

In accordance with Civil Service Rule 11.29 the following applies to:

### **Compensatory leave balances upon separation or transfer**

Time and one-half	Employee paid for all accumulated hours.
Hour for hour	Employees shall be paid at the final regular rate received.

## **CRISIS LEAVE PROGRAM**

### **Classified Staff**

#### **Authorization**

This Crisis Leave Program is established and approved by the State Civil Service Commission in accordance with Act 1008 passed by the Louisiana Legislature in 1992, Senate Concurrent Resolution 54 of the 1997 Regular Session of the Legislature and Civil Service Rule 11.34, Crisis Leave Pool.

#### **Purpose**

The Crisis Leave Program is a means of providing paid leave to an eligible classified employee who has experienced a serious illness or injury to himself or herself or an eligible family member. For the purpose of this policy we will use the definition of serious illness or injury as outlined by the Family and Medical Leave Act. The intent of the program is to assist employees who, through no fault of their own, have insufficient paid leave balances to cover the crisis leave period. Crisis leave can only be used on a continuous basis. It is not to be used on an intermittent basis.

#### **Definitions**

**Licensed Medical Service Provider (LMSP)** - a practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP's field of service), who is practicing within the scope of his or her license. This is to include licensed Physicians (a doctor of medicine) or MD, doctor of osteopathy or DO, or licensed Chiropractors, Counselors, or Therapists as recognized and licensed by appropriate State boards or authorities.

**Serious Health Condition** - is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job, that involves:

1. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility;
2. Any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider; or
3. Continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are not "serious health conditions," unless inpatient hospital care is required. Restorative dental surgery, after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions are met (1, 2, or 3). Treatment for allergies or for substance abuse, are serious health conditions if any of the other conditions are met (1, 2, or 3). Prenatal care is included as a serious health condition. Routine preventative physical examinations are excluded.

**Leave Pool Manager** - The Payroll Director will manage the leave pool balances.

**Crisis Leave Committee** - The committee shall be comprised of five classified employees, the Human Resources Director and the Payroll Director. The President shall appoint the five classified employees. The President shall also appoint the chair of the committee from the five classified employees selected. The committee will serve to administer the Crisis Leave Program. When not otherwise specified in written policy, the Committee may recommend operational guidelines and procedures for the Crisis Leave Program. The Human Resources Director and the Payroll Director shall serve in an ex-officio non-voting capacity on the committee.

### **Eligibility Requirements**

To be eligible to receive annual leave from the Crisis Leave Pool an employee shall meet the following requirements:

- Be a full-time permanent classified employee eligible to earn and use annual leave.
- Have completed at least one year of service (12 months) with the University.
- Have used all of his/her sick, annual, and compensatory leave before requesting annual leave from the pool.
- The employee or the employee's eligible family member must suffer from a catastrophic or serious health condition, illness or injury; and
- The employee has exhibited a good attendance record (with no history of leave abuse) and is not absent from work due to disciplinary reasons; and
- The appropriate documentation from a licensed medical service provider is provided for the committee's review.

An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive crisis leave.

Eligible Family Member is defined as:

- an individual living in the same household who is related to the employee by kinship, adoption or marriage, or a foster child so certified by the Louisiana Office of Children's Services; or
- an individual not living in the same household who is related to the employee by kinship, adoption or marriage, and is totally dependent upon the employee for personal care or services on a continuing basis.

The Crisis Leave Committee determines the amount of crisis leave granted for each serious illness or injury. The amount of leave granted to an employee will generally reflect the recommendations of the licensed medical service provider, subject to the following limits:

- A maximum of 240 hours may be requested by an employee during one calendar year.
- Crisis leave may not be granted to any individual to extend paid leave status beyond a total time in leave status of 12 weeks.

- The value of the annual leave granted as crisis leave may not exceed 75% of the employee's pay received in a regular workweek. The remaining 25% shall be leave without pay.
- Crisis leave will terminate on the date of death of the terminally ill employee or family member.

### **Donation Procedures**

Contributions to the Crisis Leave Pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. An employee donating to the pool may not designate a particular employee to receive donated time. Donations are accumulated in the pool on a calendar basis and awarded on a first-come, first-served basis to eligible employees. Donations must be renewed annually. Donations are limited to the following terms:

- an employee may donate a minimum of four (4) hours of annual leave and up to a maximum of 240 hours of annual leave per calendar year (no sick or compensatory leave).
- donations are made in whole hour increments.
- the donor must have a balance of at least 120 hours of annual leave remaining after the contribution.

The employee must complete a leave form and designate the leave as a "Donation to the Crisis Leave Pool". This form should be turned in to the immediate supervisor for approval, who then forwards the form to the Payroll Director, who manages the Crisis Leave Pool.

### **Request Procedures**

A classified employee may request leave from the Crisis Leave Pool by the submission of a letter, an "Application for Use of Crisis Leave Pool" and a statement from the employee's or family members licensed medical service provider. The documentation must include:

- beginning date of the illness or injury; and
- detailed description of the illness or injury, including any requested information useful in making a final determination of eligibility; and
- prognosis for recovery, if the request is for an employee; and
- anticipated return to work date; and
- documentation, as requested by the Human Resources Director, to establish eligibility of a family member (birth certificate, marriage license, adoption papers, etc.).

The request and accompanying documentation is submitted to the Human Resources Director. The Human Resources Director reviews the request to make sure that the employee is eligible to receive crisis leave. The employee requesting crisis leave must provide all requested information necessary to make a final determination of eligibility.

All requests for crisis leave shall be treated as **confidential**. All requests and documentation for crisis leave are submitted in envelopes marked "confidential". The Human Resources Director will notify the chair of the Crisis Leave Pool Committee to call a meeting. Requests will be reviewed and approved or disapproved by the Crisis Leave Pool Committee.

Each request will be stamped with the date upon receipt by the Human Resources Director, and handled on a first-come, first-served basis. The request should be submitted at least ten (10) days before the crisis leave is needed, when possible. This is necessary to allow the Crisis Leave Pool Committee time to receive, review the request and either approve all or part of the request, or deny the request, and issue a letter of approval or denial to the employee, the employee's supervisor or budget unit head.

If the request is approved, the Payroll Director will credit the approved time to the employee's leave record.

Any approved crisis leave is used and documented in accordance with the same procedures as regular paid leave taken by the employee.

### **Changes in Status Affecting Crisis Leave**

The granting of crisis leave is meant to cover only the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the Human Resources Director. The employee can request more crisis leave subject to the limits outlined above; however, extensions of crisis leave are not automatic. Each extension must be approved on a first-come, first-served basis. The employee, immediate supervisor, and primary timekeeper will be notified accordingly.

Hours granted from the Crisis Leave Pool may be used only for reasons stipulated in the approved request. The use of leave from the Crisis Leave Pool that is not in accordance with procedures and requirements outlined in this policy may constitute payroll fraud and will be dealt with accordingly.

Employees who are able to return to work, before using all of their granted crisis leave, must return the unused leave to the Crisis Leave Pool.

### **Compensation and Benefits**

Crisis leave will be awarded hour for hour regardless of the giving or receiving employee's rate of pay.

An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.

In accordance with Civil Service Rule 11.5 (a) employees on crisis leave will not accrue annual or sick leave while using donated leave from the Crisis Leave Pool. Payroll will adjust their automatic leave earnings accordingly.

### **Appeals**

The decision to approve or deny crisis leave by the Crisis Leave Committee is final and not subject to appeal.

