

Concord University



Staff Handbook

MEMORANDUM

TO: Non-Classified and Classified Employees
FROM: Human Resources
DATE: October 11, 2013
RE: Staff Handbook

The Staff Handbook is provided as a source for questions you may have pertaining to your employment at Concord University.

Although this is not an inclusive source for all policies and procedures, it is intended to provide answers to basic questions and to serve as a source or guide to obtain additional information from various areas.

As with any documentation, policies and procedures are subject to change due to applicable laws and guidelines. Outdated materials in the handbook will be “overruled” by existing policy and laws. Addendums and appendices may be added, as necessary, as rules are updated. These changes will be available to the employee annually. Changes should be posted during the first week of June and can be obtained at www.concord.edu/administration/human-resources.

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FOREWORD

Welcome to Concord University! The success of Concord University in achieving its mission can only be assured if we all work together. Your role as a classified employee is very important to the success of this mission.

The handbook is a guide to questions that you may have during your employment at Concord University. If you have any questions or comments about the contents of this handbook, you should discuss them with your supervisor or the Human Resources Office.

Policy changes will be made as adapted and approved by the Concord University Board of Governors, the Higher Education Policy Commission, and/or the West Virginia Legislature.

The employee handbook is not an implied or expressed employment contract nor does it alter the at-will status of your employment. While great effort to express the current Concord University policies and procedures are outlined in this handbook, existing rule, policy and law will prevail over any inadvertent errors. The policies contained within the Handbook are subject to change at any time and any amended policies will be publicized and distributed to all employees; it is your responsibility to keep your Handbook updated.

The duration of employment for any employee is based on funding, satisfactory performance, and behavior expectations, and is at the discretion of the Concord University Board of Governors, within appropriate parameters established by applicable rules, policies, and laws.

This edition of the handbook supersedes and replaces all previous handbooks.

Acknowledgement

By signing and dating this page, I acknowledge that I have received a copy of Concord University's Employee Handbook and have a responsibility to familiarize myself with its provisions.

Signature

Name Printed

Date

THE UNIVERSITY'S MISSION AND VISION STATEMENTS

The mission of Concord University is to provide quality, liberal arts based education, to foster scholarly activities, and to serve the regional community.

Additionally, Concord University has adopted the following vision statement:

To be an exemplary liberal arts and sciences university that nurtures knowledge, skills, and integrity in an engaged learning community, values our heritage, embraces our civic responsibility, and uses both traditional and innovative means to help students realize their full potential.

Concord University provides rigorous programs, primarily at the baccalaureate level, which prepare students to pursue various graduate study and career options and to assume leadership and professional roles in a multicultural society. In keeping with its tradition of service to the region, the University will offer a limited number of carefully selected graduate degrees. While we incorporate a variety of educational methodologies/ technologies, our size and the caring dedication of our faculty, staff and administration are the principal assurances of a quality educational opportunity at Concord University.

As a learning community, Concord University is committed to furthering knowledge through professional development activities and programs, through research, and through the application, publication and appreciation of scholarly efforts.

The primary purpose of Concord's mission is academic; however, the service the University provides to its state and region goes beyond the classroom. Concord University contributes to the quality of cultural and economic life in southern West Virginia through collaboration with both public and private organizations and agencies and through extension of its support and assistance into the region it serves.

Ultimately, Concord University measures its success by the fulfillment alumni find in their careers and throughout their lives.

EMPLOYMENT

Equal Employment Opportunity and Affirmative Action Policy

Concord University is an Equal Opportunity/Affirmative Action institution. The University neither affiliates knowingly with, nor grants recognition to, any individual, group, or organization having policies that discriminate on the basis of race, sex, age, disability, veteran status, religion, sexual preference/orientation, ancestry, blindness, familial status, ethnicity, color, or national origin. The University, through its Affirmative Action Plan, seeks to employ qualified personnel on an equal opportunity basis at all campus locations and facilities. Further, faculty, staff, students, and applicants are protected from retaliation for filing complaints or assisting in an investigation under the University's Equal Opportunity Policy/Affirmative Action Plan.

The immediate supervisor is directly responsible for equal opportunity affirmative action matters in the unit. A copy of the University's Affirmative Action Plan is available for review upon request in the Human Resources Office.

The Human Resources Office and the Affirmative Action/Equal Opportunity Officer are responsible for coordinating and overseeing all equal opportunity and affirmative action and related matters. If a classified employee believes that the University has failed to properly follow its equal opportunity/affirmative action plan or that discrimination has occurred, the employee is requested to present the complaint to the Human Resources Office, which shall complete an investigation of the complaint in a timely manner and render a report within twenty (20) working days after completing the investigation. The employee may also file a grievance regarding the issue, which will be processed through the grievance procedures established by the West Virginia Public Employees Grievance Board.

Immigration Reform and Control Act of 1986

The Immigration Reform and Control Act of 1986 requires all employees, as a condition of employment, to provide original documents which establish their identity and employment eligibility. Also, each employee must complete his/her portion of the Immigration and Naturalization Services Employment Eligibility Verification Form (Form I-9).

Orientation

During the first days of employment, the orientation process will begin. Your supervisor will provide you with an introduction to policies, procedures, programs, performance, and expectations of the position. The supervisor is the primary authority and best source for specific information regarding position responsibilities and performance expectations.

Following is a check list for new employees:

- ___ Purchase parking permit from Office of Public Safety and hang it on the rearview mirror in the windshield of your vehicle. A copy of the Concord University Vehicle Registration and Parking Regulations can be obtained at the Concord University Police Department.
- ___ Have employee ID card made in Student Center Office
- ___ Receive employee handbook from Human Resources Office
- ___ Complete all paperwork with Human Resources Office
- ___ Contact the Office of Technology Services for e-mail address, MyCU user name, and MyCU initial password.
- ___ Enroll in the CU Emergency Alert System for notification of safety and security messages via <http://sms.concord.edu/>
- ___ Contact CU Post Office for post office box
- ___ Acquire any keys needed to perform job from supervisor
- ___ Contact the HR Office or the Campus Police about driver's safety training if the job involves driving a University vehicle
- ___ Complete a work order for your contact information to be posted at www.concord.edu/directory. A work order can be completed at <http://workorder.concord.edu/Login.jsp>. Your MyCU username and password are required.
- ___ Contact the Office of Technology Services for telephone display personalization and long distance code.

Probationary Period

New employees will be evaluated by their immediate supervisor at the end of three months and at the end of the initial six-month probationary period and will then be considered a regular classified employee, if the probation period is without problem. Both the three-month and six-month evaluations will be in writing and placed in the employee's file in the Human Resources Office.

An employee may be separated during the probationary period if he/she fails to meet established position expectations. During this time period, termination of a newly hired employee may occur following **one** letter of warning for misconduct or performance issues.

The procedures for hiring classified employees may be obtained at <http://www.concord.edu/administration/board-governors/policies/procedures-hiring-classified-employees>, which is Board of Governors Policy No. 35.

Job Accommodation During Employment

An employee in his/her present position who is otherwise qualified and has or acquires a permanent physical or mental medical impairment or impairments that substantially limits a major life activity and causes functional restrictions or limitations which can be reasonably accommodated will be provided such measures by the University, if reasonable accommodation will permit the employee to meet the essential requirements of his/her particular job. For additional information contact the Office of Human Resources.

Employment Status

Full-Time Regular Employee - an employee in a classified position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than 0.53 FTE. Such an employee is covered under the classification program and is eligible for all applicable benefits of a full-time regular classified employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE. Length of service as a full-time regular employee with the State of West Virginia shall be credited toward initial placement on the salary schedule. Full-Time Regular employees are determined to be “internal” candidates for any subsequent job postings.

Part-Time Regular Employee (PTR) - an employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a PTR position is not eligible for benefits, but is covered under the classification program as set out in Series 8. Part-Time Regular employees are determined to be “internal” candidates for any subsequent job postings.

Temporary Employee - an employee hired into a position expected to last fewer than nine months of a twelve-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but is covered by the classification program as set out in Series 8. Service in this capacity does not apply to any seniority or years of experience. If the employee works more than 1040 hours, he or she will receive the same benefits as a permanent employee. Temporary employees are determined to be “external” candidates for any subsequent job postings.

Casual Employee - a casual employee position is a position created to meet specific operational needs at an institution for no more than 225 hours in a twelve-month period. Individuals in a casual-employee position are not eligible for benefits and are not covered by the classification program as set out in Series 8. Service in this capacity does not apply to any seniority or years of experience. Casual employees are determined to be “external” candidates for any subsequent job postings.

Student Employee - an employee enrolled at the institution as a student and whose primary purpose for being at the institution is to obtain an education. A student employee is not eligible for benefits and is not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

Non-Classified Employee - an employee of an organization who holds a position that is not assigned a particular job and job title within the classification system established by West Virginia Code Chapter 18B and by duly promulgated and adopted rules of the commission and council and who meets one or more of the following criteria: (1) holds a direct policy-making position at the department or organization level; or (2) reports

directly to the president or chief executive officer of the organization. Non-classified employees are not subject to the classification program but are eligible for benefits, if at least a .53 FTE. Non-classified employees are “will and pleasure” employees. By July 1, 2015, the percentage of personnel placed in the category of "non-classified" at a higher education organization may not exceed twenty percent of the total number of classified and non-classified employees of that organization as those terms are defined in section two, article nine-a of chapter 18B of the West Virginia Code and who are eligible for membership in a state retirement system of the State of West Virginia or other retirement plan authorized by the state. Pursuant to W.V. Code 18B-7-11, athletic coaches are excluded from the calculation of this ratio.

Contract employees, employees of the Research Development Corporation, or employees hired through a temporary employment agency are determined to be “external” candidates for any subsequent job postings.

Exempt Employees: are not covered by the Fair Labor Standards Act (FLSA) and therefore do not qualify for overtime pay.

Non-Exempt Employees - are entitled to overtime compensation at the rate of one and one-half times the actual hourly rate for all hours worked in excess of 40 during the work week.

Overtime

Classified employees are either in exempt or non-exempt positions as determined by the Federal Fair Labor Standards Act. Series 8 of the Higher Education Policy Commission defines these employees in the following manner:

Exempt: Exempt employees not covered by the Fair Labor Standards Act (FLSA) for overtime purposes.

Non-Exempt: An employee who is entitled to overtime benefits as outlined in federal and state law.

The criteria for payment of overtime are twofold; i.e. hours worked between 37.50 and 40 are compensated at the straight time hourly rate, while hours in excess of 40 are paid at 1.5 times the straight time hourly rate. Please see BOG policy No. 50 regarding Overtime and Compensatory Time. Please also see HEPC Procedural Rules, Title 133, Series 8, Section 4.

Holidays, sick or annual leave hours, are not hours worked. Timesheets for classified non-exempt staff should not reflect holidays, annual days or sick days as hours worked.

The immediate supervisor must approve overtime for non-exempt employees before the overtime is worked. An overtime permission form must be completed by the employee and signed by the immediate supervisor. The overtime permission form may be obtained in the Concord University Payroll Office. Employees will be paid for overtime unless a compensatory time agreement exists. The compensatory time agreement form may be obtained in the Concord University Payroll Office.

Exempt employees do not receive overtime compensation or compensatory time off, except that when an exempt employee is required to work on any designated holiday, that employee shall be given substitute time off on an hour-for-hour worked basis. These employees meet the Fair Labor Standards Act criteria for executive, professional, or administrative positions.

