



# Employee Handbook

Revised 2023

Approved by President's Council

Approved by Board of Directors

**Human Resources Policies and Procedures**



## **Land Acknowledgement**

Heritage University occupies its home on the traditional lands of the Yakama People. These ancestral homelands are the Yakama, Palouse, Pisuouse, Wenatshapam, Klikatat, Klinquit, Kow- was-say-ee, Li-ay- was, Skin-pah, Wish-ham, Shyiks, Ochechotes, Kah-milt-pa, and Se-ap-cat, who today are represented by the Confederated Tribes and Bands of the Yakama Nation [TREATY OF 1855] and, whose relationship with this land continues to this day. Heritage University, grounded in the vision of the two Yakama women founders, respects Indigenous peoples as traditional guardians of the lands and the enduring relationship that exists between Indigenous peoples and their traditional territories. We offer gratitude for the land itself, for those who have stewarded it for generations, and for the opportunity to study, learn, work, and be in community on this land. We acknowledge that our University's history, like many others, is fundamentally tied to the first colonial developments in the Yakima Valley. Finally, we respectfully acknowledge and honor past, present, and future Indigenous students who will journey through this home called Heritage University.

## **Overview of the University**

Heritage University was born Heritage College in 1982 to three women: Violet Lumley Rau and Martha B. Yallup, Yakama Nation Tribal Members, and Sister Kathleen Ross, snjm, who became the founding President. Heritage's main campus of 48 acres is located in Toppenish, Washington, on Yakama Nation land. The location for the main campus was specifically chosen to provide access to higher education to the people in the Yakima Valley who were geographically isolated from traditional higher education opportunities. Heritage's campus is a commuter campus, surrounded by agricultural fields. Yakima County leads the nation in several agricultural products, including hops, cherries, mint, and pears.

The Northwest Commission on Colleges and Universities (NWCCU) first accredited Heritage College in 1986. Heritage has since enjoyed reaffirmation of accreditation through NWCCU's rigorous, peer review evaluation process. In 2004, Heritage College became Heritage University. The University designation better matched our degree offerings that included graduate programs as well as undergraduate programs. It also is a better fit for our Latinx students because there is no proper translation for the word "college" in Spanish.

Courses are offered on the main campus in Toppenish, WA, Kennewick, WA, Pasco, WA and online in hybrid, synchronous, and asynchronous formats. Students enjoy a world-class, multi-cultural education and personalized attention. Classes are small, averaging only 11 students in each class. Professors are skilled practitioners with deep ties in their respective disciplines.

There are four administrative units that work together to support Heritage students; each of which operates under the guidance of a Vice President:

Academic Affairs

Student Affairs

Finance/Support Services

Marketing, Communications, and Advancement

## **MISSION**

Heritage University empowers a multi-cultural and inclusive student body to overcome the social, cultural, economic and geographic barriers that limit access to higher education. Rooted in the homeland of the Yakama Nation, we embrace transformational student-centered education that cultivates leadership and a commitment to the promotion of a more just society.

## **VISION**

The shared vision of Heritage University aims to provide a transformative and quality learning environment to all students. A driving factor of this shared vision is honoring the diverse students, faculty, staff, and broader community. Intentionally providing education services is at the forefront of HU's shared vision. The following vision statement was developed to guide Heritage University's strategic plan and direction moving forward: Heritage University will provide a quality transformative learning experience for a diverse and culturally proficient campus community through innovative programs in a fiscally sound environment, creating a legacy of belonging for generations.

