



# STAFF HANDBOOK

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**This Handbook contains existing policies, new and revised policies approved by the Board of Trustees on August 12, 2011. This handbook supersedes all previous editions.**

## **APPROVAL OF HANDBOOK**

Pursuant to Section 16-49-23 of the Code of Alabama and the policies of the Board of Trustees of Alabama Agricultural and Mechanical University, this handbook has been approved for the use of the employees of the University. **This handbook is not an employee contract, but rather a summary of University information, procedures and policies that will be of practical use to employees.** These are policies, procedures, and pertinent information in effect as of September 16, 2011, and are subject to change. See the latest electronic version of this handbook at our website: [www.aamu.edu](http://www.aamu.edu).

This edition of the Staff Handbook was revised with input from the Staff of the University. The following individuals reviewed and/or provided input for the Staff Handbook:

Dr. Sherrell Price, President of the Staff Senate

Mrs. Marilyn Saintjones, Chair Constitution and Bylaws Committee

Ms. Tangela Rutledge, Chair Grievance Committee

Mr. Eugene Tassi, Immediate Past President of the Staff Senate

Dr. Kevin Rolle, Executive Vice President and Chief Operating Officer

Mrs. Nancy Washington-Vaughn, Director of Human Resources

Approved by: Andrew Hugine, Jr. September 16, 2011  
Andrew Hugine, Jr., Ph.D. President Date

Updated and Revised August, 2011

**ACKNOWLEDGEMENT**

I hereby acknowledge that I have accessed the electronic version and printed a copy, if desired, of the University’s Staff Handbook as published on the University’s website, [www.aamu.edu](http://www.aamu.edu), Human Resources, as revised through \_\_\_\_\_. I understand that I am charged with knowledge of the content of this Handbook and I agree to comply with all policies and procedures contained herein as well as University Procedures. I also understand that if I have any questions regarding this Handbook, I should discuss them with the Office of Human Resources or the designated representative as outlined herein.

I acknowledge that the policies and procedures are subject to change and do not constitute a contractual agreement, a contract of employment or an assurance of employment for any designated period of time. Unless dictated otherwise by statute, employment by the University is not for a definite term and may be terminated by the University or employee at any time for any non-discriminatory reasons as employment with the University is “at will.” No supervisor or representative of the University, except for the President, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement inconsistent with this acknowledgement or the Staff Handbook. Throughout my employment, I understand that I may receive various documents related to the terms and/or conditions of my employment such as Personnel Action Forms. Such documentation, unless signed by me and the President and expressly described and denominated as an “Employment Agreement,” shall not under any circumstances constitute an enforceable, binding agreement between the University and the employee.

I further understand that this statement does not constitute a contract between the University and its employees, and should not be construed as such. The policies of the University may be changed or amended at any time, with or without notice.

\_\_\_\_\_  
Employee (name printed)

\_\_\_\_\_  
Employee (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
A-Number

# ***INTRODUCTION***

## **I. PURPOSE AND USE OF THIS HANDBOOK**

This publication provides staff employees with pertinent information and guidance relative to University policies, benefits and operational procedures. While this Staff Handbook cannot be completely comprehensive in scope and detail, it is designed to facilitate harmony, uniformity and answer the common or more frequent questions of staff.

It is expected that each employee will review and familiarize themselves with these policies and procedures.

This Handbook contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. These policies and benefits may be changed as the University deems appropriate in the University's sole discretion. The University expressly reserves the right to deviate from and act inconsistent with the guidelines stated herein. Furthermore, this Handbook is not intended to constitute or be part of any employment contract between the employee and the University, nor is anything contained in this Handbook a covenant, and should not be construed as such. Neither this Handbook nor any other University document confers any contractual right, either expressed or implied, to any employees to remain in the University's employment. Nor does it guarantee any fixed terms and conditions of any employee's employment. Unless dictated otherwise by statute, employment by the University is not for a definite term and may be terminated by the University or employee at any time, for any reason or any non-discriminatory reason.

The University encourages employees to contact their supervisors or the Office of Human Resources if they have additional questions or require further clarification of these policies and procedures. The policies stated in this Handbook shall provide guidance in the event of any conflict between the Handbook and any other oral statement about the Handbook or its contents.

## **II. SCOPE**

This Handbook includes those personnel policies and procedures that apply to all University Staff (e.g. non faculty/instructional). Some units may have more detailed departmental instructions which relate to a specific department or area which are not included in this Handbook. In the event of a conflict between this Handbook and a department's instructions, the policies in this Handbook will prevail.

### **III. RIGHTS OF THE UNIVERSITY**

Alabama A&M University values the opinions of its employees made either individually or through their department heads about working conditions, ways and means of completing jobs in an expeditious manner, and other matters of interest to other employees and the University. The University has always sought the opinions of its employees about working conditions, efficiency, productivity, and other matters of employee interest. However, the University, like other organizations, must make decisions without prior consultation with its employees.

The University maintains exclusive discretion to exercise the customary and/or necessary functions of management, including, but not limited to, hiring, selection, promotion, suspension, dismissal, work assignments, supervision, and discipline of employees. This Handbook does not establish any guarantee of employment for any length of time. The employees of the University are employees “at will” and the University must maintain its absolute discretion to dismiss any Staff employee consistent with the needs and goals of the institution.

University Staff employees have no contract or property interest in their employment and/or benefits, and they are employed at the will of the University and only so long as the employment is consistent with the best interests of the University. Employees may be terminated at any time for cause, with proper notice for no cause terminations and layoffs. No such terminations shall be made for unlawful reasons.

The University retains the right to determine the size, structure, and composition of the work force; to establish, change or abolish policies, procedures, rules and regulations; to determine and modify job descriptions and classifications; and to assign duties to employees in accordance with the needs and requirements of the University. The University retains the right to add, modify, or abolish benefits as seen to be in the best interests of the University. It is the University’s goal to adequately compensate employees for their contribution to the University; however, this is not to be interpreted as a guarantee of salary increases or adjustments. The fiscal condition of the University and the best interests of the University as a whole, combined with other relevant factors, may determine the availability of funds for salary structure and increases.

## ***1.0 HISTORY, MISSION, ROLE AND SCOPE***

### **1.1 HISTORY**

Alabama A&M University is the fulfillment of the dreams of a former slave, William Hooper Councill, who founded the school as a result of a bill passed in the State Legislature in 1873. The School opened May 1, 1875, with an appropriation of one thousand dollars per year, sixty-one pupils, and two teachers under the name "Huntsville Normal School." The University is a land-grant institution supported by the State of Alabama and federal funds appropriated to assist in carrying on work stipulated by the Morrill Acts of 1862 and 1890.

The success of work in industrial education led to a State Legislative authorization in 1878 that the name of the school be changed to the "State Normal and Industrial School at Huntsville." After the school received funds provided by the Congressional Act approved August 30, 1890, the name was again changed to "The State Agricultural and Mechanical College for Negroes," and the campus was moved from Huntsville to Normal, where the school would have ample room for the development of trade and agricultural programs.

The school was designated as a junior college in 1919, and the name was then changed to "The State Agricultural and Mechanical Institute for Negroes." Work on the senior college level was begun in 1939 by authority of the Alabama State Board of Education. On January 14, 1948, the name of the institution became "Alabama Agricultural and Mechanical College." The final name change to date was made on June 26, 1969, when the Alabama State Board of Education, the governing body of the institution during that period, adopted a resolution changing the name to "Alabama Agricultural and Mechanical University."

### **1.2 MISSION, VISION AND VALUES**

The Mission, Vision, and Values of Alabama Agricultural and Mechanical University can be found at <http://www.aamu.edu/aboutaamu/office-of-the-president/plan/pages/mission,-vision-and-values.aspx>. The mission, vision and value is consistent with the Strategic Plan of the University. The Strategic Plan can be found at: <http://www.aamu.edu/aboutaamu/office-of-the-president/plan/pages/default.aspx>

### **1.3     ROLE**

Alabama A&M University’s role remains consistent with the mission. The role is encompassed in the land-grant tradition legislated by the Morrill Acts of 1862 and 1890. These acts created land-grant universities that differed from the traditional American university based upon the European system oriented toward a liberal arts education. This new concept in American higher education combined the liberal arts with agricultural and vocational education to enhance the development of students to build a strong America.

The land-grant mission is founded upon three basic educational principles: teaching, research, and extension. The role of Alabama A&M University, as a land-grant institution must therefore, be consistent with its status and mission.

The following functions are described consistent with the related educational principles:

**Teaching** - To provide the options of arts, natural and social sciences, engineering, business, education, agricultural sciences, vocational education or a combination of these;

**Research** - To seek new knowledge through both basic and applied research which supports both the teaching and extension functions through:

- Funded agricultural research
  
- Institutional research
  
- Research grants and contracts

**Extension** - To provide outreach education through Cooperative Extension that delivers and interprets research findings and recommendations to the public. Other public services include continuing education and international development.

## 1.4 SCOPE

As a comprehensive University, Alabama A&M offers programs at the baccalaureate, masters, educational specialist, and doctoral levels. Major emphasis is placed on programs designed to meet the economic, social and related needs of the State. In addition, the University seeks to prepare students to meet the needs of the larger society. Thus, the University's programs are designed to meet the needs of local, state, national and international students. With a changing global market, it is the desire of the University to provide electronic access to its academic offerings through distance learning. Program offerings fall under two broad areas, namely: undergraduate and graduate.

While major emphasis is placed on the undergraduate program, of equal importance and a priority for development are programs at the master's and doctoral levels. Programs designed to meet the changing needs of society and reflect new technology will continue to be emphasized. Teacher education; forestry and other agricultural and environmental sciences; engineering and technology; medical and allied health fields; social, natural, and physical sciences; art, business and the humanities; recreation-leisure education, as well as other programs to meet future needs, will continue to be enhanced and developed at the University. Particular emphasis will be placed on programs designed to address the special interests of minorities and women in the aforementioned areas.

Through dynamic curriculum structuring, program specializations reflect a strong liberal arts and general education foundation and current state-of-the-art technology, research and knowledge.

Program quality is demonstrated through the accreditation, approval and/or recognition of most programs by state, national and international professional societies and organizations.

The University combines the liberal arts tradition with career-oriented and professional programs in order to enhance the intellectual, social, civic and personal development of its students. The initial priority of the University is to provide a core curriculum for the first two (2) years of matriculation consisting of courses in language, literature, the humanities, the natural and physical sciences, the social/behavioral sciences, military science and physical education/health sciences. These core courses are designed to assist students in developing the flexibility to engage in analytical and critical expression. Courses in the major areas of concentration are also considered a high priority. These courses are designed to augment the core curriculum and help prepare students to become creative and productive members of their professions and society.

Alabama A&M University participates in the Statewide Articulation Reporting System (STARS), a computerized articulation and academic credit transfer planning system designed to provide students who attend Alabama community colleges, counselors, and educators with information on which transfer decisions can be made. While maintaining its traditional role of meeting the needs of capable students who have experienced limited access to education, the University also places emphasis on meeting the needs of non-traditional students. Instructional programs with alternative education delivery systems to accommodate the needs of traditional and non-traditional students are provided. Research at AAMU has a three-fold purpose: enhancement of instructional quality and basic and applied research designed to expand existing knowledge; develop new knowledge; and contribute to economic development. As master's and doctoral level programs are enhanced and expanded, the University will continue to conduct and expand basic and applied research in the physical, social, behavioral, natural, biological, and agricultural sciences. Research programs include, but are not limited to, remote sensing, forestry, wildlife, ecology, environmental science, plant tissue culture, molecular genetics, sensory evaluation, nutritional biochemistry, applied human nutrition, rural development, robotics, artificial intelligence, cytogenetics, statistical classification, improvement of uniform random number generation, computer assisted instruction, biomass fuels, optics, materials science, microgravity crystal growth, infrared thermometry, reading and early intervention strategies in special education. Research is carried out through center-based and interdisciplinary activities.

## **2.0 GOVERNANCE AND ORGANIZATION**

### **2.1 BOARD OF TRUSTEES**

The governing board of Alabama Agricultural and Mechanical University is the Board of Trustees as established in the *Charter of the Board of Trustees of Alabama Agricultural and Mechanical University* and granted by the Legislature of Alabama, as amended August 7, 1995. “There is created a Board of Trustees to manage, control and maintain Alabama Agricultural and Mechanical University, a state land-grant institution at Huntsville hereinafter known as the ‘Board.’”

#### **2.1.1 POWERS AND DUTIES OF THE BOARD**

The Board of Trustees has exclusive jurisdiction, power and authority with regard to the supervision, management and control of Alabama Agricultural and Mechanical University. As set forth in Section 16-49-23 of the Code of Alabama, the Board shall not engage in activity that interferes with the day-to-day operation of the University. The primary responsibility of the Board of Trustees is to set policy for the University and prescribe rates of tuition and fees. The Board organizes the University by appointing a President who shall be responsible for the execution of policies of the Board. In addition to policy approval, the Board approves: the mission, vision, and strategic plans of the University; new academic programs and majors and significant modifications or elimination of existing programs and majors; the name of buildings and other structures; all gifts where restrictions are indicated, such as a requirement for the naming of a structure; all loans, borrowing, and issuance of bonds; campus master plans, facilities development programs, and capital development programs; the construction of new buildings and major renovation of existing buildings; and also reviews and provides concurrence with the organizational structure of the University as modified and altered by the President from time to time.

Current listing of members of the Alabama A&M University Board of Trustees may be accessed at the website, [www.aamu.edu](http://www.aamu.edu), or by contacting the Office of Marketing and Public Relations.

### **2.2 CENTRAL ADMINISTRATION**

The academic and administrative units at Alabama A&M University are presented in the following sections. Some of the roles, responsibilities and reporting arrangements may change over time. When changes occur, such changes shall be published electronically and made available to university personnel.

### **2.2.1 THE PRESIDENT**

The President, by virtue of overall responsibility, shall be the Chief Executive Officer of the University and shall be responsible and accountable for all of the administrative activities, day-to-day operations, and affairs of the University. The President shall be responsible for the execution of policies of the Board and performing all those matters necessary to carry out the ends and purposes for which the University was established. A full job description can be found on the Office of Human Resources website at <http://www.aamu.edu/administrativeoffices/hrservices/Documents/President.pdf>

Members of the President's Cabinet are the Provost and Vice President for Academic Affairs and Research; the Executive Vice President and Chief Operations Officer; the Vice President for Business and Finance; the Vice President for Student Affairs; the Vice President for Marketing, Communications and Advancement; the Chief Information Officer; the Athletics Director; and the General Counsel.

### **2.2.2 PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS AND RESEARCH**

The Provost and Vice President for Academic Affairs and Research is the chief academic officer of the University. Unless specified otherwise in writing by the President, the Provost and Vice President for Academic Affairs and Research will act on the President's behalf on all academic and research related matters during the President's absence. A full job description can be found on the Office of Human Resources website at <http://www.aamu.edu/administrativeoffices/hrservices/Documents/Provost%20and%20Vice%20President%20for%20Academic%20Affairs%20and%20Research.pdf>

### **2.2.3 EXECUTIVE VICE PRESIDENT AND CHIEF OPERATIONS OFFICER**

The Executive Vice President and Chief Operations Officer provides general oversight and monitoring for University operations, reports to the President, and is responsible to the President. In his/her capacity as Executive Vice President and Chief Operations Officer, he/she provides leadership and guidance to ensure accountability in personnel policies and procedures, and the systemic processes associated with the University's technology infrastructure and telecommunications. A full job description can be found on the Office of Human Resources website at <http://www.aamu.edu/administrativeoffices/hrservices/Documents/Executive%20Vice%20President%20and%20Chief%20Operating%20Officer.pdf>

## **2.2.4 PRESIDENT'S CABINET**

The chief officers and administrative heads of the major organizational divisions in the University are the Vice Presidents. The Vice Presidents report jointly through the Provost and Vice President for Academic Affairs and Research or the Executive Vice President and Chief Operating Officer to the President and are members of his/her cabinet. The position of Vice President is not a tenured position; however, a Vice President may have faculty status and tenure in an academic department of the University. When and if an administrator is considered for a rank and/or tenure at the time of appointment, he/she must meet the same qualifications as full-time faculty members for such rank or tenure. The Vice Presidents serve in at-will positions, and, therefore, work at the pleasure of the President.