Questions regarding overtime or how to calculate pay or hourly rates should be directed to the Office of Human Resources.

Equalization of Overtime

Please see BOG policy No. 50. Equalization of Overtime within a Department or Unit – Overtime rosters will be posted by supervisors for any overtime assignments that are anticipated more than one day in advance. Employees shall be placed on the roster based upon seniority within a department or unit. Overtime will be offered to the most senior employee who is qualified to perform the overtime work. The next occasion for overtime will be offered to the next senior employee who is qualified to perform the overtime work. The process will continue until the list is exhausted. If an employee declines an overtime assignment, it will be offered to the next person on the list. If all employees decline, then overtime is assigned to the employee with the least seniority whose name appears on the roster and who is qualified to perform the work.

Required Overtime

Employees may be required to work overtime under certain emergency circumstances by their immediate supervisor or his/her representative. However, the work must be of reasonable duration. Also, employee health, safety, and endurance must be considered, and the direction to work must be issued under reasonable circumstances. Please see BOG policy No. 50.

Compensatory and Holiday Premium Time Off

Compensatory time off shall be allowed only to the extent authorized by federal and state law. When a full-time or part-time classified **non-exempt** employee is required to work on any designated institution holiday, that employee at his/her option shall receive regular pay for that holiday plus substitute time off or additional pay at the rate of one and one-half (1 ½) times the number of hours actually worked. Employees will be paid for overtime unless a compensatory time agreement exists. The time off must be used within a six-month period following the holiday.

When an **exempt** employee is required to work on any designated board or institution holiday, that employee shall be given substitute time off on an hour-for-hour worked basis. The time off must be used within a six-month period following the holiday.

Compensatory time in general is described in HEPC Series 39, Section 7, which states that employees may accumulate up to two hundred forty (240) hours of compensatory time and shall be paid for all hours worked above the maximum accrual. Employees in public safety, seasonal work, and/or emergency response categories may accumulate up to four hundred eighty (480) hours and shall be paid for all hours worked above the maximum accrual. Compensatory time (not related to working on a holiday) must be used within one year of accrual. The use of compensatory time off shall be requested two weeks in advance of the use of the time off. The compensatory time agreement form may be obtained in the Concord University Payroll Office. Approval of the request shall be contingent upon whether it will unduly disrupt the operation of the institutional unit. If the supervisor determines that the use of the compensatory time will not unduly disrupt the operation of the institutional unit, he or she may approve the use of compensatory time without two weeks notice.

University Business Operational Hours

Normal University business operational hours shall be from 8 a.m. to 4 p.m. ET, Monday through Friday excluding holidays. These times reflect the normal hours when students, vendors, sales representatives, or the general public should attend to their business in the administrative offices at Concord University.

Each office must maintain University business hours. However, the Department Head in charge of a department may implement a flex schedule to accommodate special operational needs. A flex schedule should be reported to the Payroll Department and the Human Resources Department prior to implementation. When practical, the supervisor shall provide the affected employee with a fifteen (15) day notice of any such work schedule changes.

Work Week (HEPC Series 8)

The workweek is defined as a regularly recurring period of one hundred sixty-eight hours in the form of seven consecutive twenty-four hour periods. It begins at 12:01 a.m. on Sunday and ends at 12:00 midnight the following Saturday. The institutional president or the president's designee may establish a workweek different from this, provided that record keeping requirements are met as set forth in relevant law. The University's standard number of work hours for a full-time classified employee is 37.50 hours during the workweek. Employees are expected to be punctual and functioning in their positions consistent with their scheduled work hours.

Based on emergency circumstances, supervisors have the authority to require employees to work more than their normal hours. Supervisors also have the authority to assign employees to work different shifts on a temporary or permanent basis. When practical, employees will be given 15 days advance notice of any significant schedule change. However, employees have the responsibility of reporting as assigned by their supervisors, even if there has not been advance notice of a significant schedule change given to the employee. It is the policy of the University not to routinely make temporary, non-emergency changes in an employee's work schedule.

Good attendance and showing up for work on time are required and numerous unexplained absences or repeated tardiness can be a basis for disciplinary action.

Summer Flex Schedule

As a pilot program with the approval of the President and the Board of Governors, full-time regular employees have been given the opportunity to work flexible hours or a compressed work schedule from the last portion of May after commencement to the end of July during summer months. The employee's work schedule may be condensed into four working days, with the employee, typically, taking either a Monday or a Friday off. Employees who prefer a flex schedule may come in earlier or later five days a week, working a schedule different from the normal schedule of 8 am to 4 pm. Each supervisor has the responsibility for determining which work schedule his/her office shall follow for the summer or whether his/her office shall continue to work the regular schedule. Any changes in any employee's working hours must be reported to the Human Resources Office and to the Payroll Office. A Flex Schedule Agreement form must be completed with the required signatures and submitted to Human Resources. The Flex Schedule Form may be obtained at www.concord.edu/human-resources.

The weeks that include Memorial Day and the Fourth of July are excluded from summer flex scheduling; therefore, regular hours will be worked during that week.

For details regarding the summer flex schedule program or to obtain a copy of the policy, please contact the HR Office.

Non-Exempt Employee Breaks

During each 4 hours of scheduled work, a 15-minute break is allowed for non-exempt employees. For example, with a work schedule of 8:00 a.m. to 12 noon a break may be taken at 10:00 a.m.

The purpose of such break periods is to provide relief from duties and absence from the workstation, offering employees the opportunity to attend to personal activities (i.e. to smoke, to make personal calls, etc.). Based upon operational need, an employee may be required to work through a break; in such cases, the employee is not entitled to additional compensation. Breaks are compensated work-release time and may not be used or accrued to make up work time, leave work early, extend lunch time, etc.

Please note that breaks are compensated while lunch breaks are uncompensated.

Additional time away from the work site must be credited against an appropriate leave accrual. Pay must be docked if the employee has insufficient leave balances.

Lunch

After working 5 continuous hours a non-exempt employee must take a one half hour uninterrupted lunch break. Once again, lunch breaks are uncompensated time.

Working through lunch cannot be used as a justification to leave work early. For example, an employee starting to work at 8:00 a.m. and working through lunch and leaving at 3:30 p.m. does not qualify as having worked 7.5 hours for that day. Due to the fact that lunch breaks are uncompensated time and the requirement of taking a one half hour uninterrupted lunch break after 5 hours of work, an employee should not be credited for working 7.5 hours in a day by working through their lunch and leaving 30 minutes early.

Additional time away from the work site must be credited against an appropriate leave accrual. Pay must be docked if the employee has insufficient leave balances.

While allowed, exempt employees are not required to take a lunch break or rest break.

Time Sheets

Non-exempt employees must submit to the payroll office a semi-monthly signed timesheet verifying hours worked. This time sheet is co-signed by the supervisor. Annual leave and sick leave should be displayed on the time sheet and should not be included in the hours worked. The time sheet should be completed correctly in order that sick and annual leave forms submitted to Human Resources will match the information on the time sheets. When a paycheck is distributed for a specific pay period, supervisors and employees should be aware that a timesheet for that time period is expected to be submitted to the Payroll Office as soon as possible. Time sheets may be obtained either from the print shop or from the University's Human Resources web site under FORMS.

Exempt salaried employees are not required to complete timesheets, but are expected and required to complete no less than 37.5 hours in a given workweek.

It is the responsibility of your supervisor to ensure the accuracy of all leave forms, leave requests, and leave balances.

Reporting On-the-Job Injuries

On-the-job injuries should be reported to one's supervisor as soon as possible. Ideally, an employee should submit a written accident report to the designated supervisor and Human Resources no later than 24 hours after the injury occurs. Forms are available from the Human Resources Office and are on the Human Resources' web page under FORMS. All employee accidents must be reported, regardless of whether they result in a Worker's Compensation claim.

The supervisor is responsible for informing the Human Resources Office of the injury and for completing the appropriate forms immediately after learning of the injury. Certain on-the-job injuries may require the services of the Concord University Police Department. Examples of on-the-job injuries that require notifying the Concord University Police Department include injuries that require response from emergency personnel from one or more of the surrounding counties.

Special rules apply to Worker's Compensation claims. For further information, employees should contact the Office of Human Resources. Additionally, please see BOG policy No. 48 regarding Concord's Return to Work Policy.

Procedures for Reporting Unscheduled Absences

Notification of an unscheduled absence is of the utmost importance. If, for any reason, an employee is unable to report to work as scheduled, or leave the workplace, the employee must notify his/her supervisor prior to his/her scheduled start time with the reason and expected duration of the absence. If the employee has to leave the workplace, the employee must contact the supervisor with the reason for emergency departure as soon as possible. Failure to notify an immediate supervisor concerning an absence can result in discipline to the employee, including termination subject to the rules and policies of discipline for classified employees. Absences in excess of five (5) consecutive working days require a doctor's excuse at the time of returning to work to document the employee's ability to return. A supervisor may request a formal written excuse if a pattern of sick day use has occurred.

Access to Personnel Files

A confidential personnel file containing pertinent employment information is maintained for each classified employee in the Office of Human Resources. The employee is entitled to inspect or copy his/her personnel file in the presence of a Human Resources staff member. Each request must be documented and said documentation will be placed in the appropriate personnel, Medical/ADA or discipline file. The employee shall not be entitled to inspect or copy any letter of reference or other similar record that he/she has previously waived the right to inspect when the information was solicited by or supplied to Concord University based on such waiver. The employee shall not be entitled to inspect or copy any other record exempt by WV Code 29B-1-4 unless there is clear and convincing evidence of a legitimate reason sufficient to overcome exception.

Confidential files other than normal employment files, for example ADA and discipline, must be maintained by the Human Resources Office. The employee is entitled to inspect or copy such confidential files in accordance with the requirements given above for inspection of general personnel files, except to the extent that a witness's identity must be protected under policy or law (e.g., Section 5.3 of Board of Governors Policy No. 37 regarding Sexual Harassment). University departments must not maintain confidential files separately from or independent of Human Resources' confidential files.

If the employee wishes to examine his/her personnel file, he/she should notify the Office of Human Resources at least 24 hours in advance of the desired appointment time. Personnel files may be examined only during normal University business hours and shall be examined in the Human Resources Office where such inspection can be witnessed by Human Resources representatives. The file may not be removed from the Human Resources Office. University administrators may examine employee personnel files on a need-to-know basis only. University administrators include any administrators that are notated on the chain of command that is applicable to your current position.

The response of the Office of Human Resources to outside requests for employment verification is restricted to the release of the employee's name, employment dates, and job title unless the employee or former employee provides a written release of other information, such as wage information for loan approval purposes.

Hiring of Relatives/Nepotism

Please see BOG policy No. 46 regarding the employment of relatives/family members (nepotism), which states:

SECTION 1. GENERAL

1.1 Scope – The purpose of this policy is to establish guidelines related to the hiring and supervision of family members of employees.

1.2 Effective Date – 12/8/2010

1.3 Concord University recognizes that certain employment actions concerning relatives/ family members of employees are in violation of W.Va. CSR 158-6-3 (West Virginia Ethics Commission rule on nepotism), and may cause serious conflicts and problems with favoritism and employee morale. Further, personal conflicts from outside the work environment may be carried into the daily working relationship.

SECTION 2. DEFINITIONS

2.1 “Family member” is defined as one of the following:

relationships by blood or adoption -- parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin;

relationships by marriage -- husband, wife, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, or niece; and

cohabitating sexual partners.