<b>1. EMPLOYMENT POLICIES</b>	<b>1</b>
<b>1.1 Policy Statements</b>	<b>1</b>
Equal Opportunity Statement	1
Disabled Veterans and Veterans of the Vietnam Era	2
Americans with Disabilities Act (ADA)	2
Title IX of the Education Amendments of 1972	3
Sexual Identity Policy	3
Campus SaVE Act	3
Drug and Alcohol Policy	3
Conflict of Interest and Commitment (Including Outside Employment/Activities)	6
Gratuities – Prohibited Receipt of Gifts	7
Possession of Dangerous Weapons/Workplace Violence	7
Policy on Smoking	7
Policy on Romantic Relationships/Nepotism	7
<b>1.2 Code of Ethics and Conduct</b>	<b>8</b>
Examples of Inappropriate Conduct	8
<b>1.3 Non-Retaliation and Whistle Blower Protections</b>	<b>9</b>
Issues Resolution Committee	9
<b>2. DISCRIMINATION, HARASSMENT, GRIEVANCE AND/OR COMPLAINT PROCESSES</b>	<b>11</b>
<b>2.1 Discriminatory Harassment Policy and Non-Discrimination Policy Statement</b>	<b>11</b>
<b>2.2 Sexual Harassment Policy</b>	<b>11</b>
Definition of Sexual Harassment	12
<b>2.3 Reporting and Protection from Retaliation</b>	<b>12</b>
<b>2.4 Employee Grievance/Complaint Process</b>	<b>12</b>
<b>2.5 Discrimination or Harassment Grievance/Complaint Process</b>	<b>14</b>
<b>3. EMPLOYEE ORIENTATION</b>	<b>19</b>
<b>3.1 Categories of Employment</b>	<b>19</b>
Employment Classification	19
Employment on a Grant or Project	20
Student Employees and Work Study Students	20
Consultant/Independent Contractor	20
Special Employment Situations	20
<b>3.2 Hiring and Termination Guidelines</b>	<b>20</b>
Pre-Employment Screening	20
Pre-Employment Forms	21
<b>3.3 Orientation</b>	<b>21</b>
Identification Card	22
Duty to Report Criminal Charges/Determinations	22
<b>3.4 Provisional Period</b>	<b>22</b>

Provisional Period for New Hires, Transfers, and Rehires	22
Benefit Status during Provisional Period	23
<b>3.5 Reduced Hours and Shift Modifications</b>	<b>23</b>
Reductions in Force	23
<b>3.6 Separation of Employment</b>	<b>23</b>
Exit Interview	23
Resignation	23
Retirement	24
Termination	24
Rehire after Termination	24
<b>4. COMPENSATION</b>	<b>25</b>
<b>4.1 Compensation</b>	<b>25</b>
<b>4.2 Internal Posting</b>	<b>25</b>
<b>4.3 Classification: Hiring, Promotion, and Transfer</b>	<b>25</b>
Minimum Hiring Qualifications	25
New Hire	25
Promotion	25
Transfer	25
<b>4.4 Pay Adjustments</b>	<b>26</b>
Promotion	26
Stipend	26
Lateral Transfer	26
<b>4.5 Job Evaluation Process</b>	<b>26</b>
Job Analysis and Job Audit	27
<b>4.6 Administrative Salary Adjustments</b>	<b>27</b>
<b>4.7 Payroll Deductions</b>	<b>27</b>
<b>4.8 Garnishments and Withholding</b>	<b>27</b>
<b>4.9 Payroll Policy and Process</b>	<b>27</b>
Paychecks	27
Timesheets	28
Time and Accountability	28
<b>5. BENEFITS</b>	<b>28</b>
<b>5.1 General Benefits Information</b>	<b>28</b>
<b>5.2 Benefits Eligibility</b>	<b>28</b>
New Employees	28
Eligible Dependents	28
Registered Domestic Partners	28

<b>5.3 Employee Assistance Program</b>	<b>29</b>
<b>5.4 Healthcare Benefit Plan</b>	<b>29</b>
<b>5.5 Qualifying Events for Mid-Year Changes</b>	<b>29</b>
<b>5.6 Continuing Benefit Plans after Separation</b>	<b>29</b>
Dependents	30
<b>5.7 Appealing Denied Benefit Claims</b>	<b>30</b>
<b>5.8 Tuition Benefit Program</b>	<b>30</b>
Application and Eligibility	30
<b>5.9 Retirement Plans {403(b)} Tax-Sheltered</b>	<b>31</b>
Vesting	31
<b>6. VACATION, SICK LEAVE, AND LEAVE OF ABSENCE</b>	<b>32</b>
<b>6.1 Time-off Benefits</b>	<b>32</b>
Holidays	32
<b>6.2 Personal Leave</b>	<b>32</b>
<b>6.3 Vacation</b>	<b>32</b>
Eligibility	33
Carryover of Unused Vacation Days	33
Vacation Pay Upon separation	33
Record of Earned Vacation	33
<b>6.4 Sick Leave</b>	<b>33</b>
Eligibility	33
Sick Leave Accruals	34
Reporting Absences	34
Sick Leave Upon Separation	34
<b>6.5 Donated Leave</b>	<b>34</b>
Eligibility to Receive Donated Leave	34
Eligibility to Donate Leave	35
<b>6.6 Leave without Pay</b>	<b>35</b>
Duration of Leave without Pay	35
Benefits during Unpaid Leave	35
<b>6.7 Unapproved Leave</b>	<b>36</b>
<b>6.8 Workers' Compensation</b>	<b>36</b>
<b>6.9 Administrative Leave</b>	<b>36</b>
<b>6.10 Family and Medical Leave</b>	<b>36</b>
Family Leave Entitlement	37
Notice and Certification	37
Benefits Coverage during Leave	38