### **2.2.4.1 VICE PRESIDENT FOR BUSINESS AND FINANCE**

The Vice President for Business and Finance is the chief fiscal officer of the University. The Vice President for Business and Finance provides for the effective management and administration of all business operations, finances, preparation of the budgets, accounting and reporting operations, maintenance of buildings and grounds, inventory, public safety and auxiliary enterprises. The Vice President also assists in the development of the University budget as required by various state entities and in the preparation of financial reports as required by the President, Board of Trustees, State Legislature, State Administration, and agencies of the Federal Government. The Assistant Vice President/Comptroller, the Assistant Vice President for Budget and Planning, and the Director of Administrative Services report to the Vice President for Business and Finance.

#### **2.2.4.2 VICE PRESIDENT FOR MARKETING, COMMUNICATIONS AND ADVANCEMENT**

The Vice President for Marketing, Communications and Advancement provides executive leadership in the areas of fundraising, alumni, corporate and foundation relations, and development, marketing and external relations. He/she recommends and administers University fundraising policies; allocates and monitors advancement budgets; and hires, supervises and evaluates advancement staff. The Vice President for Marketing, Communications and Advancement directs activities aimed at securing private gifts and grants for the University; plans and coordinates a program of public relations; plans and executes an annual giving program; and designs and implements programs/activities that cultivate support of the professional, governmental, foundation, and business communities.

#### **2.2.4.3 VICE PRESIDENT FOR STUDENT AFFAIRS**

The Vice President for Student Affairs is responsible for developing and maintaining programs and activities that support, enhance and address the social, cultural, physical, financial and spiritual needs of students at the University. The Vice President for Student Affairs is responsible for the executive conduct of student affairs to include admissions, retention, registration, financial aid, student life and housing, student activities, health services, cooperative education, international programs, and job counseling and placement. The Assistant Vice President for Enrollment Management, the Director of Residential Life and Housing, Management of Placement and Cooperative Education, Management of Veteran Affairs, the Chief of Public Safety, Management of Student Activities and Leadership, and the Assistant Vice President for Student Affairs all report to the Vice President for Student Affairs.

#### **2.2.4.4 GENERAL COUNSEL**

The General Counsel is responsible for interpreting the constitutional, statutory and regulatory framework in which the University operates; managing all outside counsel and litigation and agency complaints; and providing legal and policy advice in a variety of areas within the University, including employment law, student legal issues, intellectual property, real estate, contracts, organizational governance, affiliated entities, sponsored research, disabilities, drug-free workplace requirements, computer and information technology issues, copyright issues, defamation issues, civil rights, sexual harassment, promotion and tenure peer review processes and fundraising. It is preferred that the General Counsel has been admitted to practice law in the State of Alabama.

#### **2.2.4.5 CHIEF INFORMATION OFFICER**

The Chief Information Officer (CIO) is a member of the President's Cabinet. He/she provides leadership, integrative management, and direction for the University's shared information systems, to include institution-wide strategic planning, budgeting for information technologies, and coordination and integration of all University Information Technology (IT) matters. The CIO recommends IT policy at the highest level and serves as the University's senior spokesperson on issues related to administrative, student, clinical, and academic information systems.

#### **2.2.4.6 ATHLETICS DIRECTOR**

The Athletics Director oversees all of the athletic programs at the University. The Athletics Director ensures that the athletic programs comply with applicable NCAA, SWAC, State and Federal rules and regulations. The Athletics Director provides leadership and establishes programs that enhance the student-athlete development academically, as well as in other areas of professional growth. Such programs as the Academic Skills Enhancement assist the University in meeting the prescribed standards for retention and graduation rates of student-athletes. The Athletics Director is also responsible for the management of all athletic facilities and reports to the President.

### **2.3 ACADEMIC ADMINISTRATORS**

Academic Administrators at Alabama A&M University include the Provost and Vice President for Academic Affairs and Research, the Associate Vice President for Faculty and Programs and Undergraduate Studies, the Associate Vice President for Academic Administration and Graduate Studies, deans, chairs, and directors. The position description of the Provost and Vice President for Academic Affairs and Research is presented in Section 2.2.2. Position descriptions of other academic administrators follow:

#### **2.3.1 ASSOCIATE VICE PRESIDENT FOR FACULTY AND PROGRAMS AND UNDERGRADUATE STUDIES**

The Associate Vice President for Faculty and Programs and Undergraduate Studies reports to the Provost and Vice President for Academic Affairs and Research and is responsible for assisting in the facilitation of faculty and program matters at the undergraduate (bachelor's) level. The Associate Vice President for Faculty and Programs and Undergraduate Studies provides broad oversight for the University College and monitors, develops, and implements policies, procedures, and practices designed to ensure the effective delivery of academic programs at the baccalaureate level. He/she is responsible for assisting freshmen and sophomores in succeeding in college by providing overall management and supervision for academic programs and services administered through University

College which include the core curriculum, the Academic Advising Program, Testing Services, Student Orientation, Developmental Education, the Honors Program, Academic Assistance Program, the Computer Assisted Instruction Laboratory, Special Programs, Educational Opportunity Center Campus Program, and the Academic Retention Program.

### **2.3.2 ASSOCIATE VICE PRESIDENT FOR ACADEMIC ADMINISTRATION AND GRADUATE STUDIES**

The Associate Vice President for Academic Administration and Graduate Studies reports to the Provost and Vice President of Academic Affairs and Research and is responsible for assisting the Provost and Vice President for Academic Affairs and Research in ensuring quality graduate programs, quality graduate faculty and quality online and distance learning courses and/or programs. He/she provides broad oversight for Graduate Academic Programs and monitors, develops, and implements policies, procedures, and practices designed to ensure the effective delivery of Academic Programs at the Master's, Specialist, and Doctoral levels. The Associate Vice President for Academic Administration and Graduate Studies provides leadership and coordination of the recruitment and admission of graduate students and serves as the Chair of the Graduate Council.

### **2.3.3 ACADEMIC DEANS**

Academic Deans head every college in the University and are considered upper level administrators with academic rank. They are responsible for the overall management and supervision of all academic and related programs, activities and support services in their College. Some specific duties include long and short-range planning; goal setting; college assessment; assessment of student learning outcomes (Quality Enhancement Plan); strategic planning and follow-up; ensuring program productivity/viability in accord with state and Alabama Commission on Higher Education guidelines; staffing; directing; evaluating; budget development and management; and facilities management. Academic Deans are responsible for ensuring their respective colleges, departments and individual academic programs attain, maintain and sustain the accreditation requirements of SACSCOC, ACHE and specific disciplinary accrediting bodies. Deans report to the Provost and Vice President for Academic Affairs and Research.

### **2.3.4 DIRECTOR OF THE LEARNING RESOURCES CENTER**

The Director of the Learning Resources Center (LRC) reports to the Associate Vice President for Academic Administration and Graduate Studies. The Director of the LRC is responsible for the efficient and effective operation of the LRC, also known as the University Library. In conjunction with the staff of the LRC, the Director of the LRC serves as the liaison between the LRC and the administration, faculty, staff and students. The Director of the LRC establishes and maintains an effective working relationship within the LRC and among the academic deans, departmental chairpersons, and faculty members to ensure quality service and enhanced library resources.

### **2.3.5 DEPARTMENT CHAIRPERSONS**

The chief administrator of each academic department is the chairperson who reports to the Dean of his/her respective College. In consultation with the Dean and the faculty, the chairperson is responsible for organizing and directing the work of the department including instruction, research, extension, budget development and management and ensuring that the department is in compliance with the requirements of SACSCOC, ACHE and discipline-specific accrediting bodies.

## **2.4 ACADEMIC COORDINATORS AND CENTER DIRECTORS**

Academic Coordinators and Center Directors report directly to chairpersons and provide leadership. The Academic Coordinator provides leadership for some graduate degree-granting programs. Center Directors provide leadership for major research activities in some departments.

### **2.4.1 ACADEMIC COORDINATORS**

Degree-granting academic programs within departments are led by Academic Coordinators who are responsible for providing leadership and directing the instruction, research, and activities of the academic unit. In formal consultation with faculty, the Academic Coordinator's major duty is to ensure the unit is in compliance with SACSCOC, ACHE and discipline-specific accrediting bodies. Academic Coordinators assist the chairpersons with goal setting, long and short-range planning, recruiting, outcome assessments, student advising, recommendations of faculty and staff to fill vacancies, updating the curriculum, and preparing teaching assignments and course offerings. Academic coordinators are not considered administrators in regards to committee assignments.

### **2.4.2. CENTER DIRECTORS**

Center Directors are tenured or tenure-track faculty leaders with the rank of Assistant Professor or higher who lead Research, Teaching or Outreach Centers or Institutes established and funded to support research, teaching or outreach initiatives, such as the Center for Forestry Ecosystems Assessment, the Agricultural Research Station. Center Directors usually have joint appointments with a significant proportion of their time spent on Center activities; as such, they report on faculty matters to the Department Chair and on Center matters to their supervisor within the organizational structure established for that entity.

## **2.5 PROFESSIONAL STAFF**

Professional staff members are employed by the University with significant management, supervisory, technical program and/or teaching responsibilities. Unless specifically designated by contractual agreement, individuals within this category do not carry academic rank or tenure.

This category includes all administrative/management staff responsible for developing and implementing University operating policies and procedures. Nothing in this section should be construed as guaranteeing that any employee will receive or be eligible to work a fixed number of hours per week. The University expressly reserves the right to schedule an employee's work hours according to the University's educational, business, and financial needs, as well as other relevant circumstances, which relate to its decision concerning scheduling employee work hours. Positions in this category include the title of director or coordinator. Unless specifically designated by contractual agreement, individuals within this category do not carry academic rank or tenure. This list is not meant to be exhaustive and may be amended from time to time as needed.

### **2.5.1 1890 ALABAMA COOPERATIVE EXTENSION SERVICE (ACES) ADMINISTRATOR**

The primary role of the 1890 ACES Administrator is to assure that the viability and visibility of Alabama A&M University as a full participant in the Alabama Cooperative Extension System (ACES) is duly recognized and institutionalized by providing outreach education through Cooperative Extension and delivering and interpreting research findings and recommendations to the public. Other public services include continuing education and international development. The 1890 ACES Administrator is designated as the University's official liaison to ACES on all matters of organizational/administrative structure, program planning, development, implementation, evaluation and reporting, fiscal and personnel resources development and implementation. The 1890 ACES Administrator reports to the President or his/her designee.

### **2.5.2 ASSISTANT VICE PRESIDENT FOR ENROLLMENT MANAGEMENT**

Provides strategic leadership and direction to the University in all facets of the establishment of institutional initiatives related to student enrollment management. Directs the management of the various component activities of the Enrollment Management function, ensuring that all programs and initiatives are integrated and effective in supporting the overall mission, goals, and objectives of the institution. Directly participates in institutional planning and decision making as a member of the Provost's Executive Cabinet.

### **2.5.3      DIRECTOR OF ADMISSIONS**

The Director of Admissions reports to the Assistant Vice President for Enrollment Management and is in charge of admitting all undergraduate students to the University. The Director of Admissions, upon request, supplies prospective applicants with the data and forms necessary to matriculate at the University; receives applications, recommendations and transcripts for admission; evaluates these data; and determines whether the applicant qualifies for admission to the program sought. Additionally, the Director of Admissions is responsible for coordinating all recruitment activities for the University. The Director of Admissions evaluates and approves transfer credit from other institutions in the STARS system.

### **2.5.4      REGISTRAR**

The Registrar reports to the Assistant Vice President for Enrollment Management and is in charge of registering students at the University and maintaining all academic records. The Registrar coordinates student registration with the Office of Academic Affairs, Business Office, and Computer Center; consults with administrators in all colleges of the University; prepares enrollment materials; and releases copies of student records, with the student's consent, to properly authorized agencies.

### **2.5.5      DIRECTOR OF INSTITUTIONAL EFFECTIVENESS, RESEARCH AND PLANNING**

The Director of Institutional Effectiveness, Research and Planning reports to the Provost and Vice President of Academic Affairs and Research. Principal responsibilities of the Director of Institutional Effectiveness Research and Planning include the following: coordinating data collection and analysis for strategic planning, yearly planning and budget allocations; learning outcomes assessments and institutional effectiveness, as well as specialized requests for institutional or unit specific data; monitoring daily operations of all departments/functions of the University to ensure compliance with the standards (criteria) of the Southern Association of College & Schools Commission on Colleges (SACSCOC) working with the President and division heads (vice presidents) to ensure that appropriate corrections in areas of non-compliance are made in a timely manner; issuing all documents, including self-studies and response reports, that are to be sent to accrediting bodies, having reviewed them for appropriateness, accuracy, completeness, etc.; establishing the format for the annual reports of the divisions of the University and housing such reports in the Department of Institutional Effectiveness for accountability measures; maintaining copies of essential regulatory documents (from accrediting bodies); coordinating and administering on-going outcome assessments and issuing quality enhancement plans; monitoring the implementation of the annual institutional effectiveness calendar, and, in consultation with other University heads, the University's Quality Enhancement Plan; supervising personnel in Institutional Effectiveness; and executing such other duties as may be required by the University and assigned by the Provost and Vice President of Academic Affairs.

### **2.5.6 DIRECTOR OF COMMUNITY COLLEGE RELATIONS AND GLOBAL INITIATIVES**

Reporting to the Vice President for Student Affairs, the Director will lead outreach efforts resulting in the establishment of community college and global partnerships for offsite programs, both domestic and globally. The Director works to develop the proper professional and service oriented attitudes among members of the department and to ensure that all unit employees are trained to comply with federal, state and local laws as well as University policies, procedures and mandates with respect to recruiting, admitting, and retaining transfer students, international students, and international scholars.

### **2.5.7 DIRECTOR OF TITLE III**

The Director of Title III is responsible for securing and managing two annual federal strengthening grant programs from the U. S. Department of Education. These funds are administered to priority activities at the University that address objectives in the University's strategic plan. The Director is in charge of program development and management for all Title III activities in concert with the appropriate individual activity leaders and unit supervisors. Individual activity directors in various units make progress reports to the Director of Title III. The Director of Title III reports to the President.

### **2.5.8 DIRECTOR OF VETERANS AFFAIRS AND THE COORDINATOR OF ACCESS TO LEARNING (ADA)**

The Director of Veterans Affairs provides guidance, services and administrative support to veterans and their dependents in securing educational benefits from the Veterans Administration. Professional counseling assistance is also available to veterans and dependents enrolled at Alabama A&M University. The Director of Veteran Affairs reports to the Vice President for Student Affairs. "Access to Learning" identifies the University's program for providing equal access to all educational programs, and ensuring compliance with applicable laws, including Section 504 of the Rehabilitation Act of 1973, and the applicable titles of the Americans with Disabilities Act (ADA) of 1990.

### **2.5.9 DIRECTOR OF INSTRUCTIONAL TECHNOLOGY, DISTANCE LEARNING AND EXTENDED STUDIES**

The Director of Instructional Technology, Distance Learning and Extended Studies is responsible for developing and delivering credit, noncredit, traditional and non-traditional courses/ programs that fulfill the learning needs of professionals, their support personnel and other adults and non-traditional students seeking to further their education. The Director of Instructional Technology, Distance Learning and Extended Studies is also charged with the following: providing leadership in the development, monitoring and marketing of online and distance education courses; facilitating

conferences and workshops that meet community and societal needs; and providing technology training for faculty in such areas as online course design, mass testing, and maintaining an electronic course record book. The Director of Instructional Technology, Distance Learning and Extended Studies is also expected to work with academic leadership in creating educational initiatives that generate funds for the University and help to sustain the unit. The Director of Instructional Technology, Distance Learning and Extended Studies reports to the Associate Vice President for Faculty and Undergraduate Studies.

#### **2.5.10 DIRECTOR OF HUMAN RESOURCES**

The Director of Human Resources reports to the Executive Vice President and Chief Operations Officer and is responsible for facilitating the employment process as related to announcements, advertisements, interviews, personnel action forms, employment offers, and employment document/contracts, as appropriate. Other duties of the Director of Human Resources include serving as the Affirmative Action/EEO Compliance Officer, preparing salary manifests, keeping employees abreast of personnel policies and procedures through the publication of Human Resources manuals (e.g. Staff Handbook, Organizational Structures Handbook), and maintaining and housing complete personnel files on non-exempt and exempt employees of the University, with the exception of the credentials portion of faculty files. The credentials portion of faculty files and faculty contracts will be processed, maintained and housed in Academic Affairs.