References: Act 1008, 1992 LA Legislature  
SCR 54, 1997 LA Legislature  
Civil Service Rule 11.34, Crisis Leave Policy  
Civil Service Rule 11.5 (a) Earning of Annual Leave and Sick Leave

## CIVIL, EMERGENCY, AND SPECIAL LEAVE

An employee serving with job appointment, probationary or permanent status shall be given time off without loss of pay, annual leave, or sick leave when:

### **1. Performing Jury Duty**

- a. The employee is summoned to appear as a witness before a court, grand jury, or other public body or commission. A plaintiff or defendant shall not be considered a witness, nor shall this Subsection apply to an employee summoned as a witness as a result of employment other than State employment. The University will make no attempt to have service on jury duty postponed except where business conditions necessitate such action; or
- b. If an employee is summoned to jury duty the University continues his/her salary during the active period of jury duty. The employee is also permitted to retain the allowance received from the court for such service. If summoned as a witness, the employee is also eligible for civil leave. To qualify for jury or witness duty leave, a copy of the subpoena to serve must be submitted to the supervisor as soon as it is received. In addition, proof of service from the Clerk of Court when jury duty or witness duty is completed must be provided, listing the dates and times served. Reasonable travel time will be taken into consideration when calculating the amount of Civil Leave an employee is eligible for.

### **2. Performing Emergency Civilian Duty in Relation to National Defense**

- a. His appointing authority determines that he is prevented by an act of God from performing duty;
- b. Participating in a State Civil Service examination on a regular work day, or taking a required examination pertinent to the examinee's State employment, before a State licensing board;
- c. The appointing authority determines that because of local conditions or celebrations it is impracticable for his employees in such locality to work;
- d. The employee is ordered to report for pre-induction physical examination incident to possible entry into the military forces of the United States;
- e. The employee is a member of the National Guard and is ordered to active duty incident to local emergency, act of God, civil or criminal insurrection, civil or criminal disobedience, or similar occurrences of an extraordinary and emergent nature which threatens or affects the peace property of the people;
- f. Engaged in the representation of a client in a criminal proceeding pursuant to an order of a court of competent jurisdiction, provided if compensation for such services is available from another source, he may not accept the special leave and the compensation; or
- g. The employee is a current member of a Civil Air Patrol and incident to such membership is ordered to perform duty with troops or participate in field exercises or training, except that such leave shall not exceed 15 working days in any one calendar year and shall not be used for university meetings or training conducted during such meetings.

### **JURY DUTY AND WITNESS LEAVE (CIVIL LEAVE)**

Employees shall be given time off without loss of pay, annual or sick leave when they are performing jury duty, summoned to appear as a witness before a court, grand jury, or other public body or commission, and when the employee is NOT the plaintiff or defendant.

If an employee is summoned to jury duty, The University of Louisiana at Monroe continues his/her salary during the active period of jury duty. The employee is also permitted to retain the allowance received from the court for such service. If summoned as a witness, the employee is also eligible to receive civil leave. To qualify for jury or witness duty leave, a copy of the subpoena to serve must be submitted to the supervisor as soon as it is received. In addition, proof of service when your jury duty or witness duty is completed must be provided, listing the dates and times served. Reasonable travel time will be taken into consideration when calculating Civil Leave. The University will make no attempt to have service on jury duty postponed except where business conditions necessitate such action.

### **FUNERAL LEAVE**

Probationary and permanent employees may be granted time off for attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, or grandchild; provided such time off shall not exceed two consecutive days on any one occasion. The day of the wake and the day of the funeral are the two days for which special leave is given to the employee. For example, if the two days fall during the week on days the employee is scheduled to work, the employee would be eligible for two days of funeral leave. If however, the wake is on a Sunday night and Sunday is the employee's normal day off with the funeral following on Monday, the employee would be allowed one day of funeral leave. If additional leave is required by the employee, the employee may request to use sick, compensatory or annual leave depending on the situation. For payroll purposes the name of the deceased person, relationship to the employee, the date(s) of the wake or funeral should be listed on the leave slip. Employees may request annual leave or leave without pay to attend funeral or burial rites of friends or relatives not specified.

### **VOTING LEAVE**

A probationary or permanent employee may be granted time off without loss of pay, annual leave or sick leave when voting in a primary, general or special election which falls in his regular scheduled work day, provided not more than two hours of leave shall be allowed to vote in the parish where he is employed and not more than one day to vote in another parish.

University employees whose scheduled work day is between the hours of 7:30 a.m. to 5:00 p.m. on an election day, and who are unable to vote prior to or after their work day, shall be allowed, upon request of the employee and approval of the department head, time off with pay for voting.

The department head will have the discretion of determining the amount and when time off will be granted during the election day. Nothing in this policy would prevent a department head from inquiring as to the reasons why the employee cannot vote prior to or after the work day.

### **VOLUNTARY DISASTER SERVICE LEAVE**

A full-time probationary or permanent employee may be granted time off without loss of pay, annual leave, compensatory leave, or sick leave, for a period not to exceed 15 work days in any calendar year, to participate in American Red Cross relief services in Louisiana for disasters designated at Level III or above in the American Red Cross Regulations and Procedures. Such employees must have received a certification from the American Red Cross as a Trained Disaster Volunteer. All such requests must be made in writing and approved by the appointing authority.

## **LEAVES OF ABSENCE WITHOUT PAY**

Leave of absence without pay may be granted to employees for good cause. Such leaves will be approved based upon the ability of the granting department to continue to provide on-going and necessary services. Employees may be required to take any part or all of accrued annual, sick, and/or compensatory leave prior to being granted leave without pay.

The request for Leave Without Pay (O) should include a listing of the reasons needed and the duration of the leave. The term of the leave may not extend beyond the period for which support is committed to the position or contract. Good cause for granting leave of absence without pay may be interpreted to include but not be limited by the following: extended illness; need to provide care for family members; education which will directly increase job effectiveness; adoption of children; or in special situations, temporary employment outside the University when it is in the interest of public service and/or will be beneficial to the University upon the employee's return. Leaves of absence without pay may be granted under FMLA.

### **Criteria to be Used to Evaluate Leave Without Pay Requests**

1. The effect upon the department if leave without pay is granted;
2. The recommendation of the immediate supervisor;
3. The length of University employment and prior leave history;
4. The probable effect of the leave as it will benefit or disadvantage the University.

### **Service Credit and Leave Accrual**

Leave without pay does not count as credited service for leave accrual or retirement purposes. Service before and after leave without pay will be combined to determine leave accrual rates and total service.

Annual and sick leave do not accrue during a period of leave without pay. Membership in the retirement systems is suspended. Contributions may not be withdrawn from the state retirement systems without the action being considered as a termination or resignation from employment.

### **Reporting of Leave Without Pay**

A Payroll Action Form B from the Department of Human Resources should be completed and processed for classified employees on leave without pay. The employee should contact the insurance office to continue insurance coverage during LWOP. Leave Without Pay (O) should be marked on the Report of Classified Leave Form and submitted to payroll with the time sheet.

Leave without pay for tardiness should be reported on the time sheet as AWOL (Absent Without Leave)(W).

All written records pertaining to the leave request must be maintained in departmental files.

### **Failure to Return to Work at the Expiration of Leave**

If an employee who has been granted leave fails to report to duty on the first working day following the expiration of leave, he/she shall be considered as having deserted his/her position and shall be removed from the position.

The University of Louisiana at Monroe may, for any reasonable cause, or at the request of the employee, curtail a period of leave of absence without pay, provided such curtailment is in the best interest of the University and proper notice is furnished to the employee (except in the case of Family and Medical Leave). The employee's adjusted service date is corrected to reflect actual state service when the employee returns to duty.

### **Leave of Absence for Holidays**

Employees eligible for holiday pay must be in a paid work status (i.e. actually work the day or be on paid leave) the last normal work day before a holiday or the first normal work day after the holiday in order to receive pay for the holiday. Employees on leave without pay before and after the holiday shall not receive pay for the holiday.

### **Unapproved Leave Without Pay**

Employees who are absent from the work place without prior supervisory approval will be considered to be Absent Without Leave (AWOL). Disciplinary action may be imposed against an employee for an unapproved absence and/or for unauthorized leave without pay.