Job Restoration	38
Return from Leave	38
<b>6.11 Military Leave</b>	<b>38</b>
Definition of Military Leave	38
Duration of Military Leave	39
Benefits during Military Leave	39
Return from Military Leave	39
Leave for Spouses of Deployed Military Personnel	39
<b>6.12 Leave for Victims of Domestic Violence, Sexual Assault, and Stalking</b>	<b>39</b>
<b>6.13 Educational Leave</b>	<b>39</b>
<b>6.14 Bereavement Leave</b>	<b>40</b>
<b>6.15 Jury Duty</b>	<b>40</b>
<b>7. WORKPLACE PRACTICES</b>	<b>40</b>
<b>7.1 Confidentiality</b>	<b>40</b>
<b>7.2 Work Schedules</b>	<b>40</b>
Attendance	41
Meal and Rest Periods	41
Flexible Scheduling	41
<b>7.3 Employee Records</b>	<b>41</b>
Access to Employee Records	42
Privacy of Health Information	42
Disclosure of Information	42
<b>7.4 Employee Health and Safety</b>	<b>42</b>
Emergency Treatment	42
Campus Safety, Security, Fire, and Emergency Services	42
Public Employee Hazardous Chemical Protection and Right to Know Act	43
<b>7.5 Inclement Weather Closures and Delays</b>	<b>43</b>
Web Site Notification	44
<b>7.6 Use of University Services and Property</b>	<b>44</b>
Use of Heritage University Stationery	44
Use of Telephones	44
Use of Campus Mail	44
University Equipment	44
Computer Usage	44
<b>7.7 Non-University Related Business Activities</b>	<b>44</b>
<b>7.8 Children in the Workplace</b>	<b>45</b>
<b>7.9 Pets</b>	<b>45</b>



<b>8. STAFF DEVELOPMENT, PERFORMANCE, AND CONDUCT</b>	<b>45</b>
<b>8.1 Staff Performance Evaluations</b>	<b>45</b>
Performance Expectations	45
Performance Evaluations	45
<b>8.2 Training and Development Programs</b>	<b>45</b>
<b>8.3 Informally Auditing Courses at Heritage University (Non-Credit Courses)</b>	<b>46</b>
Approvals for Auditing Courses	46
<b>8.4 Progressive Discipline</b>	<b>46</b>
<b>8.5 Progressive Discipline Steps</b>	<b>46</b>
Verbal Notice	47
Written Notice	47
Dismissal Action	47
<b>8.6 Job Abandonment</b>	<b>47</b>
Termination Procedure for Job Abandonment	47
<b>8.7 Personal Appearance</b>	<b>47</b>
<b>8.8 Work Environment Appearance</b>	<b>47</b>

## **1. EMPLOYMENT POLICIES**

### **1.1 Policy Statements**

Heritage University recognizes that the performance capacity of its employees is its greatest asset and thus endeavors to support employees' efforts to realize their full potential by

- employing and promoting on the basis of merit;
- providing opportunities for training and development to all employees; and
- providing opportunities for advancement to all employees.

The Heritage University Institutional Policies, available on the HU website <https://www.heritage.edu/university-policies/>, are considered supplemental to this handbook and are referenced herein as appropriate.

The pages of this handbook do not modify the "at-will" employment relationship, but they provide information consistent with our employment philosophy throughout this handbook. Faculty should refer to the Faculty Handbook for additional policies related to their employment.

### **Equal Opportunity Statement**

Heritage University strives to create an open and welcoming campus community that recognizes and celebrates diversity. Heritage University does not discriminate in its educational programs and activities or hiring practices based on race, color, national or ethnic origin, ancestry, age, religion, disability, gender, gender identity and/or expression (including a transgender identity), sexual orientation, military or veteran status, genetic information, or any other characteristic protected under applicable federal, state or local law.

The University's affirmative action program and related policies are developed in compliance with Executive Orders 11246 and 11375, as amended; the Rehabilitation Act of 1973 (Sections 503 & 504) and the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations; the Age Discrimination in Employment Act of 1967; Genetic Information Nondiscrimination Act of 2008; and the Vietnam Era Veterans Readjustment Assistance Act of 1974, as it amends 38 U.S.C. 4212.