2.2 “Employment” for the purpose of this policy is defined as any position for which compensation is received regardless of funding source. Approved uncompensated work including but not limited to internships and volunteers, will not be considered employment for the purpose of this policy.

2.3 “Nepotism” means favoritism shown or patronage granted by a University employee to family members in employment matters without regard to public notice and consideration to other applicants, or qualifications required to perform the job; or when family members are otherwise afforded the benefit of preferential treatment.

SECTION 3. POLICY

3.1 Employees may neither initiate nor participate in institutional decisions involving a direct benefit to a family member. Such decisions include, but are not limited to: hiring or initial appointment, retention, promotion, tenure, salary, assignment of job duties, professional development activities, university travel, and approval of leave.

3.2 Family members of persons currently employed by the University may be hired only if they will not be working directly for or supervising a family member or will not occupy a position in the same line of authority where decisions involving a direct benefit to the family member may occur. Such decisions include, but are not limited to hiring or initial appointment, retention, promotion, tenure, salary, assignment of job duties, professional development activities, university travel, and approval of leave. Prior to an employment offer, the supervisor must sign and process a statement certifying that he/she is not hiring a Family Member.

3.3 In order to minimize any perception of impropriety, a supervising employee will immediately recuse himself or herself from participating in any matter where a direct benefit to a family member, friend, or business associate is discussed or action is to be taken.

3.4 If, as of the effective date of this policy, any family member is currently working in a position that violates paragraph 3.2, the cabinet officer in charge of that division, department or office shall work with the supervisor of that area and the University's Office of Human Resources to make arrangements to eliminate or mitigate the situation. Such mitigation may involve a recusal as set forth in paragraph 3.3 above.

3.5 If an exception to this policy is desired, a request should be made to the Office of Human Resources. Human Resources shall then appoint a committee of at least three individuals who are impartial, are in a position to make an informed decision, and do not have a conflict of interest to review the facts surrounding the request for an exception and make a recommendation to the Director of Human Resources. An appeal of the Director's decision can be made to the University President. The President may seek counsel from his or her Cabinet or, if necessary, the Board of Governors before making his or her decision on the appeal. If the situation is such that the President has a conflict of interest, the appeal of the decision by the Human Resources Director shall be made to the Board of Governors, who will be the deciding body.

WORKPLACE STANDARDS

Employee Rights and Responsibilities

All employees are required to provide a full day's work each day on the job; to behave in a civil, professional manner; to treat others with respect; to comply with state and federal laws and regulations related to individual rights, business operations and procedures, health and safety, and conflict of interest; and to comply with HEPC and University regulations, rules, and policies and procedures. Classified employees are entitled to be treated with respect and dignity by supervisors and other employees and are entitled by statute and policy to file a grievance for work-related disputes free from retaliation. Contact the Office of Human Resources for questions and information at 5121.

Employee rights and responsibilities are specifically defined in HEPC rules by the current version of Title 133, Series 8, Personnel Administration.

Solicitation

Special approval must be obtained from the University President or his/her designee before any solicitation of any kind may be approved on campus, including the selling of any products or articles. The name of Concord University may not be used to secure funds for any purpose or through any means without written permission of the President or the President's designee.

University Property

Concord University programs, personnel, time, titles, and property - including equipment, systems, vehicles, information, supplies, and office space - are to be used in conducting authorized business of the University. Use of such for personal benefit or gain may be grounds for disciplinary action.

Private information protected under policy or law, such as certain financial, personal, patient, donor, or student information, histories, and mailing lists, is to remain confidential. Such information may be disclosed, viewed, or copied only with proper authorization and must be disposed of in a manner that retains this confidentiality. Willful disclosure, viewing, or copying of private information without authorization from one's supervisor may result in disciplinary action and/or legal prosecution.

Employees are responsible for securing the University building, office, room, equipment, and other keys assigned to them for work-related reasons. Costs incurred by the institution as the result of unauthorized or misuse of University property, such as, but not limited to, personal telephone calls, will be recovered from the responsible employee. Personal calls must be avoided at all times except for emergencies. An employee may not use institutional phones for personal long-distance calls unless he/she is charging them to his/her home telephone number at the time of making the call or securing a personal access code whereby charges will be sent directly to his/her home.

Harassment Policy

Concord University does not tolerate harassment, including sexual harassment, in the work place, or of members of the University community, and wants to provide an environment free from any form of harassment. Harassment is defined as any form of conduct that would be offensive, intimidating, or threatening to the average person and is done on the basis of religion, gender, age, sexual preference or orientation, handicap, familial status, or because of the recipient's relationship with person(s) of protected class status. Harassment may be of a sexual, racial, or more general nature. The Concord University Board of Governor's has adopted a sexual harassment policy which outlines a reporting and investigation procedure. For more information see the current Sexual Harassment Policy in the Human Resources Office or the Board of Governors list of policies on the University website (Policy No. 37).

Drug-Free/Alcohol-Free/Smoke-Free Workplace

To use, possess and/or distribute non-prescribed drugs and narcotics on the University property or at University sponsored activities on- or off-campus is strictly prohibited. Possession of drug paraphernalia such as bongos, pipes, clips, rolling paper, etc., is also strictly prohibited. Employees in violation shall be subject to disciplinary action or termination.

Possession of open containers of alcohol is strictly prohibited in any institutional buildings unless for a function approved pursuant to the University Board policy No. 23 regarding alcoholic beverages on campus. Employee use of alcohol during University work hours or evidence of intoxication during scheduled work hours will result in disciplinary action or termination pursuant to University Board policy No. 49

By order of the Mercer County Health Department, ALL University buildings are smoke-free. Smoking of tobacco, except in designated areas, is prohibited. Smoking within 25 feet of building entrances is prohibited. Cigarette ashes and cigarette remains should be placed only in designated receptacles. Tobacco products such as snuff and dip are prohibited in all buildings.

For more information, please see the Drug-Free Workplace policy on file in the Human Resources Office.

Hazardous Materials

A Material Safety Data Sheet is to be maintained in the workplace for any hazardous material present. Employees are encouraged to review those safety sheets. Employees who are concerned about materials which they believe may be hazardous, but which have not been identified as such, should consult with the supervisor before handling the material. If the concern is not satisfied, the employee may contact the Director of the Physical Plant. Safety data sheets are maintained and available for review in the physical plant building for custodial supplies and all other materials. In addition, safety data sheets are available in the Divisions of Fine Arts and Science, Mathematics, & Health in the Fine Arts Building and the Science Hall. Additionally, Concord's Chemical Hygiene Officer is Dr. Franz Frye of the Division of Science, Mathematics, & Health. His telephone number is 384-5157.

PAYROLL

Paychecks

Employees are paid twice a month. An approved WV-11 form must be on file with the office of Human Resources before a payroll request may be processed. The University is required by law to make deductions from paychecks for federal and state income taxes, Social Security, and retirement. If a month has thirty calendar days, payday will be on the 15th and the 30th of the month. If a month has thirty-one days, payday will be on the 16th and the 31st. When a payday falls on a weekend, paychecks will normally be issued the preceding Friday. The employee should immediately notify his/her supervisor if he/she believes there is a problem with his/her paycheck. Any employee hired after July 1, 2002 will have one (1) pay check held in arrears. Therefore, upon initial employment, a new employee would work four weeks prior to receiving their first paycheck. Upon resignation, the employee would be “due” one additional paycheck (the arrears check).

Payroll Processing

Concord University's payroll is processed by the West Virginia State Auditor's office each pay period. Any payroll changes, additions or deletions must be made for a specific pay period at least 7 working days prior to the scheduled date of payment. Any change must be reported either to the University payroll office or the office of Human Resources. The auditor's office uses the 7 working days to process the payroll, handle direct deposits and various payroll deductions.

As of October 31, 2013, all State of West Virginia employees have the option of either being paid via a State of West Virginia Pay Card or through direct deposit. Please contact the Concord's Payroll Office or Human Resources Office to discuss your options and complete the necessary paperwork.

Direct Deposit

Direct Deposit is available to all employees. Applications can be obtained in the Payroll Office, Human Resources Office, or via the internet by logging on to the West Virginia State Auditor's website. Direct Deposit is available for all staff including part time, adjunct, students, hourly employees etc.

The West Virginia State Auditor's office is capable of setting up the direct deposit of paychecks to any bank in the United States.

Changes to your account may be made by obtaining forms from the Payroll Office, Human Resources or via the auditor's website or by phone call to the West Virginia State Auditor's office, Electronic Commerce Division at 304-558-2261.

Pay Increases

Pay increases are usually granted based upon a decision/recommendation by the Board of Governors and the President of Concord University.

Occasionally, mandatory across-the-board pay increases are also granted by the State of West Virginia.

The effective dates of any pay increases are determined by the President and the Board of Governors or by the State Budget Office when a mandatory increase is legislated.

Unless otherwise legislated, all pay increases will be in accordance with the Board of Governors' approved salary policy for classified employees and HEPC rules.

There will be a two-week delay in pay to staff hired after July 1, 2002 because employees hired after that date will have one (1) pay check held in arrears.

Increment Pay

Employees are provided increment pay (payable on July 31 of each year) based upon years of service. The current rate is \$60 for each year of service; however payments do not commence for new hires until three years of service have been accumulated as of June 30. This benefit and the amount are subject to change by action of the WV Legislature.

Deductions from increment pay include the mandatory retirement deduction and FICA and Medicare as well as applicable federal and state income taxes.

BENEFITS

Concord University Employee Benefit Plan

Concord University provides benefits-eligible employees (full-time employee who is over .52 FTE or an hourly employee who works over 1040 hours per year) an opportunity to participate in a comprehensive package of benefits. Participation in Concord's employer-sponsored retirement plan through TIAA-CREF or Great West is mandatory. Other benefits are optional. Employees will learn more about each of these plans at the new employee benefits session. All plans, programs, benefits, services, and other provisions are subject to review and change. Contact the Office of Human Resources for benefit questions/information.

Health Insurance Programs

West Virginia Public Employees Insurance Agency (PEIA) offers hospital, surgical, major medical, prescription, and other medical care coverage. Employees pay a portion of the premium cost. The plan also includes \$10,000 term life insurance for the employee. Additional term life insurance may be purchased at the employee's option. See the Human Resources Office for eligibility. New employees have 30 days from the starting date of their benefits-eligible position to enroll for coverage with an effective date the first day of the following month. New enrollees may be subject to preexisting condition limitations. Premiums for the health and life plans are pre-taxed (no federal or WV state tax or social security are deducted from the premiums) under Section 125 of the IRS Code. Guidelines allow existing employees to enroll during the open enrollment period of each year. If a family status change occurs, employees should contact the Office of Human Resources; otherwise, employees may make changes only during open enrollment each year for health coverage. All hospital admissions must be pre-certified by the employee or his/her doctor. A separate deductible must be met for prescription drugs, which are paid at various percentages. Life insurance coverage can only be changed with a statement of health approved by the life insurance carrier.

Questions about health coverage should be directed to the Office of Human Resources.

Mountaineer Flexible Benefits Plan

Various benefit plans are available on a pre-tax basis. Contact the Office of Human Resources for details. Options include dental, vision and flexible spending accounts. Mountaineer Flexible Benefits provide an opportunity to tax shelter medical expenses, day care expenses and dependent care costs.

Terminating Employee Health Insurance Privileges

Pursuant to PEIA's coverage, a policyholder who resigns from employment will continue their health insurance privileges until the end of the month of resignation. If the employee is terminated from employment involuntarily or through a reduction of work force they may continue coverage for three additional months after the end of the month in which employment ends. The employer must continue to pay the employer's share of the premium during these three months. The policyholder will be responsible for paying the employee's share of the premium during these three months.