#### **2.5.11 DIRECTOR OF FINANCIAL AID AND SCHOLARSHIPS**

Provides overall direction and management to the Student Financial Aid Office. Maintains and administers federal, state, and institutional student financial aid funds and appropriate recording requirements. Directs the overall operations of the student financial aid program which provides financial assistance to students; oversees student financial aid activities at branch campuses. Ensures that scholarship funds are spent appropriately by preparing budget requests and by monitoring and managing expenditures. Analyzes the effectiveness of the scholarship program in attracting students, maintains familiarity with the scholarship programs of competing institutions, and understands the impact of the scholarship program on the University budget and net revenue.

#### **2.5.12 EXECUTIVE DIRECTOR FOR EMERGENCY PREPAREDNESS AND CHIEF OF PUBLIC SAFETY**

Under general direction of the Vice President for Student Affairs, the Executive Director/Chief of Public Safety and Emergency Preparedness plans, organizes, coordinates and directs a campus-wide police, safety, parking enforcement and security programs in accordance with all applicable federal, state, local, and University regulations. The Executive Director/Chief is responsible for the administration, operation, emergency preparedness, staff development, strategic planning and financial oversight of a comprehensive, full-service police and emergency preparedness agency. This position has a high public profile and collaborates with a broad array of campus

stakeholders, the Huntsville Police department, the Madison Sheriff department, and multiple municipal/state/federal agencies to develop and implement comprehensive services and programs for the safety of students, faculty, staff, visitors, and property at Alabama Agriculture and Mechanical University. The Executive Director/Chief should possess a vision for continuing to build a cutting-edge law enforcement agency with an emphasis on current trends and best public safety practices in a higher educational setting.

## **2.6 STAFF SENATE**

The *Alabama A&M University Staff Senate* consists of University staff employees. The Staff Senate was created to afford University Staff employees representative participation in the University governance process. Similar governance groups exist for other employee classifications, for example, the Faculty Senate serves this same purpose for faculty members.

The AAMU Staff Senate (AAMUSS) is an elected body established at Alabama A&M University by authority of the President. The purpose of the AAMUSS is to facilitate communication to the President and the administration regarding policies, procedures, and general welfare issues affecting the staff employee group.

The Staff in each division elects an individual to serve as the Staff Senate Representative for their division. Senate meetings are scheduled three times each semester. The Staff Senate Representatives shall elect an Executive Board at their first meeting of the Fall Semester. The Staff Senate Executive Board shall hold regularly scheduled meetings with the President of the University each semester and other meetings as needed in the sole discretion of the President of the University. Staff Representatives are responsible for bringing employee concerns to the attention of the Administration. Staff are eligible to serve on various University committees.

In addition to the University committees, several AAMUSS committees exist for which all Staff employees are eligible. Each fall Staff employees are surveyed as to their interest in serving on these committees. Contact your division representative for more information. All AAMU employees are encouraged to discuss any policies or concerns affecting the Staff employees group with their representative on the AAMUSS. Senators and elected officers serve a two year term. The President of the AAMUSS is eligible to serve two (2) consecutive terms. A list of representatives is available.

## **2.7 UNIVERSITY ORGANIZATIONAL CHART AND STRUCTURE**

The Board of Trustees has the legal and exclusive statutory jurisdiction, power and authority with regard to the supervision, management and control of Alabama Agricultural and Mechanical University. This role is executed through the policy-making responsibilities of the Board of Trustees. The Board in turn employs a President as the Chief Executive Officer and delegates to the President the responsibility for executing the policies developed by the Board in concert with appropriate

University faculty, staff, and administrators. Through the Board of Trustees' policies and statutory authorizations, there is a clear and appropriate distinction in writing and in practice, between the policy-making function of the Board of Trustees and the responsibility of the administration and faculty to administer and implement the policy. Section 16-49-23 of the Alabama Code further defines this distinction. According to the statute, "[t]he Board shall not engage in activity that interferes with the day-to-day operation of the University. The primary responsibility of the Board of Trustees is to set policy for the University and prescribe rates of tuition and fees. The Board also has the power to organize the University by appointing a President. The President shall appoint the faculty, staff, and officers of the University, and regulate, alter, and modify the organization of the University, subject to review and concurrence of the Board.

The organizational structure of the university adheres to the requirements of the Southern Association of Colleges & Schools Commission on Colleges (SACSCOC) relative to delineation of responsibilities for policy and administration and clearly defines the legal authority and operating control for related foundations other entities, athletics, and fundraising. The organizational structure also facilitates the accomplishment of the University's mission, goals, and vision as reflected in the **University's Strategic Plan**. The plan can be found at <http://www.aamu.edu/aboutaamu/office-of-the-president/plan/pages/default.aspx>

Under the current organizational structure of the University, the ultimate legal authority for the University rests with the Board of Trustees with the President reporting directly to the Board of Trustees and certain key administrative units/officers reporting to the President. The organizational structure provides for programs and functions relating to academics and research reporting to the President through the Provost and Vice President for Academic Affairs and Research. Non-academic administrative operations report to the President through the Executive Vice President and Chief Operating Officer. The Provost and Vice President for Academic Affairs and Research, the Executive Vice President and Chief Operating Officer, the Vice President for Business and Finance, the Vice President for Student Affairs, the Vice President for Marketing, Communications, and Advancement, the Vice President for Research, Economic Development and 1890 Programs, the Chief Information Officer, the University General Counsel and the Athletics Director comprise the President's Cabinet. The Cabinet is the structure for the formulation of policies and procedures, and the administration and execution of policies approved by the Board of Trustees.

The organizational chart can be found at <http://www.aamu.edu/aboutaamu/office-of-the-president/pages/organizational-chart.aspx>

### **3.0 RECRUITMENT AND EMPLOYMENT**

#### **3.1 EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYMENT ELIGIBILITY**

Alabama A&M University is an equal opportunity employer and does not discriminate in employment, but rather is committed to the full compliance with all applicable federal, state and local laws. All personnel actions will be administered in a lawful and nondiscriminatory manner, including recruitment, selection, assignment, classification, promotion, demotion, transfer, reduction-in-force, termination, determination of wages, conditions and benefits of employment, etc., will be administered in a lawful and nondiscriminatory method. An employee who has job-related concerns about treatment inconsistent with the University's equal opportunity procedure must immediately bring those concerns to the attention of his or her immediate supervisor and/or the Director of the Office of Human Resources/EEO.

The University's policy is to ensure equal employment opportunity consistent with applicable federal, state and local laws.

The University commits itself to:

- A. Ensuring that promotion decisions are in accordance with equal employment opportunity requirements by imposing only valid, job-related requirements for promotional opportunities.
- B. Ensuring that all personnel actions relating to compensation, benefits, transfers, terminations, training, and education are administered in a nondiscriminatory manner.
- C. Ensuring that non-U.S. citizens employed by the University have legal proof of a right to work in the United States as indicated by an approved VISA or work permit.

The University's commitments are designed to meet nondiscrimination/equal employment opportunities in compliance with the following federal and state sources of legal obligation, as amended:

*Title VI and VII, Civil Rights Acts of 1964; Title IX, Education Amendments of 1972; the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990; the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; the Vietnam Era Veterans' Readjustment Assistance Act of 1974; the Immigration Reform and Control Act of 1986; and the Alabama Constitution of 1901.*

## **3.2 POSITION ANNOUNCEMENT AND APPLICATION**

The University communicates information regarding position announcements through a process referred to as position announcements and application which is managed by the Human Resources Office. Position vacancies are posted at the request of a department through submission of the appropriate and fully approved forms as published on the Office of Human Resources website.

Except in special or exceptional circumstances as identified by the University, vacancies and new positions will be advertised/announced not less than five (5) working days. The University's website, [www.aamu.edu](http://www.aamu.edu), will be the official medium for posting positions. The Director of Human Resources may waive the posting period in extenuating circumstances where the operation of the University will be adversely affected.

## **3.3 APPOINTMENT**

Applicants for positions are screened and evaluated by supervisors or by search committees appointed by the Director of Human Resources, President, or Vice Presidents as appropriate. Once the screening process has been completed, the name of the selected candidate will be forwarded to the Office of Human Resources. The Director of Human Resources will forward the recommendation to the President or his/her designee for review and approval. No offer may be made and no official employment exist, prior to the approval of the President or his/her designee. When the best interest of the University will be served, the President under authority granted in state statutes to define the "authority and duty" of positions, may waive some requirements indicated for a position and approve the appointment of an individual deemed to possess the requisite skills to satisfy the University's need for the position. Once approval is given, then notification to the applicant recommended for employment will be made by the Director of Human Resources.

## **3.4 EMPLOYMENT ELIGIBILITY GUIDELINES**

### **3.4.1 EMPLOYMENT OF RELATIVES (NEPOTISM)**

Alabama A&M University's Nepotism Policy operates in accordance with the State of Alabama's nepotism statute, mandating "No officer or employee of the state or of any state institution shall appoint, or enter a personal service contract with, any person related to him/her within the fourth degree of affinity or consanguinity to any job, position or with any of its agencies." Alabama Code, Section 41-1-5 (1975)

This statute applies to all Alabama A&M University employees and prohibits the permanent or temporary employment of an individual from the "immediate family" of a University employee who would have a "direct supervisory relationship" that may influence the "terms and conditions of employment" with the corresponding relative. Individuals who are related by blood, marriage, or reside in the same household are permitted to work in the same University department, provided no

direct reporting or supervisor to subordinate relationship exists. That is, no employee is permitted to work within “the chain of command” when one relative’s work responsibilities, salary, hours, career progress, benefits or other terms and conditions of employment could be influenced by the other relative.

Alabama A&M University reserves the right to make corrective actions when conflicts of interest arise in violation of this policy.

Exceptions to this policy must be requested in writing to the Office of Human Resources. Exceptions may only be granted if a position can be structured to ensure no prohibited working relationship exists among family members.

## **DEFINITIONS**

1. Immediate Family is defined to the “fourth degree of affinity or consanguinity” which includes spouses, children, parents, siblings, grandparents, grandchildren, aunts, uncles, first cousins, corresponding in-laws, “step” relatives, and any members of the University Employee’s household.
2. Direct Supervisory Relationship is defined by the direct influence on the “terms and conditions of employment” of a University employee.
3. Terms and Conditions of Employment include, but are not limited to, an employee’s work responsibilities, salary, schedule, career progress, benefits, performance evaluation, or other workplace factors.

### **3.4.2 EMPLOYMENT VERIFICATION**

The University adheres to federal law prohibiting the employment of unauthorized aliens. To comply with this law, the University verifies the employment eligibility and identity of all employees by completing the most current I-9 for all employees, including U.S. citizens. In addition, the University uses E-Verify to determine the eligibility of employees to work in the United States. Employees are required to respond to all reasonable requests by Human Resources for information necessary to verify and confirm ongoing employment eligibility so that the University may remain compliant.

### **3.4.3 PAYROLL POLICIES AND PROCEDURES**

Unless otherwise notified, payroll checks are issued on or about the last day of each month. Checks are directly deposited into each employee’s account of record. Direct deposit is required.

An employee employed on a nine (9) month contract for any other time period less than twelve (12) months, may elect to be paid in twelve (12) monthly installments beginning with the first check

by giving written notice to the appropriate office within the division of Business and Finance by Human Resources before the 20<sup>th</sup> of the first month of employment. An employee who elects to be paid on a twelve (12) month basis cannot later request to be paid on a less than twelve (12) month basis during the same fiscal year.

### **Electronic Personnel Action Form (EPAF)**

To authorize pay, an Electronic Personnel Action Form (EPAF) will be completed for each employee. The EPAF is not a contract. The indication of a date does not change the “at-will” status of the employee’s employment, which may be terminated at any time for any reason or any non-discriminatory reason at all.

#### **3.4.4 COMPLYING WITH APPLICABLE LAWS AND ORDERS**

The University is required to comply with applicable laws and orders, including but not limited to garnishments against an employee’s wages. An employee will be notified when a garnishment order is received. Any discrepancies must be resolved with the office, court, agency, or other entity which ordered the garnishment, not the University.

#### **3.4.5 SALARY SCHEDULE**

The University’s policy is to maintain a salary schedule that applies to all positions. In structuring the salary schedule, adequate consideration will be given to the duties, responsibilities, skills, knowledge, abilities, education and experience required for the position as well as the availability of applicants for the position. However, all non-academic employees will be paid according to the positions held rather than degrees held.

The University will endeavor to provide compensation that is competitive with other comparable universities and with local public employers. Compensation policies shall be reconciled with budgetary constraints, the financial status of the University, budgetary authorization of the Board of Trustees and the requirements of the Fair Labor Standards Act.

The University wage/salary schedule as posted on the University’s website, [www.aamu.edu](http://www.aamu.edu), Human Resources, shall provide the minimum and maximum salaries for each position in the established list of job classifications.

## **4.0 JOB CLASSIFICATION AND CHANGES IN EMPLOYMENT STATUS**

### **4.1 CLASSIFICATION OF POSITIONS**

Every position at the University is designated according to five different forms of employment classifications which in turn determine how various personnel policies are applied to that position. Thus, every employee should be clear regarding the various kinds of classifications that apply to the position he or she holds.

#### **4.1.1 JOB CATEGORIES**

One means by which positions are classified is according to five (5) broad job categories that are reported by the University to the Equal Employment Opportunity Commission (EEOC). The classifications of this method are as follows:

**Executive, Administrative and Managerial:** All positions requiring responsibility for the management or general business operation of the University or of a department or subdivision thereof. Positions in the category include the President, Vice Presidents, Deans, Academic Department Chairpersons and those positions that carry the title Director.

**Faculty:** Those persons, full or part-time, serving the University in a teaching, extension or research capacity, and holding the rank of professor, associate professor, assistant professor or instructor; and those persons designated as professional librarians.

**Professional Non-Faculty:** All positions not carrying faculty rank and requiring at least a bachelor's degree or specialized professional training comparable to a bachelor's degree, or which require a combination of training and experience of such kind as to be comparable to a bachelor's degree. These positions include accountants, systems analysts, and athletic coaches.

**Clerical and Secretarial:** All positions that relate to clerical or secretarial activities involving internal and external communications, recordings and retrieving of data or information, and other paperwork required in an office. These positions include secretaries, clerk-typists, accounting clerks, office machine operators, statistical clerks, payroll clerks, and library clerks.

**Technical and Paraprofessional:** All positions of specialized knowledge or skills that require experience or academic work such as is offered in two-year technical institutions, junior college or equivalent on-the-job training. These categories include secretaries, clerk-typists, accounting clerks, office machine operators, statistical clerks, payroll clerks, and library clerks.

**Skilled Craft:** All positions whose assignments typically require special manual skills and a thorough and comprehensive knowledge of the processes involved in the work, acquired through on-the-job training and experience or through apprenticeship or other formal training programs. These positions include mechanics and repairers, electricians, stationary engineers, skilled machinists, and carpenters.

**Service/Maintenance:** All positions whose assignments require limited degrees of previously acquired skills and knowledge and in which workers perform duties which result in or contribute to the comfort, convenience and hygiene of personnel and the student body or which contribute to the upkeep and care

#### **4.1.2 REGULAR OR TEMPORARY**

A second means by which positions are classified is by whether they are regular or temporary. The classification of positions under this method is as follows:

**Regular Positions:** A position that is in the current budget of the University and for which current University plans or programs include no definite date for discontinuance of the position. An employee who holds a “regular position” is still an at-will employee and is not guaranteed employment for any specific time and such employment may be terminated at any time without justification or cause, absent discriminatory purposes in violation of state and federal law.

**Temporary Position:** A position that is in the current budget of the University and for which current University plans or programs include a definite date for discontinuance of the position. However, the existence of a “definite date for discontinuance” does not change the “at-will” status of the employee’s employment, which may be terminated at any time, for any reason or any non-discriminatory reason at all. Every position established as a part of a joint project between the University and an outside agency shall be designated as a temporary position without regard to the source of funding for the position. Temporary positions generally should not exceed twelve (12) months.

#### **4.1.3 DURATION (NINE (9) MONTHS OR TWELVE (12) MONTHS)**

Positions are also classified according to the number of months within the fiscal year that the position functions. The classification of positions under this method is as follows:

**Twelve-Month Position:** A position functions each of the twelve (12) months of the fiscal year with the employee who fills such a position normally eligible to accrue annual leave during that period.

**Nine-Month Position:** A position that functions during nine (9) months of the fiscal year (e.g. regular fall and spring semesters) with the employees who fill such positions normally not eligible to accrue annual leave during the period.