In conformance with the federal regulations listed above, Heritage University does not discriminate against any employee or applicant for employment regarding any opportunity for which the employee is qualified.

Persons wishing to file complaints under the provisions of this policy should contact the Human Resources Office for information regarding the HU internal complaint process, and if needed, the U.S. Equal Employment Opportunity Commission complain process.

Every member of the Heritage University community is expected to uphold this policy as a matter of mutual respect and fundamental fairness in human relations. The policy has the unequivocal support of the Office of the President. All members of the faculty, staff, and student body are expected to ensure that nondiscriminatory practices are followed at Heritage University.

Specifically, the University will

- comply with both the letter and spirit of the laws and regulations governing equal opportunity in the workplace, providing equal opportunity to all employees and to all applicants for employment;
- respond to requests regarding reasonable accommodations for the physical and/or mental disabilities of qualified employees and applicants;
- inform employees of the right to refer complaints to their supervisor or the Human Resources Office without being subject to intimidation or retaliation in any form.

#### **Disabled Veterans and Veterans of the Vietnam Era**

It is the policy of Heritage University not to discriminate against any employee or applicant for employment because they are an individual who is a disabled veteran or a veteran of the Vietnam Era. It is also the policy of Heritage University to take affirmative action to employ and advance in employment qualified disabled veterans, veterans of the Vietnam Era, and individuals with disabilities. This policy applies to all employment actions including, but not limited to, advertising, recruitment, hiring, compensation, retention, training, demotion, promotion or transfer, layoff, and/or Reduction in Force (RIF).

Persons wishing to self-identify as an individual who is a disabled veteran or veteran of the Vietnam era should contact the Human Resources Office.

An individual wishing to file a complaint should also contact the Human Resources Office.

To ensure compliance, operational responsibility for implementing and monitoring this policy and maintaining and updating the affirmative action plan for individuals who are disabled veterans and veterans of the Vietnam Era lies with the Human Resources Office.

#### **Americans with Disabilities Act (ADA)**

As amended effective January 1, 2009, by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

Heritage University prohibits discrimination against qualified individuals with disabilities who can perform the essential functions of the job, with or without reasonable accommodation(s). An individual is disabled under the Act if they

- have a physical or mental impairment that substantially limits one or more major life activities; or
- have a record of such an impairment; or
- are regarded as having such impairment.

Heritage University has made and will continue to make good faith efforts to provide reasonable accommodations to enable Heritage University to hire and retain qualified employees who are able to perform the essential functions of their positions. Employees may contact the Human Resources Office to discuss questions.

Any person wishing to self-identify as disabled or to request a reasonable accommodation due to a disability should contact Human Resources during normal business hours.

## **Title IX of the Education Amendments of 1972**

Title IX of the Education Amendments of 1972 was the first comprehensive federal law to prohibit sex discrimination against students and employees of educational institutions.

Title IX prohibits sex discrimination. Sexual harassment is a form of prohibited sex discrimination. Any person on Heritage property or attending a Heritage event is protected from sexual harassment under this policy.

### **Sexual Identity Policy**

It is the policy of Heritage University that an individual's sexual identity will not be considered when making any personnel decisions. One's sexual identity is strictly personal, and such information will not be used in any way by the University or its employees in employment decisions.

### **Campus SaVE Act**

All individuals have the right to a safe campus environment free from threats of violence. At Heritage University, harming another person by committing any form of sexual harassment, domestic violence, dating violence, sexual assault, or stalking is strictly prohibited.

The Campus Sexual Violence Elimination (SaVE) Act was passed in March 2013 as part of the Violence Against Women Reauthorization Act (VAWA). The Campus SaVE Act amends the Clery Act, which requires higher education institutions to report crime statistics and disclosure security-related information in the following ways:

- It adds offenses involving domestic violence, dating violence, and stalking to the crimes that institutions must report and include in their annual security reports (ASR).
- It expands the categories of reportable "hate crimes" to include those based on bias against gender identity or national origin.
- The policy statements filed as part of the ASR must now include detailed descriptions of the institution's internal procedures in cases of domestic violence, dating violence, or stalking, as well as descriptions of its education and prevention programs.
- Annual training is required.

### **Drug and Alcohol Policy**

Institutional policy 4.g Alcohol and Drug-Free Campus and Workplace describes HU's policy related to drugs and alcohol on campus property.