## **MILITARY LEAVE**

The provisions of this rule shall apply to members of a Reserve Component of the Armed Forces of the United States who are called to duty for military purposes, and to members of National Guard Units which are called to active duty as a result of a non-local or non-state emergency.

### **Military Leave with Pay**

Provided they give advance notice, employees serving on job appointment, provisional, probationary or permanent status, shall be entitled to military leave with pay. No advance notice is required when such notice is either precluded by military necessity, or otherwise impossible or unreasonable. The maximum military leave with pay for military purposes is 15 working days per calendar year.

### **Use of Annual and Compensatory Leave for Military Purposes**

Employees serving on job appointment, provisional, probationary or permanent status, who give advance notice of military obligations and apply for annual or compensatory leave for military purposes, shall be granted such leave. No advance notice is required when such notice is either precluded by military necessity, or otherwise impossible or unreasonable.

### **Use of Leave Without Pay for Military Purposes**

Employees serving on job appointment, provisional, probationary or permanent status, who have either exhausted annual leave and compensatory time or choose not to use their paid leave for military purposes, shall be placed on leave without pay. This period of leave without pay for military purposes shall not exceed six years. After six years, he/she shall be separated from the classified service. This rule does not extend the term of temporary appointments which were made for less than six years; if the original term of the appointment was less than six years, the agency may end the appointment as originally scheduled and the employee may be separated.

### **Rights Upon Return**

Provisional, probational and permanent employees and employees serving on job appointments returning to their classified positions under the provisions of this Rule or Rule 8.19, which governs time frame requirements for restoration to state employment, shall return with such seniority, status, pay, and annual and sick leave accrual rates as they would have had if they had not been absent for military training or military active duty; however, both provisional and probational status shall be governed by the provisions of Rule 9.3.

The provisions of this section of the rule apply to employees serving on job appointment, provisional, probationary or permanent status, who are called to active duty, and who are on Leave Without Pay by choice or because all annual and/or compensatory leave has been exhausted. It shall apply retroactively to September 11, 2001. The provisions shall NOT apply to employees on "inactive duty for training" (weekend drills).

When Military Leave with Pay has been exhausted, an employee whose military base pay is less than his state base pay shall be paid the difference between his military base pay and his state base pay in his regular position. Such payment shall be made on the same frequency and manner as the

employee's regular state pay, unless other voluntary arrangements are made. Employees receiving the pay differential shall provide to agency officials any documentation appropriate to ensure the payment amount is calculated correctly. Employees who choose to use their annual leave during their period of military absence shall not be eligible for receipt of the pay differential, unless the leave was used between September 11, 2001, and the date of the adoption of this rule.

Employees shall continue to accrue sick and annual leave for the entire period of service, beginning the date of the service. Leave shall be accrued on the same basis as though the employee had not been activated. Leave earned shall be credited to the employee upon his return from active duty.

Employees who are on Leave Without Pay shall receive, each calendar year, the full 15-days of Military Leave with Pay. The pay differential allowed shall be suspended until the 15-day Military Leave with Pay period is exhausted and the employee returns to Leave Without Pay status.

If paid leave has been used during any portion of service from September 11, 2001, through the date of adoption of this rule, an employee who chooses to use the pay differential option shall have his leave balance re-credited with a leave amount equal to the value of the pay differential the employee would have received had this rule been in effect on September 11, 2001.

A probationary or permanent employee, who was called to active duty for military purposes and who resigned from state service, may, at his request, and within 90 days of his release from active duty, have his resignation rescinded.

## **SUPPLEMENT TO WORKERS' COMPENSATION**

When an employee is absent from work due to disabilities for which he/she is entitled to workmen's compensation, the employee will use accrued leave to supplement workmen's compensation payments so long as the combination of the value of the leave and workmen's compensation payments does not exceed the employee's regular salary. Employees with no accrued leave balances receive only the amount paid by workmen's compensation.

If the employee is absent from work for seven days (including Saturday and Sunday) or less because of an injury sustained on-the-job, medical bills only will be paid. Workmen's compensation payments begin with the eighth consecutive day from the date of the first day the employee is unable to work. If the injured employee is absent from work for a period of six weeks or longer, the employee is then entitled to workmen's compensation payment for the first week of injury.

Employees with accrued leave balances will receive their normal pay using a combination of sick leave and workmen's compensation payments through leave re-crediting. Leave re-crediting is defined as the restoration of sick, annual or compensatory leave that has been used in order to receive full university pay while drawing workmen's compensation benefits. The workmen's compensation check must be endorsed to the university in order to re-credit leave used. Leave is re-credited at a reduced rate.



# **EMPLOYEE CONDUCT**

## **COURTESY**

Keep in mind at all times that as employees of The University of Louisiana at Monroe all of us are public servants. As such, we are obligated in both direct and indirect dealings with citizens of our State to serve efficiently and courteously. Visitors to The University of Louisiana at Monroe, for business or for other reasons, are to be received politely. They should be treated with the same courtesy and consideration that we would expect to receive if we visited another state agency or private business. All employees are expected to be pleasant, courteous and cooperative at all times. They are expected to refrain from any evidence of bad mouthing, talking down to anyone, or negatively representing their department, themselves, co-workers, students, or any member of our University family.

## **ABSENTEEISM AND TARDINESS**

The University of Louisiana at Monroe expects all employees to assume diligent responsibility for their attendance and promptness. Recognizing, however, that illnesses and injuries occur, The University of Louisiana at Monroe offers sick leave for certain time lost.

Should an employee be unable to work because of illness, the supervisor or department head must be notified in accordance with departmental policy. Failure to properly notify the department could result in an un-excused absence. The University reserves the right to require an employee to be examined by a health care professional designated by the University at its discretion, especially where abuse is suspected. For example, when an employee's leave record indicates a pattern of short absences and/or frequent absences before or after holidays or weekends.

For any department to operate efficiently, each employee must be at their place of assignment at the scheduled time. Excessive tardiness on the part of any employee should be considered when recommending salary increases or promotions. Employees reporting to work late will be subject to being docked for the actual time missed. Employees with continued tardiness records should be recommended for disciplinary action. Absenteeism or tardiness that is un-excused or excessive in the judgment of the University is grounds for disciplinary action, up to and including dismissal.

## APPROPRIATE CONDUCT/WORK RULES

As integral members of The University of Louisiana at Monroe team, employees are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that both in business and personal life that employees refrain from any behavior that might be harmful to him/her, co-workers, and/or the University or that might be viewed as unfavorable by current or potential customers (students) or by the public at large. Employees of The University of Louisiana at Monroe are expected to comply with accepted standards of personal conduct.

Whether on duty or off, an employee's conduct reflects on the University. He/she is consequently encouraged to observe the highest standard of professionalism at all times. The University of Louisiana at Monroe, like other employers, has established work rules. These rules are specifically designed to aid The University of Louisiana at Monroe and employees in achieving a safe working environment and operational goals to better enhance competitiveness in higher education, while also creating a consistent and fair method in dealing with violations. Types of behavior and conduct that The University of Louisiana at Monroe considers inappropriate include, but are not limited to, the following.

Unscheduled, un-excused absence or tardiness.

Failing to report absence as required by individual departmental policy- not calling in by specified time (failure to follow department guidelines concerning notification of absenteeism).

Failing to return from leave of absence as scheduled.

Abusing lunch and break periods.

Improper use of sick leave (calling in requesting sick leave when you are not sick).

Making unauthorized solicitations or distributions during working time (soliciting gifts or tips from business-related contracts or selling products such as Avon).

Failure to follow established work procedures (skipping steps in processes) or concealing defective work.

Insubordination or refusal to follow instructions of a supervisor, including but not limited to:

- Refusal to do an assigned job
- Refusal to work overtime when required
- Refusal to render assistance
- Refusal to accept holiday work when assigned
- Rude response to a work order
- Delay in carrying out an assignment

Smoking in an unauthorized area.