**The characterization of any position as** “Twelve-Month Position” or “Nine-Month Position” is intended only as a descriptive phrase utilized for the purposes of defining the manner in which a Staff employee is compensated and/or accrues benefits during his or her employment. Such descriptive phrases are not intended to describe any specific length of employment or constitute a promise of employment for any designated period of time.

### **FULL-TIME OR PART-TIME**

Another means by which positions are classified is according to the number of hours within a work week employees are scheduled to work. The classification of positions under this method is as follows:

**Full-time Position:** A position that requires an employee to render 40 hours or more of service per week on a regular basis, although this classification does not guarantee that an employee will be entitled to work any minimum number hours per week.

**Part-time Position:** A position that generally requires an employee to average 25 hours or less of service per week on a regular basis. Such an employee is not eligible to achieve regular status or receive University benefits.

#### **4.1.4 EXEMPT VS. NON-EXEMPT PURSUANT TO THE FLSA**

Another means by which positions are classified is according to whether they are exempt or non-exempt from minimum wage and overtime compensation provisions of the United States Fair Labor Standards Act (FLSA). The classification of positions under this method is as follows:

**Exempt Position:** A position that is exempt from the overtime provisions of the FLSA based upon the duties, responsibilities and level of decision making authority of the person holding such position. Employees holding exempt positions shall be referred to in this Handbook as “exempt employees.” Exempt employees are not entitled to overtime pay.

**Non-exempt Position:** A position that is not exempt from the overtime provisions of the FLSA.

Compensation for monthly paid employees working only a part of the month and hourly employees (e.g., non-exempt personnel) will be prorated to the actual period worked.

## **4.2 CHANGES IN EMPLOYMENT STATUS**

### **4.2.1 LATERAL TRANSFER**

1. An employee may be laterally transferred (i.e., transferred into another department without an upward change in grade and/or classification) under conditions at the convenience of the University.
2. A transfer may be to a position of the same grade or lower grade. However, an employee may not be transferred without competition to a position that offers a better promotional opportunity.
3. Transfers to solve performance or conduct problems are not a general practice; but, in selected situations, such moves may be made. If a person is moved to solve a disciplinary problem, the employee will be placed on ninety (90) days probation.
4. Voluntary lateral transfers require the approval of all affected supervisors. Involuntary lateral transfers are made at the discretion of the University and do not require approval of all affected supervisors.

### **4.2.2 TRANSFER THROUGH OPEN POSITION ANNOUNCEMENT**

1. To apply for a transfer to an open position, the employee must complete an application for employment on the Office of Human Resources website for the position in which he or she is interested. .
2. It is recommended that the employee notify his or her current supervisor of his/her interest in being considered for a vacant position prior to being referred for an interview for the position in which he/she is interested in being transferred.
3. Employees who voluntarily apply for a transfer must have served in their current position for twelve (12) months to be eligible. Generally, such positions will be filled competitively taking into consideration both internal and external applicants.

### **4.2.3 REASSIGNMENT**

An employee may be reassigned at the convenience of the University, from one position to another without promotion or demotion. A reassignment may be made to meet continuing changes in workload, to move an employee out of a situation in which conflict exists (conflict with his or her supervisor, other employees, or the public he or she serves), to preclude undesirable effects of a long-

term relationship with the public, to move a senior or more experienced employee to a difficult situation, etc. No reassignment shall become effective until approved by the employee's immediate; second level supervisor and the President or his/her designee.

#### **4.2.4 DEMOTION**

At the University's discretion, an employee may be demoted, if it is deemed to be in the best interest of the University. Demotion involves either moving the employee to another position at a lower salary, grade level or reclassifying the employee's existing position to a lower salary grade level. Demotion will result in a reduction in the employee's salary, but such demotion shall only take place following prior notification to the employee and in accordance with any applicable procedures as may be published by the Office of Human Resources. No demotion shall become effective until approved by the President or his/her designee.

#### **4.2.5 PROMOTION**

Promotion is a managerial initiated change of assignment for an employee to a job at a higher level within the same unit of the University. The new position normally provides an increase in pay and status, and usually demands more skill or carries more responsibilities. Promotion shall normally be granted only once in any twelve (12) month period. No promotion shall become effective until approved by the President or the President's designee.

### **4.3 DUAL EMPLOYMENT**

An employee of the University may hold only one full-time position with the University, inclusive of temporary employment. University employees may hold part-time positions at the University, including adjunct faculty positions, provided that the employment does not interfere with the duties and responsibilities assigned to them in their full-time position.

### **4.4 OUTSIDE EMPLOYMENT**

An employee may work another job outside the University provided:

1. The outside employment does not interfere with the performance of his/her job at the University;
2. The outside employment does not violate University regulations or policies, and does not bring discredit to the University;
3. The employee does not manipulate his/her normal work schedule, assignments or duties to accommodate outside employment; and

4. Such employment does not compete with or interfere with endeavors of the University, or otherwise create a conflict of interest.

Employees must complete the “Outside Employment” form and submit it to the Human Resources Office.

#### **4.5 REEMPLOYMENT**

If eligible for rehire, then a former University employee may be hired for any position, including his / her former position, upon application and if selected for the position. Former employees who are rehired shall receive compensation for the position for which they are rehired without regard to their former position and/or salary. Additionally, the sick and annual leave balance accruals of such individuals shall begin at zero (0) hours on the date of rehire. This section is subject to the 180 exception provided for in section 5.5.7 of this Handbook.

#### **4.6 SERVICE PERIOD**

The service period of an employee is that time period during which he/she has uninterrupted service as an employee of the University.

#### **4.7 PERSONNEL RECORDS**

##### **4.7.3 MAINTENANCE OF OFFICIAL PERSONNEL FILES**

There shall be only one official personnel file for each employee. Each employee’s file will be maintained in the Office of Human Resources and/or the University’s Banner Document Management System. Confidentiality of all files shall be maintained to the extent practicable, and no anonymous material shall be placed in the official personnel file of employees. Personnel files may be destroyed 25 years after the date of separation according to rules promulgated by the State Records Commission.

##### **4.7.4 ACCESS TO PERSONNEL FILES**

An employee shall have access to his/her personnel file during normal operating hours of the Office of Human Resources provided there shall be no undue interference with the normal routine of the Office. To assure access, employees may review and/or access their file at no cost in accordance with the Office of Human Resources procedures governing requests to access personnel files, including submission of the required form to Human Resources in a timely manner. [Upon request, employees may receive one (1) complimentary copy of their personnel file per fiscal year.] Additional copies of the file or documents therein are available upon payment of the reasonable copying expenses.

Under no circumstances shall the official personnel file be removed from the Office by the employee, and access to the file shall be given only in the presence of someone assigned to the Office of Human Resources.

In addition to the employee requests to view personnel files that are submitted to Human Resources by an administrator, other personnel with a legitimate business need to view the file and/or applications filed pursuant to the Alabama Open Records Act shall be granted. Notice to the employee is not required.

If the official personnel file is duly subpoenaed in accordance with law, then the office of Human Resources will consult with the office of General Counsel/Legal and comply with the subpoena as advised. Notice of receipt of any such subpoena to the employee is not required and will not be provided.

#### **4.7.5 REPORTING CHANGES IN PERSONNEL RECORD**

Each employee is required to report any change in name, address, telephone number, e-mail, marital status, and number of dependents to the Office of Human Resources and or update the information in the Banner System. The University will forward all communications to the address on file and is not responsible for non-receipt of any official communication sent to an employee if the employee has failed to update his/her file.

#### **4.7.6 PERFORMANCE APPRAISALS**

It is the policy of Alabama A&M University to administer a formal appraisal program for staff employees. Through this program, the University strives to conduct reviews on a regular basis to facilitate communication and evaluate individual progress toward departmental goals, which in turn relate to University goals. The performance appraisal process provides a meaningful tool for supervisory personnel to stimulate employee morale, job effectiveness, and job satisfaction. Performance appraisals also provide supervisors with a standard for identifying promotable employees, recommending merit increases, documenting performance problems, determining individual training needs, and recognizing distinguished contributions. If a significant period of time has elapsed since the last performance appraisal, the employee should request a review. After the form is completed and discussed, a copy is given to the employee, one is retained for departmental records, and the original is sent to Human Resources for the employee's personnel file.

## **5.0 EMPLOYEE ATTENDANCE AND LEAVE BENEFITS**

### **5.1 WORK SCHEDULES**

#### **5.1.1 NORMAL AND SPECIAL WORK SCHEDULES**

An employee is expected to work regularly scheduled hours established by the University and the supervisor. Each employee is normally assigned a maximum of forty (40) hours per week, unless otherwise approved by the appropriate Vice President and the President.

A work week is from 12:01 a.m. Sunday through 12 p.m. the following Saturday, except in areas that operate twenty-four (24) hours per day, where a work week is from 7:01 a.m. Sunday through 7:00 a.m. the following Sunday.

The normal operating hours for instructional and administrative offices are from 8:00 a.m. to 5:00 p.m., Monday through Friday. The normal lunch period begins at 12:00 noon and ends at 1:00 p.m.; however, lunch breaks occur based on the needs of the unit and supervisor approval. When possible, employee lunch periods shall be staggered to provide coverage of the office during the lunch break.

Any changes in a department's work schedule must have written approval of the appropriate Vice President of that department. Any changes in a department's normal work schedule must be announced to give employees as much advance notice as possible.

#### **5.1.2 BREAKS OR REST PERIODS**

When working conditions permit, non-exempt employees may be allowed two (2) fifteen (15) minute breaks each day. One break should be taken before the lunch period and the other should be taken after the lunch period. Breaks or rest periods must be taken on campus.

Rest periods and meal periods are non-cumulative and shall not be used to leave work early, arrive late or extend meal times.

#### **5.1.3 OVERTIME WORK ASSIGNMENTS**

If the position classification occupied is non-exempt under the provisions of the FLSA, an employee will be paid overtime pay at the rate of one and one-half times the regular hourly rate of pay for all hours worked over forty (40), unless otherwise required by law, within a seven (7) day

workweek. In lieu of cash payment for overtime worked, the University, at the employee's option, may reward compensatory time at a time and one-half rate. The supervisor shall determine through consultation with the employee if he/she will receive overtime pay or compensatory time before the overtime begins. In any event, the University shall follow the requirements of the FLSA as amended from time to time.

No supervisor is authorized to permit a non-exempt employee to earn overtime pay or compensatory time without the prior approval of the appropriate Vice President or his/her designee. The request for overtime or compensatory time must be made in writing on the forms posted on the Office of Human Resources website, specifically stating the need for the non-exempt employee to work overtime and the number of hours involved. In a case of an emergency, a verbal request and approval may take place, but it should be followed by a written request and approval preferably before the end of the next regular workday.

Sick leave and annual leave will not be considered as hours worked in the computation of overtime or compensatory time. Holidays will not be considered in the computation of overtime or compensatory time unless the employee is required to work on the holiday.

#### **5.1.4 COMPENSATORY TIME OFF**

The following policy and guidelines are established for governing the use of compensatory time:

1. Exempt employees do not earn compensatory time off or extra compensation for hours worked in excess of forty (40) hours per week.
2. Accumulated compensatory time may not exceed two hundred and forty (240) hours of overtime. At two hundred and forty (240) hours, a non-exempt employee must be given his/her compensatory time or be paid for the time.
3. A copy of the letter of approval for compensatory time must be attached to the time service report for the period in which the compensatory time was taken. All earned compensatory time must be reported on the time service report for the period.

#### **5.1.5 ACCOMMODATING THE WORK SCHEDULE FOR RELIGIOUS OBSERVANCES**

The University and its employees will not discriminate on the basis of an employee's religious belief. At the employee's request, the University will attempt to provide a reasonable accommodation for religious beliefs or practices of the employee if doing so does not impose an undue hardship on the department or University or interfere with the employee's ability to perform the essential functions of his/her position.

The University is not required to provide the specific accommodation requested by an employee under this section, but will make accommodations based on the totality of the facts on a case by case basis.

### *Procedures for Applying for Religious Observances*

Requests for religious observances must be submitted, in writing, to Human Resources for approval or disapproval. Any exceptions to this policy must be approved by the Director of Human Resources. Please direct any questions regarding religious observances to Director of Human Resources.

## **5.2 ATTENDANCE AND TIMEKEEPING**

Each employee is expected to be on time daily, and each employee is expected to remain on the job throughout the regularly scheduled work day. An employee having an urgent reason for leaving work before the end of the regular work day must obtain permission from his/her supervisor or department chairperson prior to leaving their designated duty station.

Any employee absent from duty without prior approval must provide notice to their immediate supervisor as soon as possible, but no later than one hour before they are scheduled to begin work so that duties can be realigned.

Annual leave hours shall be taken for hours of work missed or the employee shall be on leave without pay for such hours.

Each supervisor is responsible for maintaining documentation of employee's entries made through the timesheet process in Banner Self-Service. Where time cards are used, they shall serve as documentation to the Service Report, provided each employee has signed his/her time card. If time cards are used, employees are prohibited from altering another employee's time card. Clocking in or out for another employee may result in immediate termination.

## **5.3 HOLIDAYS**

### **5.3.1 GENERAL POLICY**

Normal business operations of the University will be suspended in observation of regular holidays, and other holidays as determined by the President and announced through the Office of Human Resources. Regular employees and full-time temporary employees who are not required to

work will be excused on such days without being charged leave or losing pay. In the event such staff members are required to work on a holiday, they will be granted another holiday or may take leave at a later date.

### **5.3.2 REGULAR HOLIDAYS**

Regular holidays shall be established annually by the Office of the President or his/her designee and published on the Human Resources website found at [www.aamu.edu](http://www.aamu.edu) and in publications and academic calendars as appropriate.

In addition, at the President's discretion, he/she may designate other days as "off-days" for University employees.

### **5.3.3 ELIGIBILITY FOR HOLIDAY PAY**

Regular staff members and full-time temporary staff members receive holiday pay at their regular rates unless otherwise required by applicable law in an individual employee's case. Part-time employees will receive holiday pay prorated on the basis of their full-time equivalency (F.T.E). Employees must be present at work or be on previously approved leave on the workday before and the workday after a holiday period in order to be paid for holiday pay. Exceptions are retirees whose retirements become effective during a holiday period. Personnel who fall in this category may receive holiday pay.

### **5.3.4 ANNUAL LEAVE DURING HOLIDAYS**

Staff members who are on annual leave during holidays shall receive holiday time in lieu of annual leave on a day-to-day basis. These days shall be reported as "holiday" and shall not be charged against accrued annual leave.

### **5.3.5 SICK LEAVE DURING HOLIDAYS**

Employees who are on authorized sick leave when a holiday occurs shall be granted holiday pay in lieu of sick leave on a day-to-day basis. Sick leave will not be charged on holidays.

### **5.3.6 HOLIDAY PAY FOR EMPLOYEES ON LEAVE OF ABSENCE**

Employees in a non-pay status while on a Leave of Absence for any reason are not entitled to receive pay for holidays observed during their absence.

## **5.4 ANNUAL LEAVE**

### **5.4.1 GENERAL POLICY**

Regular employees and full time temporary employees are entitled to time off with pay for vacation or other personal reasons. It is the intent of this policy to provide eligible staff members with sufficient time each year for rest and relaxation as well as for conducting personal business whenever such absences are approved in advance in writing by the supervisor.

### **5.4.2 ACCRUAL RATE**

An employee earns annual leave credits for all hours in which he/she is considered to be in an active pay status, which includes but is not limited to: normal work hours, paid annual leave, paid sick leave, paid jury duty, and paid military leave.

Calculations of annual leave will be computed as follows:

All full-time employees and full-time temporary employees shall earn annual leave in accordance with the following schedule:

Years of Continuous Service	Days of Annual Leave Accrued
0-4	12
5-9	15
10-19	18
20 or more	24

### **5.4.3 MAXIMUM ACCRUALS**

Staff members may accrue reimbursable Annual Leave up to a maximum of two hundred forty (240) hours. Once the two hundred forty (240) hours have been accumulated, the staff members may continue to accrue non-reimbursable annual leave. However, all annual leave in excess of 240 hours remaining at the end of any fiscal year will be forfeited by the employee in question.

#### **5.4.4 LEAVE ACCRUAL FOR PARTIAL MONTHS OF EMPLOYMENT**

Eligible staff shall earn Annual Leave at the full monthly rate when in a pay status for fifteen (15) or more calendar days during the pay period. When in a pay status of less than fifteen (15) days during the pay period, staff members will not earn Annual Leave.