If an employee is discharged for misconduct and chooses to contest the charge, he or she may extend coverage for up to 3 months while available administrative remedies are pursued. If the discharge is upheld, the former employee must reimburse the employer's share of the premium cost for the extended coverage to the former employer.

On April 7, 1987, federal law adopted the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA mandates employers to offer continuation of group health insurance to employees and dependents who are scheduled to lose coverage. Health coverage may be continued under COBRA, but the separated employee will be responsible for the entire premium. In the case of employee terminations, the law requires the employer to notify the plan administrator within 30 days after the employee's termination of employment.

Retirement Programs

Participation by benefits-eligible employees in a tax-sheltered retirement program is required by West Virginia State law. Presently, there are two such programs available to Concord University benefits-eligible employees. See the Office of Human Resources for information about each. Employees must contribute six percent of their gross pay. Concord University matches the employee's contribution with an equal amount or as per state guidelines.

Supplemental Retirement Plans

In addition to the basic retirement plan, employees have the option of tax sheltering additional money through a supplemental retirement plan, but Concord University does not contribute to such plans. Annual maximum contribution limits are determined by IRS guidelines.

Life Insurance

The health plan under PEIA includes \$10,000 term life insurance (premiums paid by employer) with an accidental death and dismemberment benefit. Employees not needing coverage under the health plan may elect basic life insurance only which is the \$10,000 term life. Additional life insurance may be purchased by the employee for a monthly premium based on age and the principal sum selection up to \$500,000. Dependent life insurance may also be purchased. Enrollments under both options are subject to a statement of health 30 days after initial employment. Coverage over \$100,000 requires approval of a statement of health by the employee from the life underwriter.

Pursuant to the details set forth in PEIA's Summary Plan Description, when employment ends, you may convert all or part of the life insurance coverage into an individual policy. Dependents who lose eligibility for life insurance coverage may convert optional dependent life insurance to an individual policy. This provision does not apply to retired employees or their dependents.

You must submit an application and remit the first premium within 31 days after the termination of the life insurance coverage. Coverage under the individual policy will become effective the day after the group life insurance coverage ends. Premiums for individual policies are generally higher than rates for a group plan.

Disability Insurance

The long-term disability insurance is a long-term disability plan providing a non-taxable monthly income to age 65 in the event of total disability. The income benefit is based upon the employee's base salary and begins after six months of total disability. The monthly income benefit, which includes any income payable from employee sick leave, Social Security, Workers Compensation, and any disability benefit payable under any insurance or retirement plan sponsored by Concord University, is equal to 60 percent (60%) of the monthly salary to a maximum of \$10,000. The minimum monthly benefit under this plan is \$100. The employee's first month of full-time employment is their eligibility period. The premium is based on the base salary and the age of the employee. All premium payments are the responsibility of the employee. Employees enrolling for the disability income benefit are also included under the "Annuity Benefit" provision of the plan. The annuity benefit provides for the monthly payment of 12 percent of the employee's salary into a TIAA/CREF Annuity in addition to the disability income payments.

Employees are offered an option of obtaining coverage through Mountaineer Flexible Benefits during open-enrollment each year. There are two disability plans – Standard and Mountaineer Flexible – which vary with the coverages offered. Short-term disability is offered only through Mountaineer Flexible.

All leave must be exhausted before drawing disability benefits.

Social Security/Medicare

All employees must contribute to Social Security and Medicare. Social Security and Medicare contribution amounts are set by the federal government. The employee's contributions are matched by the University.

Unemployment Compensation

Wages at Concord University are reported quarterly to the West Virginia Department of Employment Security. Any employee who is separated from Concord University may be eligible for unemployment benefits. See the posted information outside the Human Resources office for more information. For additional information about this program, contact the local Job Service Office/Office of Employment Security.

Workers' Compensation

Employees of Concord University are covered against job-related injuries by BrickStreet Insurance to which Concord University pays premiums for all employees. If an employee is injured on the job, he/she must report the injury to his/her supervisor within twenty-four (24) hours. All accidents must be reported on a Concord University Accident Report Form. The employee should secure a WC-1 Form from the medical provider and should be submitted to Brick Street. On-the-job injuries or occupational illnesses that involve no more than three days of disability leave or absence from work will not be charged against the employee's accumulated sick leave. If on-the-job injuries or illnesses require a medical leave beyond the three-day period, the employee must use either of the following options:

1. Receive earned and accumulated sick leave benefits until exhausted and forfeit any benefits relating to wages or lost time determined to be due under the West Virginia Workers' Compensation Laws

Or

2. Request leave of absence without pay, reserving for future use any earned and accumulated sick and annual leave, and receive only workers' compensation benefits for which he/she is determined eligible. Employees are prohibited from receiving both their current salary and workers' compensation payments for lost wages.

Medical and prescription payments will continue to be covered by workers' compensation.

Identification Cards

A University I.D. card is issued to each full- and part-time employee and also temporary and contracted service employees by the Student Center Main Desk. Within the University, an employee may be required to present his/her identification card when requested by a University official or when accessing University owned facilities and/or services. Upon resignation or retirement from the University, the employee must return the card to the Student Center Main Desk or his/her supervisor. For information call ext. 5246.

The first card issued is free. There will be a \$25.00 charge for replacement cards, subject to change.

Misuse of Computing and Telecommunications Resources

Computing and telecommunications resources include, but are not limited to:

- The Concord University Office of Technology Services' systems, including hardware equipment, data, and programs;
- The Concord University campus network;
- The Concord University telecommunications and telephone systems;
- Concord University-owned software and printers.

These resources are for authorized administrative and academic purposes only and employees are required to comply with the technology policies. The Concord University Acceptable Use Policy may be viewed at http://www.concord.edu/userfiles/files/technology/policies/acceptable_use.pdf. As stated in the Concord University Acceptable Use Policy, responsible University personnel monitor and have access to the system. Additionally, employees are required to comply with the West Virginia Ethics Code and are not allowed to use Concord computing and telecommunications equipment for personal use or private gain. Telephones are only for University-related business. Long distance personal calls should be made during a break or lunch and should be made with a personal cell phone, a personal calling card, or billed to one's home telephone number. Costs incurred by the institution as the result of unauthorized or misuse of University property will be recovered from the responsible employee.

LEAVE

Annual Leave

All full-time regular employees in classified positions shall be eligible for annual leave with pay on the following basis:

Less than 5 years service	1 .25 days accrual per month
5-10 years service	1.50 days accrual per month
10-15 years service	1 .75 days accrual per month
15 or more years service	2.00 days accrual per month

Employees may view their accumulated annual leave at www.concord.edu/leavelookup . Your MyCU username and password are required.

Note: Employees working between 1,040 hours and 1,950 hours over at least nine months of a twelve-month period shall accumulate annual leave on a prorated basis. Employees working less than 1040 hours do not accrue leave.

Accumulation Limits

Accumulated annual leave for continuing employees may not exceed twice the amount earned in any twelve-month period. An employee is entitled to compensation for accumulated leave at termination of service, but in no case may this exceed twice that amount earned in any twelve-month period.

Crediting Years of Service

An annual appointment period of nine months or more shall be prorated based on FTE.

Scheduling and Use of Annual Leave

Annual leave must be approved in advance by the supervisor. Annual leave shall be arranged to fit operating schedules; however, consideration shall be given to an employee's request. Vacation schedules will be considered on a first-come basis. Seniority may be considered by the supervisor when two or more employees are asking off for the same time. Scheduling and use of annual leave shall not affect the operation of the office. Specifically, Series 38, Section 4.2 states: When operationally possible, the supervisor shall grant earned annual leave at the convenience of the employee. However, departmental needs must be met, and annual leave may not be taken without prior request and approval of the employee's supervisor.

An employee may not take leave before it is earned.

Transfer of Annual Leave

Per Series 38, Section 2.7, up to fifteen (15) days of accumulated annual leave may be transferred with an employee from other agencies of the West Virginia State Government to Concord University. Certification of the balance which existed with the previous employing agency must accompany the request for transfer of annual leave by the employee. The Human Resources Office is responsible for certifying leave balances when employees transfer to Concord University from other agencies or when they accept employment with other approved state agencies. A request for transfer must be made within one (1) year from the last day of employment with the other agency or institution.

Unused Annual Leave

In the event of an employee's death, accumulated annual leave will be paid to the employee's estate.

Lump Sum Payment Option for Unused Annual Leave

Upon termination of active employment through resignation, retirement, or otherwise, an employee may opt to be paid a lump sum amount of accrued and unused annual leave or to remain on payroll until such accrual is exhausted. Determination of the annual leave entitlement shall exclude weekends, holidays or other periods of normal, non-countable time. (Refer to accumulation table.) If the payment is made in a lump sum, there will not be a retirement deduction. If leave is taken over several pay periods, the retirement deduction is required and health insurance benefits may continue during that period with the employee paying for his or her portion of the premium.

Sick Leave

Sick leave may be used by an employee who is ill, injured or when a member of the immediate family is seriously ill as defined by the treating physician or when a death occurs in the immediate family. For the purpose of administering this leave policy, the immediate family is defined as: father, mother, son, daughter, brother, sister, husband or wife, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered to be members of the household and living under the same roof. Sick leave may also be used for employee medical appointments which are approved in advance by the supervisor.

Accumulation of Sick Leave

Accumulation of sick leave is unlimited. Full-time regular employees accrue 1.5 days of sick leave per month of active employment. Employees working between 1,040 hours and 1,950 hours over at least nine months of a twelve-month period shall accumulate sick leave on a prorated basis. Employees working less than 1040 hours do not accrue sick leave. Employees may view their accumulated sick leave at www.concord.edu/leavelookup. Your MyCU username and password are required.

Transfer of Sick Leave

Accumulated sick leave may be transferred with an employee from other agencies of West Virginia State Government to Concord University. Certification of the employee's sick leave balance which existed at the state agency must accompany the request for transfer and bear the signature of an officer of that agency. The Human Resources Office is responsible for certifying leave balances when employees transfer to Concord University from other agencies or when they accept employment with other approved state agencies. A request for transfer must be made within one (1) year from the last day of employment with the other agency or institution.

Sick Leave Conversion Upon Retirement

Upon meeting certain requirements, individuals that were hired prior to July 1, 2001, and are retiring from Concord University may be eligible to apply unused sick leave as a credit toward the premium for the West Virginia Public Employees Insurance Plan. Call the Office of Human Resources for additional information. You may get additional information on PEIA at the following web site:

<http://www.westvirginia.com/peia/> or the PEIA Shoppers Guide, which is provided by PEIA each year prior to and during open enrollment.

Leave Without Pay

A full-time regular employee, upon application in writing and with written approval by the University President, may be granted a continuous leave of absence without pay for a period of time not to exceed one year. Leaves of absence without pay may be granted for medical reasons, personal need, or in compliance with the Parental Leave Act or the Family Medical Leave Act.

The President, at his or her discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay and shall determine if the purpose for which such leave is requested is proper and within sound administrative policy.

Failure of the employee to report promptly at the expiration of an approved leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by the institution.

Medical Leave Verification

Medical leave verification/assessment is a signed statement from the treating health care provider to validate the illness or other cause for which, sick leave or medical leave of absence may be granted. The health care provider signing the assessment must be current and appropriately licensed.