Failure or inability to produce quality and/or quantity of work desired or wasting University owned materials.

Restricting one's own production or interfering with the work or production of another employee: causing disruption, visiting or interfering with others while at work.

Loafing, roaming, loitering, leaving workstation or quitting early without proper notification or permission.

Sleeping on the job.

Conducting personal business on University time. Using University telephones or facility communication systems inappropriately or for personal business. Using University computers for personal business including accessing confidential computer files and data (computers should not be used to access web sites that contain pornography or other offensive, inappropriate pictures or information).

Fighting or committing an assault (see Violence in the Workplace Policy at [www.ulm.edu/hr](http://www.ulm.edu/hr) or in the Office of Human Resources).

Using obscene, abusive, or threatening language or gestures, engaging in vulgar or abusive language or conduct toward others (see Violence in the Workplace Policy and Sexual Harassment Policy at [www.ulm.edu/hr](http://www.ulm.edu/hr) or in the Office of Human Resources).

Gambling on University premises, including football pools, or using computer equipment to gamble on line during working hours.

Using or being under the influence of intoxicants or narcotics on University premises or while on duty for the University. When using prescription drugs advise your supervisor that you are on medication.

The illegal use, or possession, distribution, manufacture, or sale of controlled substances by employees at the work site, or while the employee is on official state business, on duty or on call for duty.

Participating in disorderly, offensive, immoral conduct, indecent behavior, gross misconduct.

Creating conflict or instigating situations with coworkers, supervisors, students or other staff that negatively impact the working relationship.

Concealing, removing, falsifying University records or documents, falsifying employment or other official University records. Disclosing information, confidential records or documents to unauthorized persons. Sabotaging the facility, grounds or equipment.

Violating safety and/or security regulations, being negligent.

Stealing or committing any criminal offenses on University property. Being dishonest, including but not limited to deception, fraud, lying, cheating or theft.

Failure to wear or use safety equipment in the manner it was intended for.

Operating or using machinery in an unsafe manner, inappropriate way, or without safety guards. Failing to follow manufacturer's guidelines which could cause warranty to be voided.

Unauthorized use (borrowing for personal use) of University supplies, materials, equipment, tools, or machinery, computers, printers, (making personal copies on Xerox machine).

Horseplay or use of machinery, equipment or tools in a hazardous manner. Horseplay resulting in injuries may disqualify individuals from being eligible to receive workmen's compensation benefits.

Damage to or improper use of University property willfully, deliberately or through gross negligence.

Possessing firearms, weapons, explosives and so on, on University premises including parking lots for employees. Only University Police Officers are authorized to carry firearms on campus.

Occupational injury/illness of an employee, or accidents which result in damage to University property or property of others must be reported immediately or no later than the end of the shift on the day the accident/incident occurred. Employees who fail to file reports are subject to disciplinary action.

Unauthorized possession of University property (stealing or "borrowing").

Disclosure of confidential information to unauthorized persons. Failing to maintain the confidentiality of University, student, or employee information.

Failure to properly register, park or operate personal vehicles on University property or off-campus when on official business. Failure to notify the Human Resources Office, Environmental Health & Safety Officer, and immediate supervisor of receiving traffic tickets for DWI, reckless operation, or speeding, since these affect your ability to drive for the University.

Unauthorized use of University vehicles, including but not limited to:

- Picking up lunch
- Running a personal errand off campus while on duty
- Giving unauthorized passengers rides

Removing, posting, or altering notices on any bulletin board on University Property without permission.

Failure to wear proper or complete uniforms issued by the University or failure to follow departmental dress code or dress appropriately for the job.

Soliciting or accepting gifts or gratuities as prohibited by the State of Louisiana Code of Governmental Ethics. State employees are prohibited by the State Code of Ethics from soliciting or accepting, anything of economic value as a gift or gratuity from any person if the employee knows or reasonably should know that the person:

Has or is seeking to obtain contractual or other business or financial relationships with The University of Louisiana at Monroe.

Failure to account for state funds or property by the employee responsible.

Violation of institutional regulations and policies.

Classified employees are prohibited from engaging in political campaigns or using the job for political purposes. This will result in immediate dismissal. An employee may serve as a commissioner or an official poll watcher at the polls in any election. For more information on this subject see the section on Political Activity.

Employees are required by federal law to notify the Human Resources Office within five (5) working days of conviction under any criminal drug statute where such conviction occurred in the workplace, while on official business, during work hours, or when on call for duty.

Supervisors who fail to report or to cover-up delinquency or misconduct, or fail to take proper action in such cases because of friendship or other personal reasons, or because they do not agree with the disposition made of certain cases, are not only evading their responsibility but also acting contrary to the best interests of the University and will be subject to disciplinary action.

Failure to report a change of status in drivers license to immediate supervisor and Department Head, (i.e. suspended drivers license, expired drivers license, revoked drivers license) when drivers license is required for job.

Failure to acquire and maintain license or certification as required by the job description of certain positions may result in a non-disciplinary termination.

When work performance, work habits, overall behavior, conduct or demeanor become unsatisfactory in the judgment of the University, based on violations of either of the above or of any other The University of Louisiana at Monroe policies, rules, or regulations, the employee will be subject to disciplinary action, up to and including dismissal.

## **COMMUNICATION**

To communicate with employees, several methods are used including: E-Mail, memorandums, operating instructions, handbooks, bulletin boards, and other methods.

Visitors or employees may not post, tape, tack, or affix in any way any form of literature, printed or written materials, photographs, or notices of any kind on any University bulletin board without securing proper approval from the Department of Student Development or the area responsible for that particular bulletin board.

The University of Louisiana at Monroe bulletin boards may not be used by employees or outside parties for posting commercial notes and advertisements, announcements, sales of personal property or any other matters without proper approval.

## **CONFIDENTIALITY OF INFORMATION**

It is the policy of The University of Louisiana at Monroe to ensure that the operations, activities, and business affairs of the University and our students are kept confidential to the greatest possible extent. If during the course of employment, employees acquire confidential information about the University, its employees, or students, such information is to be handled in strict confidence and not to be discussed with others. Employees are also responsible for the internal security of such information. Employees found to be violating this policy are subject to disciplinary action, up to and including termination, and may be subject to civil and/or criminal penalties for violations. The Department Head, Dean, or Director may require employees to sign a Confidentiality Statement.

## **SOLICITATIONS & DISTRIBUTION OF LITERATURE**

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed material of any kind, sell merchandise, solicit financial contributions, or solicit for any cause during working time. Employees who are not on work time (lunch hour and breaks) may not solicit employees who are on working time for any cause or distribute literature of any kind to them.

Non-employees are likewise prohibited from distributing material or soliciting employees on ULM premises without proper approval. Non-profit organizations may be approved by the Director of Student Development for solicitation on campus.

Vendors with products or policies approved for payroll deduction must comply with the policies set forth by the Employee Benefits Committee and the Vice President for Business Affairs on solicitation. Vendors are not to go from office to office trying to sell their products. They will be set up in various locations around the campus and information will be distributed to the employees advising them that a particular company will be on campus to solicit and service existing accounts. Only if an employee agrees to schedule an appointment will the vendor be allowed to visit the employee at their respective office or work site. Vendors found to be violating this policy are subject to be banned from the campus.

## **PERSONAL APPEARANCE AND DEMEANOR**

Discretion in style of dress and behavior is essential to the efficient operation of the University. Employees are required to dress in appropriate business attire for their position and to behave in a professional business like manner. Please use good judgment in the choice of work clothes if not required to wear a uniform. Remember to conduct yourself at all times in a way that best represents you and the University.