#### **5.4.5 REIMBURSEMENT FOR LEAVE ON SEPARATION OF EMPLOYMENT**

Any staff member whose employment is separated for any reason other than gross misconduct will be reimbursed for unused Annual Leave up to the maximum of two hundred forty (240) hours.

#### **5.4.6 SCHEDULING AND APPROVAL OF ANNUAL LEAVE**

Department heads and supervisors are responsible for scheduling and approving the Annual Leave of their staff members prior to actual absences. Staff members must request Annual Leave in advance to ensure their absence will not interfere with the work of the department or unit. Request for leave must be submitted by Staff members on the University's Leave Request Form as posted on the Office of Human Resources website. The signature of department heads or supervisors on the leave forms of non-academic Staff members constitute approval of Annual Leave.

### **5.5 SICK LEAVE**

#### **5.5.1 GENERAL POLICY**

Regular employees and full-time temporary employees are granted protection from loss of pay because of absences as a result of personal injury or serious illness within their immediate family, through the accumulation of Sick Leave. The University defines immediate family as spouse, spousal equivalent, children, step-children, children-in-law, parents, step-parents, parents-in-law, brothers, brothers-in-law, sisters, sisters-in-law, grandparents, grandparents-in-law, and grandchildren, aunts, uncles, nieces, nephews, and first and second cousins. Other relationships are excluded unless there is a guardian relationship. Employees must report to their supervisors prior to an absence related to sickness or injury, or at their earliest opportunity, giving the reason for the absence and the expected date of return.

Failure to communicate with the supervisor for three (3) consecutive days of absence will be considered job abandonment. The positions may then be considered vacant and action will be initiated to recruit replacement.

### **5.5.2 ACCRUAL OF SICK LEAVE**

Full-time employees accumulate Sick Leave at the rate of one workday, 8 hours, for each full month worked. Regular part-time employees are entitled to accrue Sick Leave prorated on the basis of their full-time equivalency F.T.E. Staff members who are employed in a pay status for fifteen (15) or more days of any calendar month shall earn a full day of Sick Leave per month. Staff members who are employed in a pay status for less than fifteen (15) days in any calendar month shall not accrue Sick Leave at that month. Sick Leave entitlements accrue during all periods of paid leave.

### **5.5.3 USE OF SICK LEAVE**

Eligible employees may be granted Sick Leave when they are unable to perform their duties because of personal illness or injury, or illness within their immediate family as defined in section 5.5.1, or because they must be absent from work for the purpose of obtaining health-related professional services which cannot be obtained after regular working hours. Sick Leave is a privilege, as opposed to an earned right, and must be accrued before it can be used. For policies governing extended disabilities, refer to Section 5.6.

### **5.5.4 RECORDING OF SICK LEAVE**

Departments and administrative offices will maintain a record of Sick Leave accrued by each employee. Absences due to Sick Leave should be documented on the University's Leave Request Form as completed by the employee for his/her approval and reported on the Monthly Service Report that is submitted to the Payroll Office by department heads or supervisors, who should enter the appropriate hours of each day of absence. The minimum time to be recorded for part of any workday charged as Sick Leave is thirty (30) minutes.

### **5.5.5 ABUSE OF SICK LEAVE**

Supervisors who have reason to believe that Sick Leave is being abused or claimed under false pretense may require evidence of illness or injury in the form of medical certificates or statements from a physician. In such cases, the department head or supervisor has the option to grant tentative approval of sick leave pending receipt of evidence or to enter "Leave Without Pay" on the time sheet until satisfied that the absence was due to illness or injury. Evidence of abuse of Sick Leave is grounds for disciplinary action, including dismissal.

If an employee claims Sick Leave or personal days for the purpose of working a second job, such action will be regarded as misconduct and/or dishonest behavior and appropriate action taken, including dismissal.

### **5.5.6 PAYMENT FOR SICK LEAVE ON TERMINATION**

Employees who were employed by the University prior to November 1, 1993 separating from employment with the University (including retirement) without being terminated for gross misconduct, may be paid one-half pay for each day of accrued/unused Sick Leave at their current rate of pay for each such day accrued prior to November 1, 1993, with the maximum cap of 960 hours total. Employees who are retiring under Teacher's Retirement have the option of applying such unused Sick Leave towards retirement service credit. There shall be no payment for accrued/unused Sick Leave accrued after November 1, 1993.

### **5.5.7 REINSTATEMENT OF SICK LEAVE**

If a former staff member is reemployed within 180 days of resignation, accumulated Sick Leave not taken or not paid the employee at the time of resignation may be reinstated. Note: With regard to employees subject to the 1993 exception stated above, payment for one-half pay for all sick leave days accrued and unused as a result of a prior termination shall be considered full pay for those sick days and the employee shall not be entitled to any sick day credit upon his or her re-employment with the University.

## **5.6 FAMILY MEDICAL LEAVE ACT**

### **5.6.1 GENERAL POLICY**

#### ***Requirements for Eligibility***

The University offers leaves of absence in accordance with the Family and Medical Leave Act of 1993 ("FMLA") and the FMLA expansion under The Support for Injured Service members Act of 2007. To be eligible for such leave, employees must meet the following requirements:

- Employed by the University for at least 12 months and have at least 1,250 hours during the 12 months immediately preceding the start of FMLA leave.
- Except when leave is unforeseeable, the employee must provide the University at least 30 days advance notice of requested leave by obtaining and completing the Employee Request for FMLA Leave and Certification of Health Care Provider (available from Human Resources). In cases where 30 days notice is not possible, notice must be given as soon as practical.
- For leave involving the serious illness of the employee, spouse, child or parent, medical certification is required. Failure to provide advance notice and medical certification when required can result in leave being delayed for up to 30 days or being denied.

### ***Reasons Qualifying for FMLA Leave***

An eligible employee may take up to 12 weeks of FMLA leave in a 12-month period for the following family and medical reasons:

- Birth of a child and to care for the newborn;
- Placement of a child through adoption or foster care and to care for the newly placed child;
- To care for an employee's seriously ill parent, spouse, or child under the age of 18. (A parent may also request time for the serious medical illness of a child who is older than 18 and "incapable of self-care because of a mental or physical condition.");
- When the employee's own serious health condition makes the employee unable to work;
- A covered family member's active duty or call to active duty in the Armed Forces (spouse, son, daughter or parent); or
- An employee is also eligible for a leave up to 26 weeks in a 12-month period to care for a service member who is injured or ill, with the injury or illness being sustained while on active military duty.

The 12-month period during which the employee may take 12 weeks of FMLA leave is a rolling 12-month period starting with the date the employee first uses medical leave. Each time an employee takes leave, the University will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks (or 26 weeks for the care of an injured or ill service member) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.

An employee must use any accrued Annual and Sick Leave during an approved FMLA leave. If an employee's accrued Annual and Sick Leave is exhausted but the employee is still eligible for additional leave under the FMLA, the remainder of the employee's FMLA leave will be unpaid. All leave time runs concurrently, with only a total of 12 weeks allowed under FMLA (or 26 weeks for the care of an injured or ill service member).

### ***Continuation of Benefits***

Unless otherwise notified, the University will continue the employee's applicable group benefits (i.e., health, dental, vision, life insurance, disability insurance) as though the employee was actively at work. Any portion of benefits the employee paid while at work must continue to be paid

while on FMLA leave. If the employee does not return to work following FMLA leave, he/she may be required to reimburse the University for its share of health insurance premiums paid on the employee's behalf during his/her FMLA leave. For retirement purposes, the employee's hire date will not be adjusted while on FMLA leave.

### ***Employee Status after Leave***

An employee who takes leave under this policy will be able to return from leave to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or virtually identical in terms of pay, benefits and working conditions.

The University may choose to exempt certain key employees from this requirement and not return them to the same or similar conditions.

## **5.7 MILITARY LEAVE**

### **5.7.1 GENERAL POLICY**

A military leave of absence will be granted to employees absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) (for details, see <http://www.osc.gov/userra.htm>). Advance notice of military service is required, unless the military prevents such notice or it is otherwise impossible or unreasonable. Notice should be provided as soon as possible to the employee's supervisor and to Human Resources.

## **5.8 AMERICANS WITH DISABILITIES ACT**

The University is committed to ensuring equal opportunity and access to all members of the campus community in accordance with Section 503 and 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). The University prohibits discrimination against any employee or applicant on the basis of physical or mental disability or perceived disability. The University will provide reasonable and appropriate accommodations to enable employees to participate in the life of the campus community. Individuals with disabilities are responsible for reporting and supplying documentation verifying their disability. Requests for accommodations must be initiated through the Office of Human Resources by submission of the ADA Accommodation Request Form that is posted on the Human Resources Website.

### **5.8.1 DEFINITION**

The ADA's protection applies primarily, but not exclusively, to "disabled" individuals. An individual is "disabled" if he or she meets at least any one of the following tests:

- A. He or she has a physical or mental impairment that substantially limits one or more of his/her major life activities;
- B. He or she has a record of such an impairment; or
- C. He or she is regarded as having such impairment.

Employees with disabilities at the University are encouraged to confer with the Office of Human Resources to identify suitable accommodations and services after submission of the required ADA Accommodation Request Form. Any questions, difficulties, or concerns should be referred to the Office of Human Resources as soon as possible.

### **5.8.2 NOTIFICATION REQUIREMENTS AND SERVICE CRITERIA**

- A. **Self-Disclosure:** All employees seeking accommodation under section 504 of the Rehabilitation Act of 1973 *et seq.* or the Americans with Disabilities Act must self-identify with the Office of Human Resources. For accommodations, a written requisition must be submitted to this Office.
- B. **Documentation:** It is the responsibility of employees to submit documentation of physical or learning disabilities from qualified and licensed medical or testing personnel. Expenses incurred in obtaining the professional verification are the individual's responsibility. The following documentation criteria and the ADA Accommodation Request Form should be used in forwarding assessments to the Office of Human Resources for disabilities verification:

#### **1. Physical, Sensory, and Health-Related Disabilities**

- a) Verification of the disabling condition must be obtained from a licensed health care professional that is qualified and currently or recently associated with the individual.
- b) The diagnosis must reflect the present level of functioning of the major life activity affected by the disability.

#### **2. Psychological Disorders or Attention Disorders**

- a) Verification of diagnosis and severity of disabling condition from a qualified professional (e.g., psychiatrist for ADD/ADHD, psychologist or psychiatrist for other psychological disorders).
- b) A detailed description of how this impairment significantly limits a major life activity should be provided.

### 3. **Learning Disabilities**

- a) A professional qualified to diagnose a learning disability (e.g., a licensed psychologist, learning disabilities specialist, neuropsychologist) must prepare the evaluation. Collaboration with speech and language clinicians, reading specialists and other educational professionals may be appropriate and necessary for a comprehensive assessment.
- b) Results of a clinical interview with the individual and descriptions of testing procedures, instruments used, test and sub-test results reported in standard scores should be included.
- c) Evaluations must be comprehensive and include test results in the following areas, where applicable; intelligence, reading, mathematics, spelling, written language, language processing and cognitive processing skills. Testing should carefully examine areas of concern/weakness as well as areas of strengths.
- d) A clear diagnostic statement based on test results and personal history must be included.
- e) An evaluation should be no more than three (3) years old. This requirement may be waived if deemed not medically necessary.

C. **Employee Responsibilities:** Employees with disabilities are obligated to utilize all adjustments and/or accommodations properly and responsibly.

#### **5.8.3 REASONABLE ACCOMMODATION**

The University has adopted the following as established by the U.S. Equal Employment Opportunity Commission (EEOC):

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but is not limited to:

- a) Making existing facilities used by employees readily accessible to and usable by persons with disabilities;
- b) Job restructuring, modifying work schedules, reassignment to a vacant position; and
- c) Acquiring or modifying equipment or devices, adjusting/modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

The University is required to make an accommodation for the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the University's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources and the nature and structure of its operation.

The University is not required to lower quality or production standards to make an accommodation, nor is it obligated to provide personal use items such as glasses or hearing aids.

The University will not ask job applicants about the existence, nature or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required for all entering employees in similar jobs. Medical examinations of employees must be job related and consistent with the University's business needs.

Employees and applicants currently engaging in the illegal use of drugs are not covered by the ADA, when the University acts on the basis of such use. Tests for illegal drugs are not subject to the ADA's restrictions on medical examinations. The University will hold illegal drug users to the same performance standards as other employees.

#### **5.8.4 UNDUE HARDSHIP**

For the purposes of this document, The University applies the ADA definition of "undue hardship" as an action requiring significant difficulty or expense. Factors to be considered in determining undue hardship may include, but are not limited to:

- ♦ the cost of the accommodation required under ADA;
- ♦ the financial resources of the facility involved in the provision of the reasonable accommodation;
- ♦ the number of students and/or employers involved;
- ♦ the financial impact on the facility;

- ♦ the impact on the operation and geographic, physical, administrative, or fiscal relationship of the facility in question.

#### **5.8.5 PROVISION OF ADA ACCOMMODATIONS**

If an employee is a qualified individual with a disability as defined by the ADA, then the Director of Human Resources or his/her designee shall consult with the employee's immediate supervisor to determine necessary reasonable accommodations, if any that will be granted to the employee. The provision of an ADA accommodation shall be based on the employee's submission of required forms and documentation and consideration of the essential functions of his/her position as well as consideration of whether the accommodation will pose an undue hardship on the department.

The Office of Human Resources shall send a written ADA Accommodation Plan to the employee and his/her immediate supervisor. Documentation regarding the ADA Accommodation request and the accommodation plan, if any, shall be retained in a separate confidential file in the Office of Human Resources.

#### **5.8.6 ADA COMPLAINTS**

All ADA complaints are considered to be allegations of discrimination and therefore must be filed with the Director of Human Resources.

## **5.9 ADMINISTRATIVE LEAVE**

### **5.9.1 GENERAL POLICY**

Regular employees and full-time temporary employees will be placed on Administrative Leave and excused without loss of pay under the following conditions:

### **5.9.2 JURY DUTY**

Staff members who are selected for terms as jury members will be given administrative leave. Prospective jurors must furnish to department heads and/or supervisors the official statement from the court which assigns them jury duty and which indicates the days of service. Payments received for services as jury members are the property of employees serving on juries. The regular pay of employees assigned jury duty will not be affected while they are administrative leave.

### **5.9.3 WITNESS SUMMONS**

Staff members who are subpoenaed as witnesses in court cases may be granted administrative leave upon presentation of a copy of the subpoena to their department heads and/or supervisors. Employees who appear in court as witnesses on their behalf, either as plaintiffs or defendants, are not entitled to administrative leave. They must request annual leave for this purpose.

### **5.9.4 VOTING**

Staff members may be granted up to two (2) hours of administrative leave if conditions are such that it will create hardship for an employee to vote before or after working hours. Permission to use administrative leave for this purpose must be given by supervisor.

### **5.9.5 EMERGENCY CLOSING**

If prolonged power or utility failure or any other emergency condition should prohibit the performance of regular duties, employees may be granted administrative leave by the President or his / her designee.

### **5.9.6 SEVERE WEATHER**

In the event that the University closes due to severe weather, administrative leave will be granted. If, however, the University remains open, employees must make their own decision as to when they should leave work early or stay home during severe weather conditions or other uncontrollable circumstances that may present concerns for personal safety. Employees who leave

early or stay home under these circumstances may request that administrative leave be given. Such request must be considered on an individual basis by supervisors.

For the purpose of this policy, with manager's approval, employees may also elect to make up hours during the work week in which the absence occurs. Non-exempt employees, with their manager's approval, may also elect to make up hours during the work week in which the absence occurs as long as the total time worked is not in excess of forty (40) hours per week (or 8 hours per day where state law provides overtime pay for any hours in excess of 8 hours per day) unless the necessary approvals are gained in advance by the employee for such overtime.

### **5.9.7 BEREAVEMENT LEAVE**

Full time and regular staff members who are in active work status (e.g. regularly reporting to work at the time of the request for leave) shall, upon written request, be granted up to three (3) workdays of Administrative Leave (bereavement leave) upon the death of an immediate family member as defined in section 5.5.1. These workdays must be consecutive, and the period of time off must encompass the day of the funeral. If additional days of absences are necessary, employees may request annual leave, indicating the extenuating circumstances.