Instances where medical verification will be needed from your health care provider:

- To validate a sick leave absence of more than five consecutive days under the terms of the sick leave policy.
- Returning to work following a medical leave of absence.
- If requested of the employee by the supervisor following an established pattern of sick leave absence, regardless of duration.
- Applying for and sustaining catastrophic leave eligibility.
- Applying for and sustaining a medical leave of absence.
- Assuring continued access to benefit coverage while on medical leave of absence.
- To confirm ADA disability.

It is the employee's responsibility to pursue and obtain the necessary medical documentation from the treating health care provider, and present to the University in a timely manner.

Incomplete, unacceptable, or untimely medical information may result in:

- Prohibition to charge time absent from work to accrued sick leave.
- Prohibition to return to work if one's capacity to perform essential duties is in question.
- Ineligibility for catastrophic leave.
- Disallowed or discontinued medical leave of absence.
- Discontinuation of benefit access.
- Disciplinary action, up to and including termination of one's employment with Concord University.

Higher Education Employees Catastrophic Leave Program

(WV Code, Section 18B-9-10, effective June 5, 1992)

A classified employee experiencing a catastrophic illness or injury as defined by the West Virginia Code and Concord University policy may request approval to receive paid leave time donated by other employees. Within established limits, employees may voluntarily donate accumulated sick or annual leave directly to an approved recipient. For information, contact the Office of Human Resources.

Funeral Leave

Pursuant to Section 5.3 of HEPC Series 38, when a death occurs in the immediate family, a reasonable amount of time may be negotiated with the supervisor and charged to accrued sick leave as required for the employee to arrange for and attend the funeral and related services, including travel time. For the purpose of administering this leave policy, the immediate family is defined as: parent, child, grandparent, grandchild, brother, sister, husband, wife, step-parent, step-child, brother-in-law, sister-in-law, or others considered to be members of the household and living under the same roof. Annual leave may be requested to attend to the affairs of the estate.

Red Cross Leave (according to State Code)

An employee who is a certified disaster service volunteer of the American Red Cross may be granted, with the supervisor's approval, leave with pay for up to 15 work days per year to participate in relief services for the Red Cross.

Grievance, Witness, and Jury Leave

Employees who are subpoenaed or directed to serve as jurors, or appear as witnesses for proceedings of the Federal Government, the State of West Virginia, or a political subdivision thereof, shall be entitled to work release time for such duty and for such period of required absence which overlaps regularly scheduled work time. Employees are entitled to release time with pay for the required period of absence during the regularly scheduled work time including reasonable travel time. Official documentation verifying attendance in a court is required for each day missed and must be provided to the Human Resources Office.

When attendance in a grievance or in court is in connection with usual official duties, under subpoena, or as directed by the Supervisor, time required, including reasonable travel time, shall not be considered as absence from duty. Likewise, time spent by Concord University employees as hearing officers, hearing committee members, advocates and parties or witnesses in a grievance hearing is considered legitimate work time if it occurs during their normally scheduled work hours, and is part of a service to Concord University.

Appearing as a witness, without a subpoena, at the request of a fellow employee, requires the permission of the supervisor. Appropriate leave time must be used.

An employee who is scheduled to work prior to the court or hearing start time shall initially report to work, travel time permitting. An employee who is excused from court/hearing prior to the end of the scheduled workday shall immediately report to work for the remainder of the workday.

This policy does not apply to employees who are called to testify as expert or consulting witnesses and who are paid for their witness services. Further, this policy does not apply to employees involved as parties to a personal lawsuit.

Military Leave

Staff called to active military duty from employment by Concord University must confirm the military call by providing his/her immediate supervisor with verification of military orders. Once on active military duty, the staff member should notify his/her immediate supervisor and the Concord University Human Relations Office of the expected date of return to Concord University employ. If the term of military duty will or does exceed five (5) contiguous years, Concord University may not be required to offer reemployment under the terms of this policy. Concord University may decline to re-employ a staff member returning from military call-up if that person's separation from military duty is the result of dishonorable discharge.

Concord University will return a staff member to the same job position, should that job remain in force at the time of return. In the event the job has been discontinued or it has been necessary to fill the position permanently, every effort will be made to place the staff member in a job of equivalent pay grade and job description. The staff member will be returned to the seniority level and annual/sick leave levels at the time of call-up. Should the staff member choose not to return to Concord University employ upon his/her return to civilian status, he/she will be afforded all separation rights due an employee who voluntarily resigns a staff position. The date of such separation shall be the date of the military call-up.

Should the staff member return to Concord University employ, the University will reinstate that employee at the base salary level in force at the time of military call-up, plus any across-the-board salary adjustments made during the employee's term of military service.

A staff member called to military duty from employment at Concord University may appeal a job assignment made upon his/her return to Concord University, should he/she disagree with the terms and conditions of re-employment. Such appeal should be directed, in writing, to the President or his/her designee. If the President's decision is unacceptable, appeal should be directed to the grievance system in force at the time of appeal.

Full-time staff may take up to 26 weeks of unpaid leave in a 12-month period to care for immediate family member(s) who incur serious injury or illness as a result of active military service. The service member must be undergoing medical treatment, recuperation, or therapy, outpatient status, or be on a current, official military temporary disability retirement list for a serious injury or illness.

Full-time staff may take up to 12 weeks of unpaid leave in a 12-month period because of a qualifying exigency arising from an immediate family member being called to active military duty. The qualifying exigency must meet the current, listed requirement(s) of the U. S. Department of Labor under the Family and Medical Leave Act. Please see the Concord University BOG Policy No. 44.

Declared Emergency

At the discretion of the President of Concord University, or designee, in consultation with local or state public safety officials, University operations may be shut down in total or in part because of any circumstance which threatens the health or safety of employees and/or students, such as inclement weather and facility shutdowns. The President will later declare when emergency conditions no longer exist.

Full-time regular classified employees are eligible for regular pay for work time lost because of a declared emergency. Work time lost will be considered regular work time for pay purposes and will not require time charged to accrued leave nor will there be a requirement that the time be made up.

When operational needs require a non-exempt, regular classified employee to work during a University declared emergency period, in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off or pay at the rate of time and one-half for the actual hours worked during the University-declared emergency period. Exempt employees required to work during a University-declared emergency period will receive hour-for-hour substitute time off.

Absence Due to Inclement Weather

Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, or the employee must be removed from the payroll in question. Sick leave may not be charged for absence due to weather.

Emergency Leave

Emergency leave of up to five days within any fiscal year, with pay, may be granted by the President of Concord University in the event of extreme misfortune to the employee or his/her immediate family, provided that all accrued annual leave has been exhausted.

Family and Medical Leave Act of 1993

The FMLA allows an employee to request up to twelve (12) weeks per year, of unpaid leave. An employee must contact the Human Resources Office to make a request, complete necessary paperwork, and to determine their leave available under FMLA. All sick leave does not have to be exhausted to request coverage under the FMLA. Concord University calculates the year for use of an employee's twelve weeks of FMLA time in the rolling backward method. Please contact the Office of Human Resources for more information.

Under the "rolling" method, the employer looks back over the last 12 months, adds up all the FMLA time the employee has used during the previous 12 months and subtracts that total from the employee's 12-week leave allotment. Therefore, when calculating an employee's available FMLA leave, the employee's remaining available balance is 12 weeks minus whatever portion of FMLA leave the employee used during the 12 months preceding that day.

HOLIDAYS

There are thirteen (13) paid holidays each fiscal year. Holidays shall include: Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, and Dr. Martin Luther King's Birthday. The remaining holidays are designated at the discretion of the President each year. If a recognized holiday occurs on a Saturday, the University may observe it officially on the preceding Friday. If a recognized holiday occurs on a Sunday, the University may observe it officially on the following Monday.

When operational needs require a full-time or part-time *non-exempt* classified employee to work on any of the observed University holidays, in addition to his/her regular pay, the employee will receive compensation in either Compensatory Time Off or pay at the rate of time and one-half for actual hours worked on the holiday.

When operational needs require an *exempt* employee to work on any of the observed University holidays, the employee will receive substitute time off on an hour-for-hour worked basis. These employees must be required to work. They simply cannot choose to work.

If an observed holiday occurs on an employee's scheduled day off, an extra day off in lieu of the holiday shall be granted. When an observed holiday occurs during an employee's scheduled annual leave, the day will not be charged to annual leave.

In accordance with the law, the University will consider granting reasonable time off to employees who may observe religious holidays not included on the list of University observed holidays, as long as this causes no undue operational problems and hardships within the department. Such time off requires prior supervisory approval and will be charged to accrued annual leave or compensatory time off.

Please contact the Office of Human Resources if you need additional information concerning leave policies.

EMPLOYEE EDUCATION

Employee Education Policy

The University encourages career development and self-improvement. If eligible, classified employees may be allowed time-off during work hours to attend up to one (1) academic course, provided the absence will not interfere with the unit's operation and is approved by the organizational unit administrator. The time for this one (1) course does not need to be made up.

Only full-time regular employees are eligible for time-off or adjusted schedules to attend classes. Employees must first be admitted to Concord University through normal admissions procedures. This applies to those pursuing both undergraduate and/or graduate level studies. An employee must have completed at least six calendar months prior to the beginning of the semester in which he/she seeks admission in order to be granted educational release time.

Classified employees must have completed the probationary period.

Coursework may be taken on a tuition waiver basis at the University or any other West Virginia public university. The Financial Aid Office coordinates information about and processing of tuition waivers.

Before the semester in which classes are to be taken, the employee is required to provide her/his supervisor a written request for release time. Forms are available in the Human Resources Office. The supervisor will then approve or disapprove the release and provide the employee with a written statement of the decision. Copies of this agreement must be endorsed by the major administrator and filed in the employee's personnel file. After the first course, the time away from work will be made up during the same week, when feasible. An adjusted schedule may also be approved for the semester. For classified employees, 37.5 hours must be worked each week.

During emergencies or overtime situations, the employee must work as assigned by the supervisor even if release time had been previously granted, or a mutually agreed upon resolution may occur.

Staff Development

Employees are encouraged to utilize University educational opportunities for career development and self-improvement. Staff development could include degree courses, vocational education for the physical plant employees, and off-campus seminars and conferences. The total annual amount allocated for staff development is \$20,000. If these funds are not expended in a fiscal year, the amount is forfeited. These funds can also be used to attend on-campus seminars and classes at Concord University. Please see the Staff Development procedures at http://www.concord.edu/userfiles/files/faculty-staff/Staff_Development_Procedures_09-2013.pdf or contact the Office of Human Resources for more details on this program. The Financial Aid Office provides a limited number of tuition and fee waivers to employees should the need arise and the employee meets eligibility requirements. Employees serving their 6-month probationary period are not eligible to apply for any form of staff development assistance.

An employee, at the discretion of his/her immediate supervisor, based on operational need, may receive time off during scheduled work hours for the purpose of attending a class, workshop or seminar. Work release time is subject to the prior approval of the employee's immediate supervisor and cabinet officer.

Employees may have the total cost or a portion of the cost of classes, workshops, seminars, etc. paid by Staff Development funds. Occasional in-service training may be required. If such training is REQUIRED, staff development or departmental budget funds must be made available to the employee.

Funds will be made available on a first-come, first-serve basis until exhausted. A staff development committee, which is part of the Human Resources Advisory Council, will make all decisions relating to the requests.

Contact the Office of Human Resources for a form or to receive additional information.