Employees are expected to maintain proper personal hygiene including:

1. Bathing daily and using deodorant,
2. Keeping hair clean and neat,
3. Keeping finger nails neat and clean (some restrictions may apply to length and to nail polish for certain positions based on departmental policy), and
4. Washing hands with soap and water before going to work, after using the toilet, after smoking a cigarette, after handling food waste, garbage, dirty dishes, rags, blowing your nose, coughing, sneezing, or handling anything that is unclean.

## **POLITICAL ACTIVITY**

Article 10, Section 9 of the State Constitution and Civil Service Rules 14.1(e), (f), and (g) govern the political activities of classified state employees. The United States Supreme Court has recognized that a state has the right to limit the political activity of its workers to ensure the enforcement and application of laws for the common good and not for the good of one candidate or political party. The Supreme Court has also recognized the right of a state to restrict such activity in order to avoid the appearance of such support. This means that classified state employees must avoid the ACTUAL support of a candidate, party, or faction and avoid the APPEARANCE of giving such support.

State classified employees may not engage in most political activities. When a violation of political activity restrictions occurs, the Department of State Civil Service will take corrective action. Corrective action may range from issuing a letter of admonishment to bringing the violator before the State Civil Service Commission for Investigation by Public Hearing.

Violations of these restrictions are extremely serious and can result in significant penalties. For example, in a recent decision, the State Civil Service Commission imposed a fifteen-day suspension on a classified employee who was found to have made a contribution to a candidate in a local election. The State Civil Service Commission has the authority to order disciplinary action up to and including termination from the classified state service.

### **Do's and Don'ts for ALL Classified Employees**

The following activities are not considered prohibited political activities. We must caution you, however, that when there is a question, you should consult the Department of State Civil Service to avoid any violation and its consequences.

#### **You may:**

Serve as a poll commissioner or official watcher on behalf of a governmental entity at the polls.

Publicly support or oppose issues of public debate or election other than in support of or opposition to a candidate or political party or faction. (See note regarding restrictions on lobbying below.)

Sell services that you regularly offer or sell for fair market value to a candidate or political party or faction, even if doing so requires your presence at a fund raiser

Be a member of a private organization that may, under certain circumstances, endorse a candidate for public office, so long as the primary purpose of the organization is not the support or opposition of candidates, political parties, or factions. However, when the organization does support or oppose a candidate, party, or faction, you may not take an active part in the management of the affairs of the organization-even in matters not related to that support or opposition.

Attend a free function open to the public where any or all of the candidates may speak or present their views.

Attend an election night party (even before the polls close) or a party after election night that is open to the public at large and is not a fund raiser.

Attend an inaugural celebration or a victory party after election night that is not a fund raiser.

Prohibited political activity is defined generally as any effort to support or oppose a candidate for election or a political party in an election, whether the election is for a state, local, national, or even out-of-state office. As a result of the prohibitions in the State Constitution, you cannot be forced to engage in the following acts either directly or indirectly, through your spouse or another person.

**You may not:**

Become a candidate for nomination or election to public office.

Become a member of any committee of a political party or faction.

Make or solicit contributions for any candidate or political party or faction.

Take an active part in the management of the affairs of a political party, faction, candidate, or campaign.

Attend any fund raising function of a candidate or political party or faction even if someone gives you a free ticket. A function will be considered a fund raiser if it is advertised that anything including food will be sold at the function even if you do not plan to buy anything.

Solicit votes for or against a candidate or political party or faction.

Publicly announce, in writing or otherwise, support or opposition to a candidate or political party or faction.

Prepare or distribute campaign material for or against a candidate or political party or faction.

Contribute or volunteer time, effort, property, or any other thing of value in support of or opposition to a candidate or political party or faction.

Display a bumper sticker on the vehicle you drive in support of or opposition to a candidate or political party or faction.

Place a sign on your property supporting or opposing a candidate or political party or faction or allow anyone who is not your spouse to do so.

Contribute or loan money in support of or opposition to a candidate or political party or faction.

Vote at the caucus or convention of a candidate or political party or faction.

Wear, use, display, or distribute tee shirts, hats, stickers, pins, fans, water bottles, or any other material in support of or opposition to a candidate or political party or faction.

The State Constitution further prohibits any person, whether a classified employee or not, from soliciting contributions from you for political purposes. The Constitution also prohibits any official in the State

government from seeking to coerce you into engaging in political activity.

These political activity restrictions do not apply to the spouse of a classified state employee. For example, the spouse may place a sign supporting a candidate in the yard of the home shared with the classified employee so long as it is the true expression of the spouse. Similarly, the spouse may place a political bumper sticker on the vehicle usually operated by the spouse, even though the classified employee may sometimes appear in that vehicle. The goal of avoiding the appearance of support by the classified employee should be kept in mind.

### **Do's and Don'ts for Spouses of Candidates**

Sometimes the spouse of the classified employee is a candidate for election to public office. In such case, the fact of support is taken for granted by people who know about the spousal relationship. Not everyone, however, may know that the classified employee is the spouse of the candidate, so the goal of avoiding the appearance of support by a classified employee may be offended. There are many activities in which a classified spouse may engage to support the candidate spouse without offending the goals of the political activity restrictions. We have listed some activities that spouses of candidates may and may not engage in. If your spouse is a candidate, and you have more specific questions, please contact the Department of State Civil Service to discuss this issue in detail.

#### **A spouse of a candidate may:**

Appear in a photograph with your spouse who is a candidate for elected office.

Serve as a host or hostess at your home when your spouse who is a candidate for election has a party at your home in support of your spouse's candidacy, but you may not take an active part in soliciting campaign contributions.

Attend a fund-raiser or other political or social event with your spouse, and support the campaign short of soliciting contributions while there.

Allow community funds to be used to support the campaign.

#### **A spouse of a candidate may not:**

Place a bumper sticker supporting your spouse on the vehicle that you drive.

Wear, use, display, or distribute fliers, handbills, tee shirts, hats, stickers, pins, fans, water bottles, or any other material supporting your spouse, unless you are with your spouse at a political or social event.

Solicit contributions, whether you are with your spouse or not.

Personally sell anything including food at any function that supports your spouse's campaign.

Participate in any type of support of your spouse's campaign while at work or on duty.

## **Restrictions on Lobbying**

In addition to the above restrictions, R.S. 24:56 prohibits all civil service employees, in their official capacity or on behalf of their employer, from lobbying for or against legislation or any matter intended to have the effect of law.

Employees are authorized to provide factual information relative to a legislative matter. Employees who appear in committee to testify on legislative matters must be careful to provide ONLY factual information on the matter being discussed, and must refrain from voicing their personal opinions regarding the legislation.

The above restrictions do not apply to employees on their own time, either outside of their normal working hours or while on approved annual leave.

Also, R.S. 43:31 prohibits agencies, officials, and employees of the state from printing material or otherwise urging any elector to vote for or against any candidate or proposition on an election ballot. Factual information on any such matter may be disseminated.

## **Reporting Political Activity Violations**

Violations of political activity restrictions should be reported to the Department of State Civil Service, Accountability Division, P.O. Box 94111, Baton Rouge, LA 70804-9111. Such reports should be made in writing, but the name of the person making the report need not be given. The complainant should provide as many details as he or she knows, including names, dates, places, witnesses, how to contact witnesses, and other relevant facts.

## **SAFETY AND HEALTH**

ULM's program for promoting safe work practices and a safe working environment in accordance with Office of Risk Management guidelines is detailed in the following statement of safety policy and responsibility. This policy should be read and its principles practiced by each ULM faculty and staff member. ULM's positive response to occupational safety and health is the commendable result of efforts by all faculty and staff to minimize the frequency and severity of accidents.