### **5.9.8 OTHER**

Administrative leave maybe used to temporarily address a particular situation. An employee is only placed on administrative leave, by the President, when the University determines that the employee cannot be allowed to remain in the workplace. The most common reasons for placing an employee on administrative leave are: (1) As a prudent business practice to secure particularly sensitive information or resources when warranted by the circumstances; (2) To facilitate the investigation of allegations of misconduct, which if true, could place persons or University resources in jeopardy; or (3) To remove an individual from the workplace who is behaving disruptively pending assessment of the situation.

## ***6.0 OTHER EMPLOYEE BENEFITS AND SERVICES***

### **6.1 GROUP MEDICAL INSURANCE**

The University offers a program of group medical insurance which includes both basic medical and major medical insurance for employees and their dependents. This plan does not include insurance for loss of income resulting from illness or injury.

Group medical insurance is available as defined by the Affordable Care Act (ACA). It is used to assist in covering the cost of medical services, surgical services and hospital services. The cost of the insurance to cover the employee is paid for mutually by the employee and the University. The percentage and amount paid by the University will be determined annually based upon available financial resources and budgetary constraints. The University does not guarantee or commit to any fixed ratio between what is paid by the employee as compared to the amount paid by the University. Both the amount paid and/or the ratio paid by the University may change at any time in the sole discretion of the University.

Participating employees may include their dependents for coverage under the group medical insurance plan, but the full premium cost for dependent coverage will be charged to the employee. Dependents may include the spouse and all children to include stepchildren and legally adopted children from the date of birth up to 26 years of age. An employee's coverage will be effective on the first of the month following the date of employment.

The University also offers dental and vision insurance as optional benefits for employees at a minimum cost.

The University participates in the Public Education Employees' Health Insurance Plan (PEEHIP). The premium amounts paid by the University and employees are determined by the PEEHIP Board and are subject to change at any time.

### **6.2 GROUP LIFE INSURANCE**

The University currently affords to all its full-time employees a group life insurance policy at no cost to the employee. Additional coverage may be purchased by the employee.

Other insurance, such as Accidental Death Dismemberment, and dependent life insurance, may be purchased by employees.

Employees who wish to purchase additional insurance should contact the Office of Human Resources.

Any benefit may be discontinued or reduced as the fitness of the University may require.

### **6.3 RETIREMENT PROGRAM**

Under current law, all full-time University employees are required by law to become members of the Alabama Teachers' Retirement System. Each employee is required to contribute a percentage of his/her annual salary to the retirement system as determined by the state legislature, and the amount paid into the system by each employee is supplemented by an allocation from the state legislature. Under current law, after ten or more years of creditable service, a member has a vested interest in the Alabama Teachers' Retirement System and may apply for a monthly benefit check upon reaching the age of 60. If an employee terminates his/her service with the state, he/she may request a refund settlement of the amount contributed to the system plus a portion of the earned interest, depending on the length of membership. However, a terminated employee may retain membership in the system for five (5) years after which the system will return to him/her the accumulated benefits, thus ending the membership in the Alabama Teachers' Retirement System. Lump sum withdrawal of contributions prior to retirement may be subject to a penalty under the Tax Reform Act (TRA) of 1986.

Tier 1-Employees hired before January 1, 2013 are classified as a TRS Tier 1 Member.

Tier 2-Employees hired after January 1, 2013 and do not have prior service with the Retirement System of Alabama, are classified as a TRS Tier 2 Member.

The actual provisions of applicable law shall govern and not the provisions of this paragraph. Information concerning the Alabama Teachers' Retirement System may be obtained from the Teachers' Retirement System of Alabama, 135 South Union Street, Montgomery, Alabama 36101. Information on the Alabama Teachers' Retirement System is also available within the Office of Human Resources.

### **6.4 TUITION ASSISTANCE AND EDUCATIONAL BENEFITS**

#### **6.4.1 General Policy**

It is the policy of Alabama A&M University to offer educational benefits, special training opportunities, and tuition grants to all full-time employees for the Fall and Spring terms.

#### **6.4.2 Tuition Grants**

Full-time employees are eligible for tuition grants equaling 100% of the current rate of tuition for courses taken at the University up to a maximum of four (4) hours per semester.

Their spouses and dependent children are eligible for tuition grants equaling 50% of the usual tuition for all courses taken or audited, provided the faculty/staff member: (a) is a permanent, full-time employee; (b) has completed one year of full-time service with Alabama A&M University; and (c) the spouse or dependent child meets the academic prerequisites for enrollment as a student. As it relates to spouses and dependent children, tuition grants are valid for eight (8) semesters, counting from June 2011.

Laboratory fees and other specific course related fees are not covered by this policy and must be paid fully by the employee, spouse or dependent child enrolled as a student at Alabama A&M University.

For the purpose of administering this policy, a dependent child is defined as being an unmarried child, either biological or legally adopted, or stepchild and who is under the age of twenty-six (26) at the beginning of the semester for which a tuition grant is awarded.

### **6.4.3 Procedures**

Eligible employees who wish to apply for tuition grants for themselves and their dependents should complete and submit the Application for Tuition Assistance for each semester to the Office of Human Resources before the last day of each semester. An employee who becomes eligible for this benefit after the official date of class registration may first receive a grant the following semester. An approved copy will be provided to applicants for their records and a copy will be provided to the Registrar's Office and the Office of Business and Finance.

### **6.4.4 Class Attendance for Credit Courses during Working Hours**

In order for an employee to attend a class during working hours, approval by the appropriate administrative official must be given. Such approval is limited to four (4) hours per week with the understanding that the time off will be made up within each pay period.

### **6.4.5 Release time for Non-Credit Courses/Programs:**

The Office of Human Resources occasionally announces specific training sessions for its staff that afford employees an opportunity to become better informed of University policies, their job, new information, etc. In cases like these, the training will be conducted during work hours, when possible, and if the supervisor approves the attendance of these activities, the employees will not be required to make up the time.

## **6.5 LIBRARY SERVICES**

The library is located in the Learning Resource Center. In order for employees to use the library, they will be required to identify themselves with the University's identification card. A valid identification card must be presented in order for employees to check out books and other materials.

Questions regarding library services must be addressed to the Learning Resource Center.

## **6.6 WELLNESS CENTER**

The University offers discounted monthly membership fees for use of the University Wellness Center for full-time regular personnel as outlined in policies as published by the Wellness Center and/or Office of Student Affairs.

Questions regarding the Wellness Center must be addressed to the University Wellness Center.

## **6.7 UNIVERSITY PARKING**

All vehicles operated on the campus by employees must be registered with the Office of Public Safety and bear a decal issued by the University. Decals must be purchased in the Office of Business and Finance's Cashier's Office or during registration and obtained in the Office of Public Safety. Acceptable proof of vehicle ownership, tag receipt, bill of sale, or insurance papers must be presented at the time of purchase. Vehicles must display decals and use the designated parking area that corresponds with the decal purchased. Cars parked in areas not corresponding to the decal may be ticketed or towed away at the owner's expense without warning.

Campus parking restrictions are in effect from 8:00 a.m. to 5:00 p.m., Monday through Friday. All other parking restrictions (e.g. streets, loading zones, fire plugs, and the President's parking space) are in effect 24 hours each day. Parking violations will be indicated on tickets issued by University Police Officers, and assessed fines must be paid in accordance with procedures of the Office of Public Safety. Parking violations may be appealed in accordance with the procedures of the Office of Public Safety.

## **6.8 EMPLOYEE IDENTIFICATION CARDS**

Every person who is hired in a full time or regular position of employment at the University must possess an employee identification card. These cards are prepared and issued by the Business Office and should be carried by the employee at all times during business hours.

## **6.9 EMPLOYEE ASSISTANCE PROGRAM**

The University offers an Employee Assistance Program (EAP) to all full-time employees at no charge. The goal of EAP is to provide outside, professional assistance to a wide range of personal problems to full-time employees. Emotional and psychological support and guidance as well as financial and/or legal advice are available with unlimited access to consult with a professional counselor by telephone. In person counseling sessions are available, if needed. Up to three (3) sessions per year are free of charge as part of the WorkLife Matters EAP Benefit.

Questions regarding the EAP should be directed to WorkLife Matters at the telephone number and website listed on the Office of Human Resources' website.

## **6.10 RECOGNITION AND AWARDS**

A critical element in the success of the University is the experience, expertise, and service of its employees. To motivate employees, enhance morale, and recognize and reward employees for dedicated and outstanding service, the University has the following recognition programs:

### **a) Service is Sovereignty Society**

Membership in this elite prestigious society is accorded to individuals who have thirty or more years of service with the University. Inducted members receive a specially designed lapel pin and attend an event hosted by the President.

### **b) Ten Year Service Award**

Individuals who have completed ten years of service with the University receive a specially designed lapel pin and are recognized publicly at a University event.

### **c) Retiree Award**

Individuals who retire from the University are given a gift bearing the University's seal/logo, recognized publicly, and attend an event hosted by the President in conjunction with Service is Sovereignty event.

### **d) Character of the Month**

Upon nomination by peers and selection by the Character of the Month Committee, individuals are recognized for exhibiting and possessing the specific character trait of the month. Individuals chosen have their pictures taken with the President, receive a replica Bulldog, and

are featured on the University's radio and television stations.

e) **Administrative Professional's Day Luncheon**

The Luncheon provides an opportunity for departments to recognize the valuable contributions of their office support staff at the University. The cost of the luncheon is defrayed jointly by the individual supervisor and the University and each administrative professional in attendance receives a Certificate of Appreciation and a gift.

## **7.0 EMPLOYEE STANDARDS AND PRACTICES AND RESPONSIBILITIES**

### **7.1 SAFETY**

In compliance with the Occupational Safety Health Act of 1970 (OSHA), the University endeavors to take every reasonable measure to ensure that it provides a safe, healthy workplace for its employees. To assist in this effort, employees are required to practice safe work habits and report any unsafe conditions of which they become aware. In addition, employees should familiarize themselves with the University's safety policies and procedures as well as the Office of Human Resources' Workplace Injury and Reporting procedure.

### **7.2 INJURY IN THE WORK PLACE**

An employee sustaining an injury on the job is required to immediately report the injury to his/her supervisor. Each supervisor is required to provide a written report to the Office of Human Resources within forty-eight (48) hours of any form of an illness or injury at work, regardless of whether medical care for the injury/illness was required. For reporting work-related injuries and illnesses, the supervisor must use the Occupational Safety and Health Act (OSHA) Form that is an attachment to the Office of Human Resources' Workplace Injury and Reporting procedure. The procedure is available on the Office of Human Resources' website and in the Human Resources **Procedure 6.5. On-the-job injuries run concurrently with Family Medical Leave (FML)**.

### **7.3 DRESS CODE**

The University requires employees to wear business attire Monday through Friday. Business Casual Attire, as outlined in Human Resources **Procedure 6.6**, is permitted at the discretion of departmental supervisors on Fridays. Radical departure from conventional dress and grooming is not permitted. Dress that results in distraction of other employees or disruption of the work of the department, as determined by the department head in consultation with the Director of the Office of Human Resources, will not be permitted. The University will review and revise the dress code for its employees as the University deems appropriate.

### **7.4 SMOKE FREE CAMPUS POLICY**

#### **7.4.1 Policy Statement**

In the interest of promoting the health, well-being and safety of students, faculty, staff and campus visitors, Alabama Agricultural & Mechanical University (AAMU) prohibits smoking

anywhere on University property and limits the use of smokeless tobacco products and electronic cigarettes on its campus. The complete policy can be found on the Office of Human Resources website at

<http://www.aamu.edu/administrativeoffices/hrservices/Documents/University%20Smoke%20Free%20Campus%20Policy.pdf>

### **III. GENERAL RULES**

#### **1. Prohibited Smoking Areas**

Smoking is prohibited in all University owned buildings and residence halls on the campus of Alabama A&M University. All buildings are designated as non-smoking areas. Individuals are also prohibited from smoking or carrying lighted cigars, cigarettes, or pipes in any indoor facility, enclosed bus stops and University-owned or controlled vehicles.

#### **2. Areas in which Smoking is Permitted**

Smoking is permitted only in designated areas outside of University buildings provided that these areas are located at least thirty (30) feet from doorways, windows and ventilations systems to prevent smoke from entering buildings and facilities, and have been clearly designated as “smoking areas.” The Facilities Department will determine the number and location of designated smoking areas and will provide receptacles for disposal of smoking materials. Smokers are reminded that improper disposal of smoking materials is a fire hazard and considered littering, which may subject the offender to a fine.

#### **3. Signage**

No smoking signs will be posted conspicuously at the entrance of every building. Designated smoking areas will be identified by signage and the location stated on the campus map.

### **IV. ENFORCEMENT**

This policy shall be enforced by any supervisor, department chair, dean, vice-president and the University police.

### **V. PENALTY**

In accordance with Section 14-92 of the Code of Ordinances for the City of Huntsville, “any person who willfully smokes in an area where smoking is prohibited . . . shall be guilty of an offense

and shall be subject to punishment by a fine of not less than \$1.00 nor more than \$500.00 for each such offense.”

**AUTHORITY:** Code of Ordinances, City of Huntsville, Alabama, Article IV, Chapter 14.

#### **7.4.2 COMPLIANCE OF POLICY:**

This policy is based on the cooperation and consideration of respect for one another and requires smokers and non-smokers to work together for a successful implementation. All members of the University are responsible for observing the provisions of this smoking policy. Persons found in violation of this policy will be subject to the penalty provided by law or reprimand by verbal warning by the appropriate supervisor. Repeated violations will result in progressive disciplinary measures.

Cleaning of litter from cigarettes or any tobacco products can create a tremendous financial strain on Facilities Management. The eye sore of cigarettes on campus reduces its appeal to visitors and prospective students as well as the University faculty, staff, and students. The litter will not be tolerated and a fine for littering may be imposed and enforced by the University Police.

Questions or concerns regarding this policy and the implementation there of should be referred to the Department of Administrative Services for Facilities/Environmental Health and Safety. All area managers and their representatives are responsible for seeing that individuals in the departments comply with this policy. Enforcement regarding smoking in non-smoking areas and or littering is the responsibility of the University Police.

#### **7.5 CONFIDENTIALITY**

A University employee, in the course of their employment, may have access to “Confidential Information.” “Confidential Information” includes records (in whatever form, including electronic or email) of students, faculty, or staff. This would include, without limitation, grades, exams, financial information, health records, disciplinary records, employee background records, or other private information protected by law or University policy. All of these types of information, and other information not intended for dissemination to the general public, protected by law, and/or protected by policy, are considered “Confidential Information.”

Confidential Information must not be disclosed, absent specific (usually written) consent or due, legal authorization. Employees are not permitted to access any Confidential Information unless there is a specific, legitimate reason to do so and the employee has been authorized by appropriate officials. Employees should maintain the confidentiality and privacy of Confidential Information and shall not, directly or indirectly, communicate any Confidential Information to any unauthorized person.

Any breach of this agreement, release of Confidential Information, or any abuse of the employee's position, including but not limited to unauthorized access to records, disclosure of information from student records, alteration of records, and/or destruction of records or other similar acts, may constitute a basis for disciplinary action, up to and including termination of employment..

## **7.6 POLITICAL ACTIVITY**

Employees of Alabama A&M University may hold office or position with agencies, boards, commissions and other entities of the State of Alabama, including its political subdivisions and the United States, provided the holding of such offices or positions is not in conflict with the employee's position with the University. The President should be notified through channels of the appointment or election. It is expected that these positions will require minimum time away from University assignments.

Employees of the University are eligible to hold political office. No prior approval is necessary for holding public office. Reasonable arrangements may be made in the employee's work schedule to accommodate participation in political office-holding.

Employees are authorized to engage in political activity subject to the following conditions:

- A. No University employee may seek or hold public office and remain in the employ of the University if such activities would or could result in a conflict of interest, or interfere with the proper performance of an employee's duties to the University.
- B. No University employee may publicly support any political candidate, entity, campaign, program, or action unless it is clearly indicated that such actions represent a personal standpoint and not the University.
- C. No University employee may use any property of the institution, such as transportation, stationery, telephone, etc., in support of a political candidate.
- D. Political activity on the part of University employees must comply with all state and federal laws, including the Hatch Act, and all other policies of Alabama A&M University.
- E. University employees desiring to seek election to public office while retaining their employee status with the University must make their intentions known to their supervisor or department head and gain appropriate approval where such activity will require absences from their duty during the normal work hours.