Staff Development Committee

The purpose of the Human Resources Advisory Council's Staff Development Committee is to oversee the money provided to staff for training and development. The Committee is comprised of two classified and two non-classified employees and the Human Resources Representative Senior. Requests for staff development funds should be made in writing to the Director of Human Resources, who will contact the members for their decision on the request. Records of the disbursement of these funds shall be kept in the Human Resources Office.

ADDITIONAL PROGRAMS AND PRIVILEGES

Library Privileges

Employees may use library facilities, collections, and information services. Contact the Marsh Library for details of staff library privileges.

Athletic Events

Full-time employees are eligible for a free athletic pass upon request by the employee. This pass is issued by the Concord University Athletic Department. (ext. 5247)

University Bookstore

The bookstore may offer a discount on a select line of trade books, textbooks, school supplies, office supplies, clothing, imprinted items, and miscellaneous items. The bookstore is located in the Student Center.

Parking

For current information on parking, please contact the Office of Public Safety at ext. 5357. All employees must have a valid parking permit on their vehicles each year. There is an annual fee usually payable in August for the parking permit.

Use of Athletic Facilities

Staff members are permitted to utilize the various athletic facilities with prior permission from the athletic department. Activities such as the fitness center, weight room, basketball courts, tennis courts and the swimming pool are open for staff provided permission has been obtained. Staff members are required to show their Concord staff identification card to the Fitness Center Desk when using that facility.

Campus Mail

Upon initial employment, a post office box or a department box is assigned to new staff in order that internal printed information may be received and mailed. The campus post office makes two trips daily to the Athens Post Office to receive in-coming mail and to send out-going mail. Hours of operation are 8:00 a.m. till 4:00 p.m. daily during regularly scheduled work days. A lunch break is also incorporated into the daily

scheduled work hours. The post office is located in the Student Center. Outgoing mail should be delivered to the Concord post office before 12:30 p.m. if the employee wants that mail to go out that day.

Communications

The office of Advancement, the Human Resource Office and the Student Center staff provide various and numerous communications on a daily basis relating to campus activities and other pertinent information. Bulletin boards throughout the campus and committee minutes distributed via e-mail, the Concord web site, and through the campus mail are also sources for information.

Cafeteria

The Libby Alvis Dining Hall is located in the Student Center and staff, faculty and students may purchase meals during the cafeteria's scheduled hours of operation. The University also offers the option of purchasing food in the lower level of the Student Center where vendors such as Subway, Starbuck's Coffee, and Wing*Span are located.

EMPLOYEE ORGANIZATIONS

Classified Employee Council

The Classified Employee Council is an advisory council to the President of the University and a means for all classified employees to express their opinions about working conditions, institutional rules, grievances, fringe benefits, employee-employer relations, or other areas that affect their jobs.

The Classified Employee Council was created in state statute, §18B-6-6, and is composed of elected members from the six major occupational categories, as well as members which include the staff representative to the Concord University Board of Governors, and the staff representative to the Advisory Council of Classified Employees.

During the month of April of each odd-numbered year, each president of a state institution of higher education, at the direction of the staff council and in accordance with procedures established by the staff council, shall convene a meeting or otherwise institute a balloting process to elect members of the staff council, except that for two thousand four only, the election shall take place in July. Members are elected as follows:

- (1) Two classified employees from the administrative/managerial sector;
- (2) Two classified employees from the professional/nonteaching sector;
- (3) Two classified employees from the paraprofessional sector;
- (4) Two classified employees from the secretarial/clerical sector;
- (5) Two classified employees from the physical plant/maintenance sector;
- (6) The classified employee who is elected to serve on the advisory council of classified employees serves as an ex officio, voting member of the staff council. This member shall report to the staff council on meetings of the classified council and the board of governors.

Members serve a term of two years, which term begins on the first day of July of each odd-numbered year. Members of the staff council are eligible to succeed themselves.

Classified employees shall select one of their members to serve as chairperson. All classified employees at the institution are eligible to vote for the chairperson by any method approved by a majority of their members. The chairperson is eligible to succeed himself or herself. The staff council shall meet at least monthly or at the call of the chairperson. With appropriate notification to the president of the institution, the chairperson may convene staff council meetings for the purpose of sharing information and discussing issues affecting the classified employees or the efficient and effective operations of the institution. The president of the institution shall meet at least quarterly with the staff council to discuss matters affecting classified employees.

The governing board of the institution shall meet at least annually with the staff council to discuss matters affecting classified employees and the effective and efficient management of the institution.

CLASSIFICATION AND COMPENSATION

Position Classification

The Office of Human Resources is responsible for the assignment of all Concord University classified positions to appropriate job titles and pay grades within the Higher Education Classification System. This system requires that the work performed by employees in classified positions be documented on an official position description form called a Position Information Questionnaire (“PIQ”). The PIQ form must be updated by the appropriate supervisor, signed by the appropriate administrators and submitted to the Office of Human Resources when posting a vacant position or submitting a position for classification review. If significant changes occur in the essential duties or responsibilities of a classified position, it is the responsibility of the supervisor, through established University procedures, to submit the position to the Office of Human Resources for review. All classification decisions are subject to review, audit and possible change by action of the Job Evaluation Committee, a state-wide classification and compensation committee under the supervision of the Higher Education Policy Commission.

Questions regarding position descriptions, position reviews or job evaluation should be directed to the Office of Human Resources.

DISCIPLINARY PROCEDURES

Please see BOG policy 49 on Disciplinary Procedures, which states:

Section 2. PURPOSE

2.1 To establish a progressive disciplinary process to ensure that discipline is fair and consistent and that employees are placed on notice regarding problems with performance and allowed an opportunity to make improvements.

Section 3. DEFINITION

3.1 Disciplinary action consists of progressive steps taken when an employee does not meet the established performance standards and/or commits an offense contrary to the policies of the University. This action should be reasonable, timely, and related to the severity of the offense. Discipline must be reviewed with the Director of Human Resources prior to action.

Section 4. RESPONSIBILITY

4.1 The immediate supervisor and/or the head of the department is responsible for:

4.1.1 documenting the reasons for disciplinary action;

4.1.2 notifying the employee of unsatisfactory performance, preferably in person;

4.1.3 initiating disciplinary action;

4.1.4 meeting with the employee to discuss and establish goals and standards to be achieved; and

4.1.5 documenting an employee's compliance or non-compliance with the established goals and standards.

4.2 In cases of discipline, the supervisor is to recommend the appropriate action with the advice and assistance of the Office of Human Resources.

4.3 The final decision to suspend or terminate any employee for disciplinary reasons rests with the President or his/her designee.

Section 5. TYPES OF ACTIONS

5.1 Except in situations of immediate suspension or dismissal, the following disciplinary procedures should be undertaken sequentially:

5.1.1 Oral Counseling

5.1.1.1 Oral counseling should be initiated for any offenses not addressed in Section 5.2.

5.1.1.2 Documentation memorializing the situation should be kept in the employee's Human Resource personnel file.

- 5.1.1.3 Oral counseling records that are relevant and timely may be used in recommending suspension and/or termination.
- 5.1.2 Written Counseling
- 5.1.2.1 If oral counseling does not correct the situation, a supervisor shall give the employee written counseling.
- 5.1.2.2 When written counseling is issued, and the employee cannot or will not sign, a signature of a witness to the incident is to be obtained.
- 5.1.2.3 Documentation shall be forwarded to the Office of Human Resources to be included in the employee's personnel file.
- 5.1.2.4 A written counseling letter shall remain permanently in the employee's file, but shall remain active for one (1) year after its issuance.
- 5.1.3 Suspension
- 5.1.3.1 A suspension of one (1) to fifteen (15) days may be initiated under the following conditions:
Recurrence of habitual infractions for which the employee has received oral and written counseling; or
An offense addressed in Section 5.2.
- 5.1.4 Discharge/Dismissal
- 5.1.4.1 An employee may be dismissed under the following conditions:
Non-improvement in work performance after proper training and/or discipline by use of oral or written counseling;
Gross violations for which the employee has recently been suspended; and/or
An offense addressed in Section 5.2.
- 5.2 Some infractions may warrant immediate suspension or dismissal, such as:
- (a) Theft of or malicious damage to University property;
 - (b) Gross insubordination, including willful and flagrant disregard of a legitimate order;
 - (c) Improper use or possession of illegal narcotics, consumption or possession of alcoholic beverages, except as allowed at sanctioned University events, or appearing at work under the influence of alcohol or narcotics;
 - (d) Use or possession of firearms, explosives, or any blade over three and a half (3 ½) inches on University property without University authorization;
 - (e) Conviction of a crime that could seriously affect the employee's work performance or the University;
 - (f) Deliberate falsification of employment application or other University records or any violation of the West Virginia Governmental Ethics Act or the Rules of the West Virginia Ethics Commission;
 - (g) Regular, intentional, unauthorized obstruction or disruption of teaching, research, or administration;

- (h) Assault, battery, or physical abuse of persons on University property or at any University authorized function or event;
- (i) Setting unauthorized fires;
- (j) Absence for three consecutive work days without notification or reasonable cause for failure to notify;
- (k) Stealing from fellow employees or others on University property;
- (l) Sexual harassment as defined in Board Policy No. 37 or sexual assault; and/or
- (m) Nothing in this list is intended to nullify the procedural rule of the West Virginia HEPC at Title 133, Series 9, Section 12 regarding dismissal of faculty.

Section 6. SUSPENSION CONFERENCE

6.1 An employee who has been suspended for disciplinary reasons may request a suspension conference. The purpose of this conference is to provide an opportunity for the suspended employee to present any additional information relating to the incident or action under review as follows:

- 6.1.1 A request must be made to the Office of Human Resources for a suspension conference within twenty-four (24) hours from the time the employee was notified in writing of the suspension.
- 6.1.2 The conference will be conducted by the Director of Human Resources within the next three working days. The employee may bring a representative to assist him/her during the conference.
- 6.1.3 Information obtained during the conference will be presented to the President (or designee) for final written decision to uphold, modify, or repeal the recommended suspension.

Section 7. PRE-TERMINATION CONFERENCE

7.1 An employee who has been recommended for termination for disciplinary reasons may request a pre-termination conference. The purpose of this conference is to provide an opportunity for the employee to present any additional information relating to the incident or action under review as follows:

- 7.1.1 A written request must be made to the Office of Human Resources for a pre-termination conference within twenty-four (24) hours from the time the employee was notified in writing of the recommendation.
- 7.1.2 The conference will be conducted by the Director of Human Resources within the next three working days. The employee may bring a representative to assist him/her during the conference.

7.1.3 All information obtained during the conference will be presented to the President (or designee) for a final written decision to uphold, modify, or repeal the recommendation.

GRIEVANCES

Grievances procedures at Concord University are governed by West Virginia State Code 6C-2-1 and the Procedural Rules at 156 CSR 1. A complete copy of this portion of the State Code and the Procedural Rules may be obtained from the Human Resource Office at A325 or by requesting one be sent to you by calling 384-5121. The material that follows is not policy itself but reflects policy as set forth in the West Virginia State Code. While every effort has been made to characterize the State Code accurately, persons contemplating or filing grievances are encouraged to view and read West Virginia State Code section 6C-2-1 and 156 CSR 1 on the web or obtain a paper copy from Human Resources.

PURPOSE

Resolving grievances in a fair, efficient, cost-effective and consistent manner will maintain good employee morale, enhance employee job performance and better serve the citizens of the State of West Virginia.