1. All levels of management are responsible for the safety and health of employees. This responsibility is met by continuous effort from everyone to implement safe working practices through maintaining property and equipment in a safe working condition, through quality project planning and execution and by ensuring full compliance with applicable rules, requirements and regulations.
2. Basic responsibility for employee health and safety rests with each individual. All employees will, as a condition of employment, be responsible for conducting their work in a safe and healthful manner.
3. Work practices should be based on the principles of least acceptable risk as defined by the Loss Prevention Section of the Office of Risk Management.
4. All University programs and activities should maintain a continuous identification and evaluation of employee health and safety risks by familiarization, inspections and coordination with the Environmental Health and Safety Office.
5. The University is committed to the control and reduction of employee exposure to known, evident or suspected occupational health and safety risks by attempting to lower exposure levels as quickly as governmental regulation, technology and economic feasibility allow.

The Environmental Health and Safety Office is located in the Physical Plant Building, Room 206, Telephone 318-342-5177. ULM's designated safety officer (in accordance with R.S. 39:1543), is responsible, under the direction of the Vice President for Business Affairs and with the assistance of the Environmental Health and Safety Committee, for developing and implementing the University's comprehensive safety program.

### **Employees shall:**

1. As a condition of employment, observe and comply with applicable safety rules and practices
2. When practical, take initiative to correct unsafe conditions and acts or, if it cannot be

accomplished, report them to the supervisor

3. Utilize personal protective equipment as needed and/or required
4. Make suggestions or inquiries which might improve or modify presently accepted work practices
5. Request assistance from the immediate supervisor and refers to the Safety Office when all other avenues to correct hazardous conditions have been exhausted.

## **General Safety Requirements**

It is essential that all workers are aware of safe practices and include them in all activities on or off the job. All University employees, as a condition of employment, must abide by and follow all safety regulations and standards, written or implied, for the purpose of protecting the individual from bodily injury and preventing damage to equipment and property. As noted, the following items are general in nature and not all inclusive of every situation or condition.

1. Smoking is prohibited in all campus buildings except those specific areas designated by signs as "SMOKING PERMITTED" which have physical barriers and ventilation areas. Candles may not be burned in the work place.
2. Possession of unauthorized firearms, alcoholic beverages, illegal drugs, or unauthorized medically prescribed drugs will not be tolerated in the work place.
3. Personal protective equipment will be used when required to protect the worker from potential hazards that cannot be eliminated. Faculty, Foremen and Supervisors will ensure availability and proper use.
4. Accidents, near misses, injuries, and property damage should be reported to the supervisor immediately, regardless of the severity of the incident. The supervisor will see that injured employees receive medical attention and that all necessary reports are completed.
5. Employees will inspect their individual work stations before each shift to ensure that equipment, tools and vehicles are maintained in proper working condition. Any situation which requires a work order will be brought to the attention of the supervisor who will take necessary steps to see that it is done.
6. Whenever there is a question concerning the safety of a task or working condition, the supervisor should be consulted before commencing the task.
7. Proper lifting techniques will be used and workers will get assistance when a load is too heavy or too bulky for one person to handle safely. Workers should never attempt to catch a falling object.

8. All drivers will utilize restraint belts and will not start the vehicle until all passengers are properly buckled.

9. Vehicle operators must be trained and properly certified or licensed. They must follow all state and local codes when operating University vehicles or equipment on or off campus. Riders in the back of pickups/trucks must be seated within the bed and not on sides of the vehicle.

10. Workers will report any unsafe working conditions or acts to their supervisors.

11. Horseplay and fighting will not be tolerated.

12. Workers should report the use of any prescription and/or non-prescription medicine/drug use to their supervisor. Some drugs or medicines may cause the user to react in a manner which is not normal, become drowsy or possibly unconscious. Some medicines may cause a person to be incapable of operating a vehicle or machinery.

13. Employees working alone in potentially hazardous operations including the performance of any experiments or who work late at night must have someone within contact distance and should notify the department head or supervisor during the work day or the University Police after working hours.

14. Workers should maintain an orderly work environment and work procedures. All tools and equipment should be stored in designated places. Scrap and waste material should be put in a designated refuse container.

15. Employees should know safety rules and emergency procedures regarding first aid, evacuation routes, and fire department notification procedures for their work location.

Employees who ignore or do not comply with safety requirements may receive disciplinary action and, in extreme circumstances, may have their employment terminated.

## DISCIPLINE

Where problems with employee behavior or performance arise, a supervisor will seek to correct the problem. Discipline is a means to correct substandard employee behavior and performance.

The supervisor should have a conference with the employee and identify specific differences between the desired and actual performance. Discuss the action the employee should take to correct the problem. **The details of the meeting should be confirmed in writing to the employee. A copy of the letter should be placed in the supervisor's folder.**

If the employee continues to perform below the performance standard, the employee should again be counseled by the supervisor. At this conference, the employee should be warned that if performance does not improve, more forceful measures will be taken, up to and including termination. **The details of this conference should be confirmed in writing to the employee. A copy of the letter should be placed in the supervisor's folder.**

Whenever an employee engages in conduct that is not acceptable and something stronger than an informal conference or coaching session is needed to get the employee's attention, a letter of counseling, warning or reprimand would be appropriate. The letter tells the employee that his/her performance or behavior is not acceptable and explains what performance or behavior is expected. The purpose of this letter is not to punish the employee, but rather to get the employee to change his/her behavior. **A copy of the letter should be placed in the supervisory file kept by the employee's immediate supervisor.**

The employee has a right to submit a written response and a copy of the employee's response must be filed with the letter of counseling, warning or reprimand. The letter should advise the employee of his right to respond and set a deadline for the response. However, a response that does not meet the deadline should not be rejected. The letter should tell the employee that the letter is not a disciplinary action and will not be placed in his/her official personnel record and tell him/her where it will be placed.

After two counseling sessions which have been confirmed in writing, the supervisor should notify the Director of Human Resources in writing. The letter should include a description of the conduct for which the action is being taken in sufficient detail for the Director to fully inform the employee of the reasons for the action and to allow the employee to prepare a defense (i.e., date, time, place and names of persons directly involved in or affected by the conduct). The memo should also state the recommended discipline to be taken.

The Director of Human Resources will conduct an investigation and notify the employee in writing as to the proposed action to be taken.

The type of discipline imposed should reflect the seriousness of the problem. Some offenses are so serious as to justify discharge or suspension on the first offense (e.g. theft, fraud, serious negligence, etc.) For those offenses which do not justify serious discipline on the first offense, progressive discipline is applied.

The employee-employer relationship for classified employees is governed by Civil Service Rules.

The discipline system must contain these elements:

The system must provide due process to the employee;

All employees must be treated fairly and equitably without regard to race, color, religion, sex, national origin, age, handicap or veteran status.

Employees have a right to know what is expected of them. It is important that all employees be given a copy of their position descriptions. The duties and responsibilities of the job along with the associated work rules must be communicated so that the employee will be forewarned that the failure to meet job expectations will result in some form of discipline.

Civil Service Rule 12.2(b) lists the following as disciplinary actions: suspensions without pay, reductions in pay, reassignments, involuntary demotions and dismissals. They may be used separately or may be combined. For example: a reassignment (which does not impact pay) can be coupled with a reduction in pay. Or an employee can be suspended for a period of time and then demoted at the end of the suspension.

**Suspension without pay** - An enforced leave of absence without pay for a specified period of time. This type of suspension cannot exceed 90 calendar days. Suspensions without pay require Appointing Authority approval and are appealable to the Civil Service Commission.

**Reduction in pay** - An enforced reduction in the employee's pay normally determined by assessing the cost of a suspension and then reducing the employee's pay over several payroll periods. The reduction in pay is a severe penalty, in that, the employee is expected to perform his/her duties but must do so for a lesser amount of pay. Since reductions in pay are figured on base pay, both retirement contributions and over-time are figured at a lower rate of pay. Reductions in pay are for a specific period of time. However, no employee may be reduced in pay below the minimum/entry pay for the job title/classification he/she occupies. Reductions in pay require Appointing Authority approval and are appealable to the Civil Service Commission.