## **7.7 CONFLICT OF INTEREST**

In compliance with Alabama Ethics Laws, Ala. Code § 36-25-1, et. seq., no employee shall:

- A. Engage directly or indirectly in any business transactions or private arrangements for profit that accrue from or are based upon his or her position or authority with the University.
- B. Participate in the negotiation of or decision to award contracts, settle any claims or charges in any contracts, make loans, or establish rates, guarantees or other things of value with or for any entity in which he or she has a financial or personal interest.
- C. For his or her personal gain or the gain of others, use or disclose any information obtained as a result of employment which is not generally available to the public.
- D. Accept a gift or “thing of value” for him or herself, or his/her family member for the purpose of influencing official action.
- E. Use any University equipment, supplies or properties for purposes other than those designated and authorized by University policies.

## **7.8 USE OF UNIVERSITY’S NAME**

The name of the University, its official logo and seal, and/or its official letterhead are copyrighted and shall not be used by any employee for any purpose, including, without limitation, in any advertising or commercial publicity for personal profit, or in such a manner to imply University approval. Employees who participate in interviews and surveys sponsored by outside agencies shall make it clear that they speak as private individuals and not as employees of the University.

An exception to this policy exists in the case of an employee who published an article or paper or engages in some other activity which provides credit to both the University and his or her own standing in the academic community.

## **7.9 UNIVERSITY MAIL, TELEPHONE CALLS AND FACSIMILE TRANSMISSIONS**

Employees of the University are not to use the University mail system to send or receive personal mail.

When you answer the telephone, you represent Alabama A&M University. You should identify yourself and your department/unit when answering or making a call and always respond to callers in a manner that is pleasant, courteous and helpful.

Your telephone and facsimile machine are to be used for business only. Please do not impede the business operations of the University with personal phone calls. In an emergency situation, you may use the University telephones; however, for normal personal use, you should use your own phone. There should be no expectation of employee privacy when using the University phone system. Use of cell phones must be held to a minimum and must not interfere with the employee's work and/or operations of the department.

#### **7.10 ELECTRONIC MEDIA (E-mail, Voicemail, and the Internet)**

All electronic media systems including voicemail, e-mail, the Internet, fax machines, hardware, software, local area networks, files, and all information composed, transmitted, accessed, received or stored in these systems are the property of Alabama A&M University. The electronic media systems are to be used for conducting University business only and the use of this equipment for personal commercial purposes or for personal financial or other gain is strictly prohibited.

These systems are not to be used for soliciting outside business ventures or for non-University related purposes. Personal use of University computer resources is permitted only when such use is limited, does not consume a significant amount of computing resources, does not interfere with the performance of the user's job or other University responsibilities, with the work of other employees, does not interfere with the computing activity of other users, and does not violate applicable laws, rules, policies, contracts or licenses. Certain uses of University computer resources are never permitted.

These include the following:

- Interfering with or otherwise inappropriately or illegally intruding on the operation of the University's computer and telecommunications systems, including but not limited to, "hacking" or "cracking";
- Altering or damaging computer hardware or software;
- Transmitting obscene communications;
- Using unauthorized passwords or circumventing systems security;
- Broadcasting unsolicited messages ("spamming");
- Invading the privacy of another person;
- Using University resources for personal, commercial or financial purposes, including the sales of lecture notes or the intellectual property of others; and

- Intentionally viewing, downloading, printing or sending unlawful material, including but not limited to, pornography, threats, or harassing communication.

Employees should never use another employee's password to access a file to retrieve any stored communication unless authorized to do so. The University may exercise the right to review, audit, intercept, access and disclose all matters on its systems at any time, with or without employee notice, which occur during or after working hours. Employees should have no expectation of privacy in connection with the use of these systems. Further limits including an absolute prohibition of all personal uses of University-provided computing resources, may be imposed upon personal use in accordance with normal departmental supervisory procedures. Abuse of any aspect or part of the electric media systems may be grounds for disciplinary action, up to and including termination. More definitive guidelines and details on the Electronic Media Policy are described in **Procedure 5.1, "Acceptable Use of Computing Resources,"** found on the University's website at [www.aamu.edu](http://www.aamu.edu).

### **7.11 RESPONSIBILITY FOR PUBLIC RELATIONS**

As an employee, you contribute significantly to the image the public has of the University. Your contacts with students, alumni, visitors and the community place you as a representative of the University. To these individuals, you are AAMU. It is important that you treat these individuals courteously and thoughtfully. The same qualities, which you appreciate in others, will make you a valuable employee and co-worker. Tact, dependability, punctuality, and a friendly attitude will continue to make AAMU a pleasant working environment.

### **7.12 COMMITMENT TO QUALITY AND CUSTOMER SERVICE**

Alabama A&M University is committed to providing quality support services and quality academic preparation for its students. All employees whether in the classroom or in support services, can contribute to the mission.

In addition to providing prompt and efficient service to AAMU students, employees are expected to provide polite, prompt and knowledgeable service to co-workers and fellow employees. All employees must be familiar with the duties assigned them and to perform these duties in a manner that demonstrates professionalism and an interest in the success of their office.

### **7.13 SOLICITATION AND DISTRIBUTION**

Distribution, canvassing and placing of signs and posters for solicitation purposes, chain letters, and collection of any kind and sales of tickets or merchandise are not permitted on University property unless prior approval is granted by the appropriate authority.

## ***8.0 DISCIPLINARY ACTIONS, GRIEVANCE PROCEDURES, AND OTHER POLICIES***

### **8.1 DISCIPLINARY GUIDELINES**

The University is vitally concerned that all employees shall have guidelines that will enable them to perform their duties with maximum efficiency and job satisfaction, to work effectively and efficiently with their co-workers, and to be informed of their rights as employees and their responsibilities to the University.

The University specifically reserves the right to discipline employees for conduct as it, in its sole discretion, deems appropriate. The rules involving disciplinary infractions include, but are not limited to, the list included in Appendix M. This list is not all inclusive or exhaustive, but is merely illustrative of prohibited conduct. In addition to the specific examples listed, common sense will dictate in other instances whether or not offenses have been committed that would warrant disciplinary action.

Employees who fail to meet the requirements of employee conduct will be subject to disciplinary action, which may range from warning to termination. In each case of misconduct or unsatisfactory performance, the appropriate disciplinary action will be determined at the University's discretion, on the basis of the particular facts and circumstances which may include, but are not limited to, the frequency, severity and seriousness of the misconduct. The University is not required to progress through any step prior to termination of an employee unless otherwise stipulated. Employees of the University are employees at will and, as such, may be terminated at any time, with or without cause, except as otherwise agreed in writing.

The following procedures are permissive and discretionary. Any listed procedures may be adopted in any order deemed appropriate under the circumstances in question, and none of the listed procedures is a prerequisite to termination or dismissal.

### **8.2 DEFINITIONS**

#### **8.2.1 VERBAL WARNING**

A verbal warning is administered by an employee's immediate supervisor whenever an employee has engaged in relatively minor forms of misconduct for which such warnings are designated or are appropriate.

Evidence that the verbal warning was delivered is documented and signed by both parties and the documentation is retained by the Office of Human Resources in the employee's official personnel file. The employee's refusal, if any, to sign the documentation of the verbal warning shall be noted by the supervisor on the document prior to submission to the Office of Human Resources.

### **8.2.2 REPRIMAND**

A reprimand is a written statement that contains a specific description of the conduct for which the employee is being disciplined. Reprimands may only be initiated by the employee's immediate supervisor, but must also bear the concurring signatures of each successive supervisor up to and including the divisional vice president. When an employee receives a reprimand, he or she must sign it to indicate that it has been properly received and noted. The employee's refusal, if any, to sign the documentation of the reprimand shall be noted by the supervisor on the document prior to submission to the Office of Human Resources. One copy of the reprimand must be given to the employee, and another copy must be submitted to the Office of Human Resources for placement in the employee's official personnel file.

If an employee receives a reprimand for each of two different kinds of misconduct within a twelve (12) month period, the employee will automatically be placed on a ten (10) day Suspension without pay. If an employee receives a reprimand for each of three different kinds of misconduct within a twelve (12) month period, the employee will be terminated. Employees who receive a single reprimand may not use the action to resort to the grievance procedure. However, regular employees who receive successive reprimands that result in their being placed on a ten (10) day suspension or being terminated may use these actions to file a grievance or appeal the action following the procedures outlined in Section 8.4.

### **8.2.3 TEN-DAY SUSPENSION**

A ten (10) day suspension with or without pay must be imposed on an employee for misconduct that, in the discretion of the University, warrants suspension ten (10) days suspension is initiated in writing to the employee and must contain specific statements relating to misconduct or inadequate performance for which the employee is being suspended. It must also indicate the effective date on which the suspension begins and the effective date on which the employee is to return to active service.

The time covered by the suspension must cover ten (10) consecutive business days. Documentation indicating the dates of suspension of the employee along with the statement of suspension must be forwarded by supervisors to the Office of Human Resources for initiation of the suspension and placement of the statement in the employee's permanent personnel file.

### **8.3 TERMINATION FOR CAUSE**

The immediate supervisor, with written approval of the divisional vice president, must initiate all actions involving termination of a Staff employee for cause. The following criteria and procedures shall be followed for such actions:

1. Termination for cause shall be related directly and substantially to the fitness of the employee to perform the duties and responsibilities that are stated in the job description. Cause includes, but is not limited to, moral turpitude, immorality, neglect of duty, incompetence, inability to perform a job properly, conviction of a felony, gross insubordination, misconduct, illegal use of a controlled substance or a plea of guilty or of *nolo contendere* with regard to any such offense, or failure to meet disciplinary probation standards.
2. The immediate supervisor or divisional vice president shall provide the employee with a written notification of the decision to terminate for cause and the effective date of the action.
3. Regular full time employees who are terminated for disciplinary reasons or for cause may appeal their termination in accordance with the University's grievance procedure outlined in section 8.4 of this Handbook, subject to the exceptions noted in 8.4 VI. If an employee resigns after being informed that he or she will be terminated for disciplinary reasons, it will still be reflected in the employee's personnel record as a termination for cause. If an employee elects to resign prior to being informed that he or she will be terminated for disciplinary reasons, his/her personnel record will reflect that he/she resigned employment.
4. Employees who are terminated for cause are ineligible for rehire or reemployment at the University.

### **8.4 GRIEVANCE PROCEDURES**

#### **I. Purpose**

To set forth a procedure for the resolution of grievances for Staff, Administrative and Professional employees at Alabama A&M University.

#### **II. Definitions**

**Employee:** Refers to a non-faculty individual (exempt or non-exempt) currently employed by the University who has completed his/her probationary period.

**Grievance:** A grievance is an allegation by an employee that there has been a violation, misinterpretation, misapplication, or unreasonable application of a University policy, procedure, rule, or regulation regarding the employee's employment conditions. An employee is not entitled to grieve a no-cause termination.

**Grievance Committee:** Refers to a list of an employee's peers eligible to serve on the Grievance Hearing Panel that meet the criteria for selection recommended by the Staff Senate to the President and certified by Human Resources. The Chair of the Grievance Committee will be appointed by the President with consultation from the Staff Senate President from the roster of eligible certified members.

**Grievance Hearing Panel:** A subset of the Grievance Committee selected to review and make **recommendations** for the resolution of a specific employee grievance. For each grievance, a list of ten employees from the Grievance Committee will be randomly generated by computer. The first three names on the list will comprise the Grievance Hearing Panel, unless any of the three selected names recuse themselves or have conflicts. Either reason for not serving must be documented in writing. Should any one of the three not be able to serve, the next person on the list will serve with the process continuing until three persons have been selected. The three employees selected for the Grievance Hearing Panel will elect a Chair from among the group.

### **III. General Policy**

A staff, administrative, or professional employee who is seeking a resolution of a matter constituting a grievance as defined above, may seek such a resolution using this policy. Employees who feel they are being discriminated against because of race, color, sex, national origin, religion, age, veteran's status, or disability, should immediately take the issue directly to the Director of Human Resources who serves as the University's Affirmative Action-EEO officer.

While the University recognizes the employee's right to file a grievance, the employee must discuss his/her concerns with the immediate supervisor and/or department head before filing a grievance. If the immediate supervisor is the alleged cause of the grievance, the grievant will take the concern to the next level of management. Experience shows that most concerns can be resolved informally at the supervisory level without the need for a formal grievance. Grievances based upon the termination of an employee or the significant or continued reduction of pay as a result of disciplinary action qualify automatically for a hearing if a timely request is made by the grievant. The grievance process is not a formal court proceeding, but is a peer review process for employees to resolve grievances.

#### **IV. Form**

Copies of the official Alabama A&M University grievance form are available from the Human Resources Office or via the web at <http://www.aamu.edu>. The form is to be used by all employees seeking resolution of a grievance under the grievance procedure. A grievance should not be considered unless it is properly submitted on the official grievance form. The completed form shall be submitted to the Human Resources Office, which will be responsible for forwarding copies to the appropriate individuals.

#### **V. Time Limits**

The time limits prescribed in Article XI are intended to insure that the process is carried out in an efficient and timely manner. Both the employee and the University have an interest in a decision that is made as early as is practicable. While it is expected that these deadlines be observed, no such delay shall result in a decision “by default.” The University has the right to modify the stated deadlines when, in its sole discretion, it deems such modifications appropriate. The Grievance Committee Chair or the Hearing Panel Chair may also extend the deadlines when additional time is required to research issues stated in the grievance.

#### **VI. Examples of Actions Which Are Not Grievable:**

Salaries

- Hiring salaries
- General salary adjustments
- Promotional salary adjustments
- Other salary adjustments
- Performance reviews
- Verbal counseling
- Voluntary resignations or retirement
- Position elimination due to restructuring and/or layoffs

- Position classification/reclassification decisions
- Hiring and promotion decisions
- Actions that fall within the purview of the AA/EEO Office
- No Cause terminations
- Termination from employment based on felony conviction or unavailable for work due to incarceration
- Termination from employment while in a temporary employment status
- Any action that cannot be substantiated with facts (i.e., employee cannot bring forth a grievance based on assumptions, rumors, innuendo or gossip)
- Matters that are already under review or for which a decision has been rendered under another process

## **VII. Employee Advisor**

Employees shall have the right to have one advisor of their choice present at each step of the grievance procedure. Such advisor may observe all proceedings, but may confer only with the employee. The advisor has no formal voice in the process. The advisor, if also a University employee, shall, at such times as approved by the advisor's supervisor, be granted the necessary time off during working hours to attend formal proceedings without loss of pay and without charge to annual or compensatory pay. The time needed to prepare grievance materials should be done on the employee's time off. The advisor may also be an individual selected from outside the University. However, if the advisor selected by either party is an attorney, notice must be provided to the remaining party through the Grievance Committee. In cases where a grievance is filed by a subordinate against a supervisor, a supervisor may not select an attorney as an advisor unless the grievant has chosen an attorney as his or her advisor. Attorneys must follow the same guidelines as other advisors with regard to participation in the grievance process.

## **VIII. Witnesses**

Employees shall have the right to submit a list of potential witnesses to support their allegations. The Grievance Hearing Panel will, in its sole discretion, make the determination as to which witnesses will be called to testify. In the event that a witness is unable to attend the formal grievance proceedings, and the Grievance Hearing Panel has determined the witness has relevant information, an affidavit may be submitted. Witnesses will not be required to testify under oath. However, each witness who is an employee of the University should be aware that any deliberate falsehood can result in a disciplinary action against the witness.

The Grievance Hearing Panel may grant adjournments of reasonable length to enable either party to investigate evidence if the Grievance Hearing Panel believes a valid claim of surprise is made concerning that evidence. Grievance Hearings shall be closed. No witness (except the parties themselves) will be allowed to hear the testimony of any other witness.

## **IX. Retaliation**

No employee or faculty member is to take reprisal action against an employee who uses the grievance procedure, serves as an advisor, or participates in any way (e.g. witness) in the grievance process. Any employee or faculty member violating this prohibition against retaliation may be subject to disciplinary action, up to and including, termination. Additionally, no employee or faculty member is to use an official position to attempt to improperly influence the grievance process.

## **X. Withdrawal of a Grievance**

In certain instances, a grievance may be dismissed. All parties to a dismissal will be notified in writing. Examples of dismissals are withdrawal by the grievant, determination by the Hearing Panel, or voluntary resignation of the grievant. A voluntary resignation of employment from Alabama A&M University by the grievant will automatically terminate the process of the Formal Grievance Hearing.

## **XI. Steps in the Grievance Procedure**

### **Step 1:**

An employee must file a grievance form, along with additional supporting documents as they deem necessary, to the Human Resources Office within fifteen (15) calendar days of the alleged occurrence. Once the grievance has been filed, the Human Resources Office will forward a copy to the appropriate Chair of the Grievance Committee.