DEFINITION

“Grievance” means a claim by an employee alleging a violation, a misapplication or a misinterpretation of the statutes, policies, rules or written agreements applicable to the employee including:

- (i) Any violation, misapplication or misinterpretation regarding compensation, hours, terms and conditions of employment, employment status or discrimination;
- (ii) Any discriminatory or otherwise aggrieved application of unwritten policies or practices of his or her employer;
- (iii) Any specifically identified incident of harassment;
- (iv) Any specifically identified incident of favoritism; or
- (v) Any action, policy or practice constituting a substantial detriment to or interference with the effective job performance of the employee or the health and safety of the employee.

GRIEVANCE FORMS

A copy of the standard form for filing a statutory grievance, a copy of West Virginia State Code section 6C-2-1, and a copy of the Procedural Rules in 156 CSR 1 are available on request from Human Resources, A325, Marsh Hall, 304.384-5121. These forms are also available under “Resources” on the Concord University HR web page.

ELIGIBILITY

A statutory grievance may be filed by any employee on either full-time or part-time regular-status appointment. Grievances may be filed by individual employees or by groups of employees similarly situated.

STATEMENT OF GRIEVANCE

The standard grievance form should contain a brief but complete description of the issue involved, the date the alleged incident or violation occurred, references to specific policies alleged to have been misapplied, and the specific relief sought in the grievance. Once a written grievance is filed, its substance cannot be changed as it moves through the appeals process.

GRIEVANCE PREPARATION TIME

The grievant or an employee acting as representative, or both, shall be granted necessary time off during working hours for the grievance procedure without loss of pay and without charge to annual leave or compensatory time accruals. In addition to actual time spent in grievance conferences and hearings, the grievant or the employee representative, or both, shall be granted time off during working hours, not to exceed four hours per grievance, for the preparation of the grievance without loss of pay and without charge to annual leave or compensatory time accruals. However, the first responsibility of any state employee is the work assigned by the appointing authority to the employee. An employee may not allow grievance preparation and representation activities to seriously affect the overall productivity of the employee.

REPRESENTATION IN A GRIEVANCE

A grievant may have the assistance of a fellow employee, employee organization, legal counselor, or other person or persons designated as the grievant's representative. At the request of the grievant, that person or persons may be present at any step of the procedure, as well as at any meeting that is held with the employee for the purpose of discussing or considering disciplinary action.

CONFIDENTIALITY OF GRIEVANCE CONFERENCES AND HEARINGS

All grievance forms decisions, agreements and reports shall be kept in a file separate from the personnel file of the employee and may not become a part of the personnel file, but shall remain confidential except by mutual written agreement of the parties.

DETERMINING DEADLINES

When calculating the number of days to determine deadlines, Saturdays, Sundays, and University holidays are not counted. Also, the day a grievance or appeal is filed, or the

day a hearing ends or a decision is rendered, is not counted as a "day" for computing the days left until the next action must take place.

DEFAULT

(1) The grievant prevails by default if a required response is not made by the employer within the time limits established in this article, unless the employer is prevented from doing so directly as a result of injury, illness or a justified delay not caused by negligence or intent to delay the grievance process.

(2) Within ten days of the default, the grievant may file with the chief administrator (the University President) a written notice of intent to proceed directly to the next level or to enforce the default. If the chief administrator objects to the default, then the chief administrator may, within five days of the filing of the notice of intent, request a hearing before an administrative law judge for the purpose of stating a defense to the default, as permitted by subdivision (1) of this subsection, or showing that the remedy requested by the prevailing grievant is contrary to law or contrary to proper and available remedies. In making a determination regarding the remedy, the administrative law judge shall determine whether the remedy is proper, available and not contrary to law.

(3) If the administrative law judge finds that the employer has a defense to the default as permitted by subdivision (1) of this subsection or that the remedy is contrary to law or not proper or available at law, the administrative law judge may deny the default or modify the remedy to be granted to comply with the law or otherwise make the grievant whole.

EXTENTIONS

The specified time limits may be extended to a date certain by mutual written agreement and shall be extended whenever a grievant is not working because of accident, sickness, death in the immediate family or other cause for which the grievant has approved leave from employment.

CONSOLIDATION OF GRIEVANCES

(1) Grievances may be consolidated at any level by agreement of all parties or at the discretion of the chief administrator or administrative law judge.

(2) Class actions are not permitted. However, a grievance may be filed by one or more employees on behalf of a group of similarly situated employees. Any similarly situated employee shall complete a grievance form stating his or her intent to join the group of similarly situated employees. Only one employee filing a grievance on behalf of similarly situated employees shall be required to participate in the conference or level one hearing.

WITHDRAWAL OF GRIEVANCE

An employee may withdraw a grievance at any time by filing a written notice of withdrawal with the chief administrator or the administrative law judge. The grievance may not be reinstated by the grievant unless reinstatement is granted by the chief administrator or the administrative law judge. If more than one employee is named as a

grievant, the withdrawal of one employee does not prejudice the rights of any other employee named in the grievance.

REPRISALS

No reprisal or retaliation of any kind may be taken by an employer against a grievant or any other participant in a grievance proceeding by reason of his or her participation. Reprisal or retaliation constitutes a grievance and any person held responsible is subject to disciplinary action for insubordination. "Reprisal" means the retaliation of an employer toward a grievant, witness, representative or any other participant in the grievance procedure either for an alleged injury itself or any lawful attempt to redress it.

REMOVAL OF GRIEVANCE RECORD

Human Resource Services is responsible for the creation, maintenance, and storage of a file for each statutory grievance filed. Such files are maintained physically separate from the personnel files of employees. The grievant may file a written request to have the grievant's identity removed from any files kept by the employer one year following the conclusion of the grievance.

RESPONDENT

The respondent in a grievance is the employee or agent of the University from whom relief is sought. Typically it will be the supervisor of the employee filing a grievance, but it may be another individual in the University. References to "supervisor" in the procedural steps below are interpreted to mean the supervisor or other person from who relief is sought.

PROCEDURE

A grievance must be filed within the times specified below:

LEVEL ONE

(1) Within fifteen days following the occurrence of the event upon which the grievance is based, or within fifteen days of the date upon which the event became known to the employee, or within fifteen days of the most recent occurrence of a continuing practice giving rise to a grievance, an employee may file a written grievance with the chief administrator (University President) stating the nature of the grievance and the relief requested and request either a conference or a hearing. The employee shall also file a

copy of the grievance with the board. State government employees shall further file a copy of the grievance with the Director of the Division of Personnel.

(2) Conference. -- The chief administrator shall hold a conference within ten days of receiving the grievance. A conference is a private, informal meeting between the grievant and the chief administrator to discuss the issues raised by the grievance, exchange

information and attempt to resolve the grievance. The chief administrator may permit other employees and witnesses to attend and participate in a conference to reach a resolution. The chief administrator shall issue a written decision within fifteen days of the conference.

(3) Level one hearing. -- The chief administrator shall hold a level one hearing within fifteen days of receiving the grievance. A level one hearing is a recorded proceeding conducted in private in which the grievant is entitled to be heard and to present evidence; the formal rules of evidence and procedure do not apply, but the parties are bound by the rules of privilege recognized by law. The parties may present and cross-examine witnesses and produce documents, but the number of witnesses, motions and other procedural matters may be limited by the chief administrator. The chief administrator shall issue a written decision within fifteen days of the level one hearing.

(4) An employee may proceed directly to level three upon the agreement of the parties or when the grievant has been discharged, suspended without pay or demoted or reclassified resulting in a loss of compensation or benefits. Level one and level two proceedings are waived in these matters.

LEVEL TWO

(1) Within ten days of receiving an adverse written decision at level one, the grievant shall file a written request for mediation, private mediation or private arbitration.

(2) Mediation. -- The board shall schedule the mediation between the parties within twenty days of the request. Mediation shall be conducted by an administrative law judge pursuant to standard mediation practices and board procedures at no cost to the parties. Parties may be represented and shall have the authority to resolve the dispute. The report of the mediation shall be documented in writing within fifteen days. Agreements are binding and enforceable in this state by a writ of mandamus.

(3) Private mediation. -- The parties may agree in writing to retain their choice of a private mediator and share the cost. The mediator shall schedule the mediation within twenty days of the written request and shall follow standard mediation practices and any applicable board procedures. Parties may be represented and shall have the authority to resolve the dispute. The report of the mediation shall be documented in writing within fifteen days. Agreements are binding and enforceable in this state by a writ of mandamus.

(4) Private arbitration. -- The parties may agree, in writing, to retain their choice of a private arbitrator and share the cost. The arbitrator shall schedule the arbitration within

twenty days of the written request and shall follow standard arbitration practices and any applicable board procedures. The arbitrator shall render a decision in writing to all parties, setting forth findings of fact and conclusions of law on the issues submitted within thirty days following the arbitration. An arbitration decision is binding and enforceable in this state by a writ of mandamus. The arbitrator shall inform the board, in writing, of the decision within ten days.

LEVEL THREE

(1) Within ten days of receiving a written report stating that level two was unsuccessful, the grievant may file a written appeal with the employer and the board requesting a level three hearing on the grievance. State government employees shall further file a copy of the grievance with the Director of the Division of Personnel.

(2) The administrative law judge shall conduct all proceedings in an impartial manner and shall ensure that all parties are accorded procedural and substantive due process.

(3) The administrative law judge shall schedule the level three hearing and any other proceedings or deadlines within a reasonable time in consultation with the parties. The location of the hearing and whether the hearing is to be made public are at the discretion of the administrative law judge.

(4) The administrative law judge may issue subpoenas for witnesses, limit witnesses, administer oaths and exercise other powers granted by rule or law.

(5) Within thirty days following the hearing or the receipt of the proposed findings of fact and conclusions of law, the administrative law judge shall render a decision in writing to all parties setting forth findings of fact and conclusions of law on the issues submitted.

(6) The administrative law judge may make a determination of bad faith and, in extreme instances, allocate the cost of the hearing to the party found to be acting in bad faith. The allocation of costs shall be based on the relative ability of the party to pay the costs.

RECORDINGS, TRANSCRIPTS, AND EXHIBITS

Conferences are not required to be recorded, but all documents admitted and the decision, agreement or report become part of the record. All the testimony at a level one and level three hearing shall be recorded by mechanical means and a copy of the recording provided to any party upon request. The board is responsible for paying for and promptly providing a certified transcript of a level three hearing to the court for a mandamus or appellate proceeding.

PERFORMANCE APPRAISAL

Classified employees will have a job performance evaluation during the probationary period and at least once annually thereafter. A performance appraisal will be conducted by the employee's immediate supervisor, and may be shared with the next level supervisor, the administrative area Cabinet Officer, the President and the Human Resources Officer. Otherwise, the evaluation will be kept confidential except as required by law or policy. The appraisal interview with the employee will be accomplished for the purpose of clarifying job understanding and expectations, improved performance, improved communications, performance counseling, goal setting and development. Annual performance appraisals will be done institution-wide by Oct. 1 of each year.

The Office of Human Resources will be responsible for maintaining original signed copies of performance appraisals for all classified employees as part of the employees' personnel file. For additional information or to obtain a signed copy of your performance appraisal contact the Office of Human Resources at ext. 5121.

TERMINATIONS

Voluntary Termination

When an employee is planning to resign from his/her position he/she is expected to give his/her supervisor a minimum of two (2) weeks advance notice in writing. In order for an employee to leave with a record in good standing with the University he/she must: (1) provide advance notice of his/her resignation, (2) return all University property such as keys, equipment, IDs, uniforms, documents, etc., and (3) settle any monetary or other obligations with the University.