**Termination** - is the last resort when less severe forms of the positive discipline system do not correct performance or behavior problems. Because of the serious nature of termination, it is sometimes necessary to suspend an employee pending investigation. The suspension is to investigate the problem and confer with the appropriate officials regarding the decision to discharge. The suspension requires Appointing Authority approval. Terminations for cause require Appointing Authority approval and are appealable to the Civil Service Commission.

**Involuntary Reassignment** - An enforced change in the employee's job title/classification to a title with the same minimum rate of pay. This is the only disciplinary action that does

not (in and of itself) affect the employee's pay. The employee must meet the minimum qualifications and have the appropriate test score, if required, for the job title he/she is moving to. Involuntary reassignments require Appointing Authority approval and are appealable to the Civil Service Commission.

Involuntary Demotion - An enforced change from one job title/classification to a lower job title/classification. It is mandatory that involuntary demotions result in a reduction in pay. The employee must meet the minimum qualifications and have the appropriate test score, if required, for the job title/classification to which he/she is demoted. Involuntary demotions require Appointing Authority approval and are appealable to the Civil Service Commission.

## **PROBATIONAL REMOVAL - CLASSIFIED EMPLOYEES**

The purpose of a probationary period is to provide the employer with a "trial period" in which to assess the employee's performance during which time the employee does not enjoy a property right to public employment.

Civil Service considers the probationary period an extension of the testing process. The probationary period is no less than six (6) months and not more than twenty-four (24) months.

Supervisors are encouraged to use the probationary period wisely as the burden to discipline a permanent employee is much greater. Although probational employees are not necessarily subject to progressive discipline, supervisors should provide a reasonable opportunity for the employee to become aware of and improve or correct any deficiencies.

# CLASSIFIED EMPLOYEE'S GRIEVANCE POLICY

## **PURPOSE**

The University of Louisiana at Monroe wants to develop and maintain a satisfied and efficient work force and a positive working environment for its classified employees. However, sometimes dissatisfaction arises in relationships between an employee and a co-worker or a supervisor. When this occurs, classified employees should have a method for voicing their concerns with their supervisor. It is the intention of the Classified Employee's Grievance Policy to provide the classified employees a method to be heard and a venue for resolution of grievances. The grievance policy ([www.ulm.edu/hr/policies/grievancepolicyclassified.pdf](http://www.ulm.edu/hr/policies/grievancepolicyclassified.pdf)) and the grievance form ([www.ulm.edu/hr/policies/forms/grievanceformclassified.doc](http://www.ulm.edu/hr/policies/forms/grievanceformclassified.doc)) are accessible on the University's website.

## **PROCEDURE**

When an employee feels he/she has been treated unjustly, he/she has the right to use the grievance procedure without fear of coercion, discrimination or reprisal because of this action. Only those grievances that can not be appealed to the Civil Service Director or Commission shall be processed through the University's Classified Employee's Grievance Policy.

It is incumbent upon every supervisor to provide their employees with an opportunity to be heard in accordance with the Classified Employee's Grievance Policy. It is the responsibility of the employee to complete the Classified Employee's Grievance Form and submit it to the appropriate supervisory level. The employee will also be responsible for following up with the designated respondent and preparation of the Classified Grievance Form at each step during the process.

## **GRIEVANCE PROCESS**

Employee's problems should be resolved at the lowest supervisory level and at the earliest possible opportunity. If a grievance is settled outside this grievance process, a memorandum shall be placed in the supervisory file held by the employee's supervisor.

It is often beneficial to both the grievant and the University to try to resolve problems unofficially before resorting to a formal grievance forum. However, if the employee is unable to resolve the issue, the employee can file a grievance using the following procedure. The Classified Employee's Grievance Form will be completed at each subsequent step for which the grievance or appeal is made by the classified employee.

### **First Step**

All grievances should be presented in writing within five (5) working days from the date the employee first became aware of, or should have become aware of, the cause of such grievance. The aggrieved employee should present the grievance to the appropriate supervisory level

within his/her supervisory chain. The supervisor shall render to the employee a written response on the grievance within five (5) working days from the date the grievance was received by the supervisor.

The respondent shall date the form indicating when the employee and the respondent discussed the grievance. The employee shall indicate, on the grievance form, whether or not the employee is satisfied with the response and sign and date the form. A signed copy of the Classified Employee Grievance Form will remain with the respondent and the original copy of the form will be given to the employee. Since this is the first step in the formal grievance process, neither the supervisor nor the employee shall have representation.

### **Second Step**

If the employee is not satisfied with the decision in the First Step, or if a decision is not rendered within the prescribed time limit, the employee may within five (5) working days present the grievance in writing to the appropriate section, division, or budget unit head. The latter shall investigate; afford the employee an opportunity to present his viewpoint; and furnish the employee a written statement of his findings and recommendations. Such statement shall be furnished within fourteen (14) working days of the receipt of the written grievance. The aggrieved employee shall have the right, but shall not be required, to be represented by one individual of his choice during this step of the procedure.

The respondent shall attach a written response to the Grievance Form, and sign and date the form. A copy of the grievance form and all written responses will be held with the respondent and the original grievance documents will be given to the employee. The employee shall indicate whether or not the employee is satisfied with the response, sign and date the form. If the employee is not satisfied with the response, it is the responsibility of the employee to forward the grievance documents to the University's Delegated Appointing Authority in the Third Step.

### **Third Step**

In the event that the decision of the section, division, or unit head does not satisfy the employee, the employee may present the written grievance documents to the University's Delegated Appointing Authority within five (5) working days of receipt of the response in Step Two.

An investigation should be conducted by:

- (a) the Delegated Appointing Authority;
- (b) the agency personnel officer or other representative designated by the Appointing Authority; or
- (c) an agency grievance committee designated by the Appointing Authority.

In either of the latter two instances, a written recommendation shall be given to the Delegated Appointing Authority, who shall evaluate the case and shall issue a written decision notifying all interested parties, within twenty-one (21) working days following the date the grievance entered the Third Step. If the investigation is conducted by the Delegated Appointing Authority, he/she

shall issue a written decision to all interested parties within fourteen (14) working days following the investigation. **This is the final step in the University's classified employee grievance process.**

### General Provisions

- If an employee experiences any form of "Harassment" as defined in the University's *Anti-Discrimination and Harassment Policy*, the employee should follow the procedures under that policy rather than use this grievance process. If the harassment is by anyone in the employee's chain of command, the employee should skip this grievance procedure and notify any of the following University representatives:
  - The employee's immediate supervisor or next supervisory level if complaint is due to actions of the employee's immediate supervisor;
  - The Equal Employment Opportunity Coordinator (EEOC);
  - The Director of Human Resources;
  - Dean or Department Head;
  - Vice President.
- The delegated appointing authority may designate a hearing officer or a grievance committee to hear a grievance.
- Grievances may be consolidated due to similar or related circumstances and/or more than one employee with a grievance covering the same issue.
- The collection of evidence will be done in a manner that is cost-effective and least disruptive to the University's business operations.
- During the grievance process, the person against whom the grievance complaint is made shall have the opportunity to provide a statement.
- Grievance rights do not relieve an employee of the responsibility to do the assigned job duties.
- No employee may use his/her position to coerce, attempt to coerce, or influence in any improper manner, a member of the committee or any person involved in the grievance process. Any classified employee who uses his/her official position to coerce, or influence in any improper manner any person involved in the grievance process shall be subject to disciplinary action.
- All documentation related to any grievance must be maintained in the Human Resources Department. This includes copies submitted to the Human Resources Department at each step of the procedure. Grievance documentation is not necessarily accessible to the general public.

### Dismissal Of Grievances

The Delegated Appointing Authority may at any time dismiss a formal grievance under the following situations:

- The action is appealable to the Director of Civil Service or to the Civil Service Commission.
- Either the grievant or the person against whom the grievance is filed no longer works for the University.
- The grievance has not been made in the required manner or within the prescribed period.