### **Step 2:**

The Grievance Committee Chair has five (5) working days to make a determination as to whether or not the issue is suitable for a grievance hearing. The Chair may seek the advice or assistance of Human Resources in making the determination of whether a complaint is grievable. If the Grievance Committee Chair determines that the issue is not grievable, he/she will mark the appropriate box, state the reason the issue is not grievable, sign the form and return to the Human Resources Office. If the Grievance Committee Chair determines that the issue is grievable, he/she will mark the appropriate box, sign the form and then proceed to Step 3.

**Step 3:**

Once an issue is determined to be grievable, the Human Resources Office will forward a copy of the grievance form and statement to the person(s) against whom the grievance has been filed. He/she has ten (10) working days to provide a rebuttal statement upon receipt of the documents. When the person against whom the grievance has been filed has completed his rebuttal statement, it should be forwarded, along with all supporting documents, to Human Resources and the appropriate Grievance Committee Chair.

During the same ten (10) working day period, the Grievance Committee Chair will work with the Human Resources Office to select the Grievance Hearing Panel as described in 8.4 II above.

The Grievance Hearing Panel will consist of three (3) individuals. It will be the responsibility of the Grievance Committee Chair to determine who is available to serve on the Grievance Hearing Panel from the random generated list. Refusals should be based on strong reasons such as recent service on a large number of hearings, prior commitments that make service difficult to arrange, or knowledge of the parties or issues that makes it difficult to be impartial. The Grievance Committee Chair may, at his or her discretion, request a replacement panel member if extended illness or other circumstances prevent discharge of the Hearing Panel member's responsibility. Once the Hearing Panel has been selected, the Grievance Committee Chair will distribute all statements and will contact all parties to establish a hearing date and location.

**Step 4:**

The Grievance Hearing Panel will conduct an informal proceeding. The Grievance Hearing Panel may admit any evidence that it considers to be of value in determining the issues subject to the Grievance Hearing Panel's judgment as to the relevance, credibility and weight of the evidence. The Grievance Hearing Panel may ask the parties to produce evidence of specific issues, may examine witnesses, and may call and examine its own selection of witnesses. Both parties and the Human Resources Office will cooperate with the Grievance Hearing Panel in obtaining witnesses and making documents and other evidence available as needed by the parties or the Grievance Hearing Panel unless it is determined by the Human Resources Office or President that the information sought is confidential and not subject to release. Each member of the Grievance Hearing Panel shall avoid any discussions

of the case with the parties or their advisors before the hearing. During the hearing, each party will have the right to ask questions of all witnesses appearing at the hearing and may rebut any evidence heard by the Grievance Hearing Panel.

An official record (tape recorded or otherwise) of the hearing will be made by the Grievance Hearing Panel. A copy may be made available to each party upon request. The Grievance Hearing Panel will base its findings and recommendations solely on relevant facts surrounding the issues and material presented during the hearing. The Grievance Hearing Panel will render a consensus opinion. The Grievance Hearing Panel's findings and statements of recommendations shall be prepared in writing and submitted to the grievant, the person(s) against whom the grievance was filed, the Grievance Committee Chair and Human Resources Office within fifteen (15) working days of the hearing.

The Human Resources Office will report the Grievance Hearing Panel findings and **recommendations** to the appropriate Vice President. If the Vice President was a party to the original grievance or the direct supervisor of the employee, then the findings and **recommendations** shall go to the President. Upon receipt of the Grievance Hearing Panel's **recommendation**, the Vice President will have thirty (30) calendar days to note his/her response on the Grievance Form, sign and forward to the Human Resources Office. The decision of the Vice President is final, unless the Vice President was a party to the original grievance or the direct supervisor of the employee, and the findings and **recommendations** forwarded to the President. In that case, the decision of the President is final.

The Human Resources Office will then notify all parties of the University's final disposition of the grievance.

No employee will be entitled to more than one formal hearing on the same complaint.

Retention of all records, tapes, and committee notes will be returned to the Grievance Committee Chair who will submit them to the Human Resources Office for final retention.

## **8.5 AFFIRMATIVE ACTION POLICY**

It is the policy of Alabama Agricultural and Mechanical University to afford equal employment opportunity to all qualified persons as required by state and federal law.

### **8.5.1 AFFIRMATIVE ACTION OFFICER**

The overall responsibility for the University's Affirmative Action Program rests with the President. However, the Director of Human Resources has been designated as the Affirmative Action Officer for personnel matters. The Director of Human Resources is responsible for monitoring affirmative action efforts on behalf of the President and conducting personnel investigations into affirmative action complaints.

### **8.5.2 AFFIRMATIVE ACTION COMPLAINT PROCEDURES**

An employee or individual who believes she or he has experienced a violation of the affirmative action policy shall immediately report that fact to the Director of Human Resources in writing. The initial report may be oral; however, the complaint should be submitted in writing on the form and signed by the complainant.

### **8.5.3 INVESTIGATING AFFIRMATIVE ACTION COMPLAINTS**

The investigation shall be conducted by the Director of Human Resources or his/her designee. It will be non-adversarial, and therefore, attorneys, if any, for either side will not be permitted to intercede in the investigation. As recommended by the Director of Human Resources or his/her designee and approved by the President, remedial and temporary personnel action may be taken prior to the conclusion of the investigation and report.

The Director of Human Resources will interview and attain relevant testimony from any and all persons, including the complainant, respondent, and witnesses, if any, who may have knowledge of the incident. On completion of the investigation, the Director of Human Resources will compile his/her findings and recommendations in a confidential written report to the President. The report shall be submitted to the President within thirty (30) business days of receipt of the complaint. The President may approve or disapprove the Director's recommendations. Should either party disagree with any sanction imposed by the President, that party may utilize the grievance or appeal procedure depending upon the sanction imposed, but only if the party is an employee of the University.

## 8.6 NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

The University is committed to a work environment in which all individuals are treated with respect and dignity. Therefore, discrimination or harassment based on age, race, gender, color, religion, national origin, disability, genetic information, sexual orientation, covered veteran status, or any other characteristics protected under state, federal, or local law will not be tolerated. This policy applies to all applicants, employees students, guests, vendors, and persons doing business with the University. These policies specifically prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the University. (e.g., an outside vendor or customer).

Sexual harassment, which is one type of prohibited harassment, is defined as:

*Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:*

- *Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment;*
- *Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's employment; or*
- *Such conduct has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.*

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Examples of conduct prohibited by this policy include, but are not limited to:

- Unwelcome sexual flirtation, advances, or propositions;
- Verbal comments related to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation;
- Explicit or degrading verbal comments about another individual or his/her appearance;
- Commentary about an individual's body, sexual prowess or sexual deficiencies;
- Leering, catcalls or touching;

- Insulting or obscene comments or gestures;
- The display of sexually suggestive pictures or objects in any workplace location including transmission or display via computer or cell phone (for example, emails or texts);
- Any sexually offensive or abusive physical conduct;
- The taking of or the refusal to take any personnel action based on an employee's submission to or rejection of sexual overtures; and
- Sexually suggestive cartoons or jokes, whether displayed in the workplace, written, verbally stated, or exchanged via email, text messaging, instant messaging, or any other form of communication.
- The taking of refusing to take any action on behalf of the University based on a student's submission to or rejection of sexual overtures.

Harassment on the basis of race, color, religion, national origin, age, disability, sexual orientation or citizenship status, or any other characteristic protected by law, is also strictly prohibited.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail or text messaging).

The University strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position within the institution. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment or discrimination. Individuals who believe they have experienced conduct that is contrary to the University's policy, or who have concerns about such matters should report their complaints or concerns to their immediate supervisor or the Human Resources Director as soon as possible after the offending conduct occurs so that rapid and constructive action may be taken.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome, and requesting that the conduct be discontinued immediately.

Any reported incident will be investigated by the Director of Human Resources or his/her designee promptly, thoroughly and impartially. Complaints and actions taken to resolve complaints will be handled as confidentially as possible, given the University's obligations to investigate and act upon

reports of such harassment. Confidentiality will be maintained throughout the investigation of any complaint to the extent possible, while remaining consistent with the goal of conducting a thorough investigation and implementing corrective action, as appropriate. Appropriate actions will be taken by the University to stop and remedy any such conduct, including the possibility of interim measures being taken during a period of investigation.

Retaliation or discrimination of any kind against an employee or student who makes a good faith report of a suspected incident of harassment or discrimination, or who cooperates in an investigation is prohibited. However, if after investigating any complaint of unlawful discrimination, the University determines that an employee or student intentionally provided false information regarding a complaint and/or intentionally provided false information during the investigation of a complaint, disciplinary action may be taken, up to and including termination in the case of an employee and reporting of such action to the judicial board in the case of a student.

An employee who violates this policy or retaliates against an employee or student in any way will be subject to disciplinary action up to and including termination.

#### **8.6.1 REPORTING INCIDENTS OF SEXUAL HARASSMENT**

An individual who has experienced sexual harassment shall immediately report that fact to his/her immediate supervisor, or if the immediate supervisor is the subject of the complaint, the report will be made to the Director of Human Resources. If the individual is a student, the report shall be made to the Director of Human Resources.

Supervisors are responsible for notifying the Director of Human Resources, who serves as the University's Affirmative Action Officer for personnel matters, of the filing of a sexual harassment complaint by an employee. An investigation will be conducted upon receipt of verbal or written complaint by the Office of Human Resources.

#### **8.7 DRUG-FREE AND ALCOHOL-FREE WORK PLACE POLICY**

Alabama A&M University is committed to providing employees drug-free and alcohol-free workplace. As such, all employees are required to comply with the Office of Human Resources **Procedure No. 6.2, Personnel Drug and Alcohol Abuse Prevention**. The University prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by any employee on its property or as part of any of its activities. Employees who violate this policy are subject to the full range of criminal penalties including fines and imprisonment.

In order to comply with federal law, the University requires that an employee notify a supervisor in writing of any criminal drug statute conviction no later than five (5) days after such conviction. The University must notify any federal contracting agency within ten (10) days of having

received notice that an employee engaged in the performance of such contract has had a criminal drug statute conviction for a violation occurring in the work place.

## ***9.0 TERMINATION OF EMPLOYMENT FOR NON-DISCIPLINARY REASONS***

### **9.1 RESIGNATION**

An employee who plans to resign from the University must provide written notice to the President, the Office of Human Resources, and the department head of his/her intention to resign. This action should be taken at least two (2) weeks prior to separation. This requirement is in addition to any leave time the employee plans to take prior to vacating the position.

### **9.2 RETIREMENT**

Under present Alabama law, there is no mandatory retirement age for any employee. However, under the Alabama Teachers' Retirement System (TRS), a Tier 1 employee is eligible for retirement when he/she reaches the age of sixty (60) and has at least ten (10) years of service in TRS, or has twenty-five (25) years of service regardless of age. A Tier 2 employee is eligible for retirement when he/she reaches the age of sixty-two (62) and has at least ten (10) years of service in TRS. Employees are asked to contact the Office of Human Resources at least forty-five (45) days prior to their planned retirement date so that necessary paperwork may be completed and submitted to TRS. TRS must receive completed retirement applications no less than 30 days nor more than 90 days prior to the effective date of retirement. For additional information regarding the Alabama Teachers' Retirement System, please review the website at <http://www.rsa-al.gov/index.php/members/trs/>

### **9.3 TERMINATION WITHOUT CAUSE**

Staff employees are employees at will and may be terminated without cause by the University upon three (3) weeks' notice. Such terminations must ultimately be approved by the President or his designee. Termination without cause shall not affect the employee's right to recover unemployment compensation, payment of the maximum accrual of unused annual leave or eligibility for rehire.

### **9.4 LAYOFF AND RECALL**

Layoff is defined as a separation of employment due to, but not limited to, abolishment of a position or positions necessitated by a shortage of funds, lack of work or a material change in the duties of the position, or an organizational change in a department or division as recommended by the division

head and approved by the President. A staff employee will be laid off without prejudice, as a layoff is not a disciplinary action. Subject to the needs of the University within the unit, temporary employees will be laid off first. Any employees deemed “mission critical”, regardless of classification, may be considered for retention with regular employees. Any layoff of regular employees and deemed “mission critical” will be by formal position classification and FTE (full-time equivalent) within the affected unit, based upon performance evaluation over the past two years, documented and justified necessary qualifications as approved by the division vice president, and seniority. Announcement of force reductions and pending layoffs will be provided in writing to affected employees as much in advance as possible before the effective date for such action, with two-full work weeks being the minimum notification period.

If you are laid off, you will be eligible for recall from a roster maintained by the Human Resources Office which identifies the last employee laid off as the first employee to be recalled. You will be recalled only if a vacancy exists in the same department, the same FTE and the same classification within 12 months from the date of lay-off. No new job applicant will be considered for regular employment in any reasonably comparable job classification if there is someone in layoff status who qualifies for consideration. Qualified employees in layoff status have first priority for consideration. Employees who are recalled must report to work within the time period specified by the University or they will be taken off the recall roster and no longer be eligible for recall. Employees who are recalled will have any accrued, but unpaid employee benefits restored to them. If you have been laid off and wish to be considered for positions in other departments within the University, you must complete a new employment application at the Human Resources Office on campus. Acceptance of a position in another department will waive your right to be recalled to your old position.

## **RIGHTS OF THE UNIVERSITY**

Nothing contained in this section is intended to limit or restrict the President’s or a subordinate administrator’s absolute discretion to eliminate a position or positions based upon budgetary or other considerations without application of the Reduction in Force principle stated in this section.

In addition to termination of staff, the President and the Board expressly reserve their right to make uniform reductions in compensation for all or specific categories of employees of the University as justified by a declared condition of financial exigency, major curtailment or elimination of programs or significant reduction in funding, or based upon any other reasons or purposes as it may in its sole discretion determine to be appropriate.

## Appendix M

### Disciplinary Guidelines Table

In order to provide an opportunity to correct employee's performance or conduct, the University follows progressive discipline procedures to provide employees with notice of the problem about their performance or conduct. A deviations from the normal procedure may occur whenever the University, in its discretion, deems that circumstances warrant skipping one or more steps in the progressive discipline procedure.

<b>Nature of Offense</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>	<b>Fourth Offense</b>
Use or possession of another employee's property without permission	Reprimand	Ten-day suspension	Termination	
Carelessness or Negligence	Verbal warning	Reprimand	Ten-day suspension	Termination
Threatening, intimidating, coercing or interfering with another student or employee	Reprimand	Ten-day suspension	Termination	
Making false, vicious, malicious statements about an employee of the University	Reprimand	Ten-day suspension	Termination	
Absent from designated duty station without permission of the supervisor	Reprimand	Ten-day suspension	Termination	
Failure to complete required time and attendance card	Verbal warning	Reprimand	Ten-day suspension	Termination
Provoking a fight or fighting on campus	Ten-day suspension	Termination		
Reporting to work under the influence of illegal drugs or alcohol	Termination			
Sleeping on the job	Ten-day suspension	Termination		
Insubordination to supervisor	Ten-day suspension	Termination		
Falsifying official University records	Termination			
Altering Service Reports	Ten-day suspension	Termination		
Possessing firearms or explosives on University property	Termination			
Theft of University property or funds	Termination			

<b>Nature of Offense</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>	<b>Fourth Offense</b>
Removal of University property from the campus without permission	Ten-day suspension	Termination		
Drinking alcoholic beverages on University property	Termination			
Intentional violating an individual's Civil Rights	Ten-day suspension	Termination		
Willful destruction of University property	Termination			
Speeding in University vehicles	Reprimand	Ten-day suspension	Termination	
Tardy or absent without authorization	Verbal warning	Reprimand	Ten-day suspension	Termination
Loitering	Verbal warning	Reprimand	Ten-day suspension	Termination
Gambling on University Property	Reprimand	Ten-day suspension	Termination	
Safety violation	Verbal warning	Reprimand	Ten-day suspension	Termination
Violation of the University's Drug Free Workplace Policy	Termination			

Alabama Agricultural and Mechanical University is accredited by the Southern Association of Colleges & Schools Commission on Colleges (SACSCOC) to award baccalaureate, master's, educational specialist, and doctoral degrees. Contact SACSCOC at 1866 Southern Lane; Decatur, Georgia 30033-4097 or call (404) 679-4500 for questions about the accreditation of Alabama A&M University.