Automatic Termination

Absence from work for three consecutive workdays without proper notice, explanation and/or authorization shall be deemed gross misconduct and neglect of duty, and the employee's University employment will be terminated.

Reduction in Force

In the event a full-time regular classified position is eliminated because of lack of funds or work, the University will comply with the requirements of WV Code 18B-7-1 and any existing Board of Governor's policy.

The elimination of any full-time regular classified position requires the prior written approval of the President.

Consultation with the Concord University Office of Human Resources for proper layoff management is required prior to notification of layoff to any full-time regular classified employee. Detailed information as it relates to a reduction in force may be obtained at <http://www.concord.edu/administration/board-governors/policies/classified-employee-bumpinglayoff-policy>, which is Board of Governors Policy No. 7.

WHERE TO OBTAIN INFORMATION

Copies of policies, rules, and laws cited in this handbook are available in the Office of Human Resources. The telephone number for the Office of Human Resources is 304-384-5121. It is located at Marsh Hall A332 and A325.

HISTORY

Since 1872, Concord University has established a distinguished legacy of a quality education for many generations of families.

“All our past acclaims our future,” wrote the English poet Algernon Charles Swinburne, who was born in 1837, the same year as Mercer County, the home of Concord University, was formed in old Virginia.

In the 1840’s, to attract settlers, Colonel Henderson French established a land company in Mercer County. The early settlers felt the need for a church, and, in 1858, Colonel French gave land for this purpose. Captain William Holroyd, a licensed Methodist preacher, helped build the church, and French asked Holroyd’s wife, Sarah, to name it. On the day of dedication, she said: “This church is where all denominations shall worship together in harmony, sweet fellowship and concord, and it shall be named ‘Concord Church.’ ” The settlement also was called “Concord Church.” A post office was established after the Civil War, and the University got its name when, on February 28, 1872, the West Virginia Legislature passed “an Act to locate a Branch State Normal School, in Concord Church, in the County of Mercer.”

But land and a building were needed, and no State funds were appropriated. Five families-The Fannings, Frenches, Holroyds, Martins, and Vermillions-principally were responsible for meeting the challenge and getting the school established. Classes started on May 10, 1875, with 70 students. Captain James Harvey French was the first principal, and he served until his death in 1891.

Eventually, State appropriations for a new brick building were secured; the building was completed in 1887 on the site of the present Athens Middle School, and an additional appropriation in 1895 enabled it to be considerably enlarged.

In 1896, due to confusion with another West Virginia post office in Hampshire County called “Concord,” the name of the town was changed to “Athens,” an obvious choice of the old Greek city for a community that was a center of learning. But the school kept “Concord” as its name.

A tragic fire destroyed the handsome school building in November of 1910. The campus was moved to its present site, and a new building was completed in 1912 (Old Main) that currently is known as Marsh Hall.

Although firmly established, the essential character of the institution changed little during its first half century. It was small, rural, and isolated. Much instruction was only at the secondary level, and the two-year “standard normal” diplomas exceeded baccalaureate degrees through 1936. Until 1922, the only building on the present campus was “Old Main.”

During the administration of Dr. C.C. Rossey (1918-1924), residence halls for women (the former McComas Hall) and men (Holroyd), and a gymnasium were built. Also, the academic program was upgraded considerably.

Since 1929, except for the ill-fated “merger” with Bluefield State College (1973-1976), Concord has experienced outstanding growth in enrollment, physical plant, curriculum and the quality of its faculty.

The administration of Dr. J. Frank Marsh (1929-1945) brought the University full national accreditation in 1931; also the institution changed its name twice, from “Concord State Normal School” to “Concord State Teachers College” in 1931, to “Concord College” in 1943, and to “Concord University” in 2004. The “standard normal” program was abolished in 1936. Marsh also greatly expanded the physical plant: an addition to the gymnasium; a President’s House and five faculty homes; a swimming pool; additional residence halls for women (Sarvay) and men (White); a library (named for Marsh); and, a home management demonstration house.

The new President’s House (1932) was built on State property (probably illegally!) with borrowed funds; Marsh personally paid monthly rent for most of the thirteen years he and his family occupied the home until the debt was satisfied. The president’s wife, Florence, enjoyed entertaining, and hardly a week passed without a dinner, a formal reception or a small party for faculty and students, state officials, guest lecturers and artists and friends. During the 1930’s, overnight guests included Lowell Thomas, Amelia Earhart, Will Durant, Carl Sandburg and Metropolitan Opera stars Susanne Fisher and Muriel Dickson.

During her bachelor son’s presidency (1959-1973), Mrs. Marsh once again was hostess and presided over numerous social functions in the official residence. At the end of her son’s presidency, still active at 79, she had served for 30 years as Concord’s “first lady.”

During WWII, the University experienced campus-wide change of demographics as young men went off to war, to leave a student population composed mainly of young ladies, until 1943. That year, the University housed the U.S. Army Air Corp’s 15th College Training Detachment. The program, which lasted throughout the war, brought classes of young soldiers in to train them as Army Pilots. They received both military and college credit training during their time here. The cadets, even after they left Athens, left their impression on the townspeople. In 1993, a special reunion was held of all known 15th C.T.D. Cadets. This extraordinary group of gentlemen composes an honored part of Concord’s Alumni Association even today.

During Virgil Stewart’s administration (1945-1959), the University experienced postwar growth in enrollment and physical plant. The Science Hall was built, a small temporary music building was erected, housing units for married students were constructed, and a new athletic field was developed.

Dr. Joseph F. Marsh Jr., son of the former president, served as president from 1959 to

1973. Additions to the campus during his administration were: the College Center (Student Center); new residence halls (Wilson, Wooddell and Twin Towers); additional married student housing; additions to the administration building; The Alexander Fine Arts Center; Witherspoon Park (faculty housing); The Leslie R. and Ruby Webb Carter Center (health and physical education); Callaghan Stadium; and the Maintenance Building. Also, the younger Marsh continued the expansion of the curriculum, emphasized quality and recruited a cosmopolitan faculty.

In 1973, the West Virginia Board of Regents had a bill introduced in the Legislature to merge Concord and Bluefield State colleges, which caused an uproar. All constituencies of Concord opposed the proposal. Although the bill failed even to get out of committee and died, the Regents pressed the matter after the Legislature adjourned and preceded with an “administrative” merger. Since Marsh opposed the merger, he was fired and became president of a college in Pennsylvania. Dr. Billy L. Coffindaffer was appointed president of both Concord and Bluefield State, but after only two years of turmoil the Regents concluded (as Marsh had testified before the Senate Education Committee) that the arrangement would not work, announced that a return to separate administrations would take place in 1976; Dr. James Rowley was acting president during the interim.

With the administrative merger abolished, Concord enthusiastically welcomed Dr. Meredith N. Freeman as its new president in 1976. During his nine-year tenure, most of the wounds were healed, and once again enrollment increased and new academic programs were established. The physical plant was expanded with a major addition to the J. Frank Marsh Library and the development of Anderson Field.

Dr. Jerry L. Beasley assumed office on July 1, 1985 upon the retirement of Dr. Freeman. Dr. Beasley is originally from Hinton in Summers County. During his tenure, the University’s enrollment continued to grow, and Concord developed the largest endowment of any West Virginia public college. In the late 1980s and early 1990s, the Physical Plant at Concord saw several major changes. McComas Hall (Women’s residence hall), the College Theatre, and the Old Gym were torn down. However, the Administration and Science buildings enjoyed a several million-dollar renovation that modernized the buildings.

During Dr. Beasley’s administration, Concord received national notice for its progressive efforts. These included the student volunteer organization HAPIN; the Summer Academy and Teacher’s Institute, enriching learning in West Virginia secondary schools; the Concord Quest for Scholars; and the Bonner Scholars Program. Concord is the only state-assisted college chosen to participate in the entire Bonner Scholars program. There are now over 80 Bonner Scholars at work in West Virginia and beyond, learning what it means to lead by serving. Beasley’s administration also established a “Beckley Center” for Concord and developed a master’s program in Teacher Education.

Dr. Gregory F. Aloia was appointed on July 1, 2008 to succeed Dr. Beasley upon his retirement. Before coming to Concord, Gregory F. Aloia, Ph.D., was the Dean of the College of Education and Professor of Special Education at Florida Atlantic University. His prior educational administrative experience consisted of being the Associate Vice President for Research and Dean of Graduate Studies, at Illinois State University in Normal, Illinois, and Chair of the Department of Special Education at the State University College in Geneseo, New York. He has also been a college football coach and served as the head wrestling coach at the University of California at Riverside. Dr. Aloia has a B.A. degree in History from St. Mary's College in California and a Ph.D. in Special Education from the University of California at Riverside. He has worked for the U.S. Office of Education in Washington, D.C., and was a faculty member at the University of Arizona, Arkansas State University, and the State University of New York at Geneseo.

Dr. Kendra S. Boggess was appointed Interim President on July 1, 2013 to succeed Dr. Aloia when he moved to become the President at The College of Coastal Georgia. Prior to assuming the presidency at Concord, Dr. Boggess was Interim Vice President and Academic Dean. She has served as an Associate Dean from 2009 until 2011. Dr. Boggess joined Concord in 1984, teaching undergraduate business courses in Concord's Division of Business, primarily in Business Communications and software applications courses. She was Chair of Concord Division of Business from 1996-2009. She was Faculty President at Concord University in 2008 and 2009.

Dr. Boggess holds an Associate of Arts degree from St. Petersburg Junior College in Florida, a B.S. degree in Business Education from the University of Florida in Gainesville, a Masters of Science degree in Vocational Technical Education from Virginia Tech (VT), and a Ph.D. in Business Education with a cognate in Business Management from Virginia Tech University.

The first light of Concord was a flickering candle, but the flame did not die. Today, the light burns brightly. In the future, the light of Concord University will shine more widely and strongly. (Adapted from an earlier piece by J.F.M.)

Principals:	Years of Service:
Captain James Harvey French, LL.B.	1875-1891
John D. Sweeney, B.S., M.S.	1891-1897
Captain George Michael Ford, A.B., LL.B.	1897-1900
Elmer F. Goodwin	1900-1901
Arthur S. Thorn, A.B.	1901-1906
Frances Isabel Davenport, B.S.	1906-1907
Charles L. Bemis, B.S.	1907-1913
Lawrence Benjamin Hill, A.B., A.M., Ph.D.	1913-1918

Presidents:	Years of Service:
Christopher Columbus Rossey, B.Ped., Litt.B., M.A., Ed.D.	1918-1924
George West Diehl, A.B., B.D., M.A., D.D., LL.D.	1924-1929
Joseph Franklin Marsh Sr., B.Ped., A.B., A.M., Ped.D.	1929-1945
Virgil Harvey Stewart, A.B., A.M., LL.D.	1945-1959
Joseph Franklin Marsh, Jr., A.B., M.P.A., LL.D., L.H.D.	1959-1973
Billy Lee Coffindaffer, B.S., M.S., Ph.D.*	1973-1975
James Walton Rowley (Acting), A.B., M.A., Ed.D.*	1975-1976
Meredith N. Freeman, B.S., M.Ed., Ed.D.	1976-1985
Jerry L. Beasley, A.B., Ed.M., Ph.D.	1985 - 2008
Gregory F. Aloia, B.A., Ph.D.	2008 - 2013
Kendra Boggess, B.S., M.A., Ph.D.	2013 - Present