- The remedy requested can not be granted or a decision would be ineffective or moot.
- The grievance has been determined to be frivolous or is impeding the efficient operation of the University.
- The grievant did not appear for the grievance hearing.

When the Delegated Appointing Authority dismisses a grievance, the grievant and any supervisor in receipt of the grievance shall be notified. If the grievance is dismissed due to the grievant or the person against whom the grievance is filed no longer works for the University, the final copy of the grievance documents will be sent to the Human Resources Department for file.

### **AREAS OUTSIDE THE SCOPE OF THIS POLICY**

Areas not covered by the University's Classified Employee's Grievance Policy are as follows:

- Employment actions which are appealable to the Civil Service Director or Commission:
  - An allocation or reallocation decision – Rule 5.3;
  - The rejection of an application – Rule 7.5;
  - A determination that an applicant lacks the minimum qualifications – Rule 7.5;
  - Performance and Planning Reviews - Chapter 10 of the Civil Service Rules ([www.dscs.state.la.us/default.htm](http://www.dscs.state.la.us/default.htm));
  - Reassignment of a permanent employee for disciplinary reasons;
  - Suspension without pay, reduction in pay; involuntary demotion or dismissal of a permanent employee;
  - Non-disciplinary removal of a permanent employee;
  - Layoff of an employee;
  - An employment action/decision that violates a Civil Service Rule or the Civil Service Article (Article X, Part 1 of the state constitution).
- Complaints about letters of warning, reprimand, or counseling are handled by written responses and not through the grievance process.
- Complaints regarding harassment, discrimination or retaliation are handled through the University's *"Anti-Discrimination and Harassment Policy"* ([www.ulm.edu/hr/policies/antidiscriminationharassmentpolicy.pdf](http://www.ulm.edu/hr/policies/antidiscriminationharassmentpolicy.pdf)).
- The above grievance procedure applies to all civil service employees except members of Local No. 2695 of the American Federation of State, County, and Municipal Employees, AFL-CIO. Union members should follow the procedure in the working agreement.

For more information regarding the grievance policy or procedure, contact the Human Resources Department at (318) 342-5140.

## **POLICY REGARDING CIVIL SERVICE RULE 12.6(A)2 NON-DISCIPLINARY REMOVAL FOR UNSCHEDULED ABSENCES**

### **PURPOSE OF THE POLICY**

This policy is being adopted by the University of Louisiana at Monroe, within the guidelines of Civil Service Rule 12.6, and is intended to encourage responsible use of leave by all classified employees. The intent of this policy is not to punish classified employees, but to consider the greater good of the state service by reducing unscheduled, disruptive absenteeism. It is also intended to improve morale by reducing the negative effects of absenteeism on co-workers who must often perform the duties of the absent employee and to improve the state's service to its clients and customers by promoting good employee attendance.

### **RULE BASIS FOR THE POLICY**

The provisions of this rule shall be made generally available to all employees. An employee may be non-disciplinarily removed under the following circumstances. When an employee is removed under this Rule, the adverse consequences of Rules 6.5(c); 7.5(a)7; 8.9(d); 8.13(a)7; 8.15(d); 8.18(d) and (e); 11.18(b) and 17.25(e)4 shall not apply.

The policy is based on Civil Service Rule 12.6(a)2, which reads as follows:

#### 12.6 Non-disciplinary Removals

(a) An employee may be removed under the following circumstances:

1. ...

OR

2. When, after the employee has been given written notice that his attendance requires improvement and a copy of this rule, an employee has seven (7) or more unscheduled absences during any consecutive twenty-six (26) week period. The employee shall also be given written notice each time he incurs a sixth unscheduled absence during a consecutive twenty-six (26) week period. An unscheduled absence occurs when an employee is absent from work without having obtained approved leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration.

### **POLICY OF THE UNIVERSITY OF LOUISIANA AT MONROE**

The University of Louisiana at Monroe expects all classified staff to assume diligent responsibility for their attendance and promptness in reporting to work. All classified employees are expected to be at their assigned work place, ready to work at their regular starting time each day on which they are scheduled to work unless they have been granted approved leave.

Based on this expectation the University of Louisiana at Monroe shall apply Rule 12.6(a)2, subject to the following:

### **Employees Covered By This Policy**

This policy shall be university-wide and applicable to all classified employees

Unclassified staff and faculty are governed by the University of Louisiana System Rules and are not subject to this policy.

### **Notification To The Employee**

Any classified employee of the University may be given a written supervisory notice ([www.ulm.edu/hr/policies/forms/supernoticereregabsente.pdf](http://www.ulm.edu/hr/policies/forms/supernoticereregabsente.pdf)) notifying the employee his or her attendance requires attention. Such a written notice must have the concurrence of the Delegated Appointing Authority. **No absence** will count for the purpose of this policy until the employee has been given such a notice.

This method of applying Civil Service Rule 12.6(a)2 will address those individuals whose absenteeism has caused problems for the University. Furthermore, this method will help ensure that the affected employee is given every chance to improve his or her attendance through the supervisor's and/or budget unit head's personal attention and clear communication of expectations.

The supervisor and/or budget unit head shall ensure that the employee is notified each time an absence is counted as unscheduled, and the supervisor shall maintain sufficient documentation of such notices. Notification to the employee is to be done using the Unscheduled Absence Notification Form ([www.ulm.edu/hr/policies/forms/unscheabsencenotice.pdf](http://www.ulm.edu/hr/policies/forms/unscheabsencenotice.pdf)). The notification form includes the employee's current running total of unscheduled absences, allowing the employee to be aware at each notification how many unscheduled absences they have accumulated.

### **Definition Of Unscheduled Absence**

For employees who have been given written supervisory notices regarding their absenteeism, an unscheduled absence shall be any absence for which the employee did not obtain verbal or written approval by close of business on the employee's last regularly scheduled workday prior to the absence. One unscheduled absence may be of any continuous duration (e.g. fifteen minutes, one hour, four hours, one day, three days, etc.). This also includes those absences requested by employees to leave early during the same day or work schedule. A supervisor and/or budget unit head may request an exception(s) from this provision from the Delegated Appointing Authority for rational business reasons.

### **Documentation Of Absences**

Supervisors and/or budget unit heads should be aware that no action will be taken under this policy unless sufficient documentation is maintained. The supervisor and/or budget unit head may apply any record-keeping method which fits his needs.

**Approval Of Leave After The Fact**

Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled.

**Leave Without Pay**

Although the rule allows the approval of leave after the fact, the University retains the right to place an employee on unauthorized leave without pay for any unscheduled absence for which the supervisor and/or budget unit head will not grant approval. This includes the denial of requests for annual leave.

**Sick Leave Verification**

The supervisor and/or budget unit head may require doctors' statements or some other proof acceptable to the university to verify the legitimacy of sick leave, whether it is scheduled or unscheduled.

**Disciplinary Action**

Use of this policy does not prohibit the university from taking appropriate disciplinary action for unauthorized absences if such action is deemed appropriate.

**Exceptions****Unforeseen Absences**

Verifiable unforeseen absences which become necessary after the employee reports to work, such as having to go get a child who becomes sick at school, and for which the supervisor and/or budget unit head would grant approval for leave would be excluded. The supervisor, budget unit head and/or the appointing authority retains the right to require acceptable proof to verify the legitimacy of the leave in order to determine if an exception is warranted.

**Exceptional Circumstances**

The Delegated Appointing Authority may grant exceptions to the normal provisions of this policy for rational business reasons.

**Procedure**

Department heads, directors and supervisors are to apply the provisions of this policy on a case-by-case basis, considering rational business reasons and the consequences of a particular employee's absence. Unscheduled absences for some positions are more disruptive than others. Supervisors and/or budget unit heads should never discriminate against employees based on race, sex, age, national origin, etc.