See: <https://www.heritage.edu/university-policies/>

#### **I. Prohibited Conduct**

The following conduct is prohibited:

- A. *Alcohol*. Using, selling, manufacturing, distributing, possessing, storing, or dispensing alcohol on University premises, as part of any University-related activity, or in the workplace, except as authorized under *University Regulations* or otherwise by the University.
- B. *Controlled Substances*. Using, selling, manufacturing, distributing, possessing, storing, or dispensing controlled substances on the University's premises, as part of any University-related activities, or in the workplace.

- C. *Employee Treatment Programs*. Failing to meet the requirements of a drug or alcohol treatment program that the University requires an employee to complete as a condition of employment.
- D. *Workplace Inspection*. Interfering with a workplace inspection under this policy.
- E. *Impaired Job Performance or Attendance*. Alcohol misuse or controlled substance use, even though not during working hours or in the workplace, which impairs job performance or attendance.
- F. *Testing Procedures*. Failing any drug or alcohol test or engaging in any other conduct prohibited under the University's drug or alcohol testing procedures.
- G. Prescription Drug Use.
  - 1. Being under the influence of legally prescribed drugs in the workplace that prevent an individual from performing the essential functions of their job or where that individual poses a direct threat while using those drugs.
  - 2. Inquiries regarding prescription drug use by employees are governed by the Americans with Disabilities Act of 1990, and therefore should be made only as authorized by the Human Resources Director.
- H. *Other Misconduct*. Any other conduct that the University determines to be inconsistent with providing a drug-free and alcohol-free campus and workplace.
- II. Consequences of Engaging in Prohibited Conduct
  - A. *Factors Relevant to Sanction or Corrective Action*. The University will evaluate violations of this policy on a case-by-case basis. In determining the appropriate sanction or corrective action, the University may consider an individual's work or academic record, the seriousness of the violation, the safety-sensitivity of the individual's position, whether the individual's behavior violated the University's Violence in the Workplace Policy, whether a sanction or corrective action is permissible under law including, without limitation, The Americans With Disabilities Act of 1990, and any other relevant factors.
  - B. *Employee*. Any employee who engages in prohibited conduct may be:
    - 1. Immediately removed from duty.
    - 2. Referred to the Employee Assistance Program.
    - 3. Required to successfully complete a substance use disorder treatment program as a condition of continued employment.
    - 4. Reported to authorities for criminal prosecution or other appropriate action.
    - 5. Disciplined, up to and including, termination of employment.
    - 6. Subject to any other appropriate action by the University.
  - C. *Invitee*. Any invitee who engages in prohibited conduct may be barred from further work for the University or from participating in other University-related activities as may be permitted by law. Further, they may be reported to authorities for criminal prosecution or other appropriate action.
  - D. *Student workers*. Any student who engages in prohibited conduct may be:
    - 1. Referred to appropriate University personnel for assistance.
    - 2. Required to complete successfully a drug or alcohol abuse treatment program as a condition of University attendance.
    - 3. Reported to authorities for criminal prosecution or other appropriate action.
    - 4. Subject to disciplinary penalties under *University Regulations*.
    - 5. Subject to any other appropriate action by the University.

- III. Workplace Inspections
  - A. The University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when it reasonably suspects that this policy or any procedure under this policy has been violated.
  - B. The University will prominently post the following notice in conspicuous places in the workplace: Heritage University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when the University reasonably suspects that its Alcohol and Drug-Free Campus and Workplace Policy or any procedure under that policy has been violated.
  - C. The decision to conduct a workplace inspection should be made jointly by the supervisor who believes the inspection would be appropriate under this policy and a representative of the Human Resources Department. In all cases, the Director of Human Resources or their designee must authorize a workplace inspection.
- IV. Controlled Substance and Alcohol Testing
  - A. *Federal Grants/Contracts.* Contract or Grant regulations may require the University to establish programs to test employees and final applicants for illegal drug use if they will work in sensitive positions. The University will determine appropriate tests based on the nature of the work being performed, the employee's duties, the efficient use of University resources, and the risks to public health and safety that could result if the employee fails to perform the duties of the position adequately.
  - B. *Employee Reasonable Suspicion Drug and Alcohol Testing.* All employees of the University may be subject to reasonable suspicion drug and alcohol testing under procedures developed by the Human Resources Office and approved by the President of the University or their designee. ., Reasonable suspicion testing must be authorized by an appropriate University employee or other individual designated by the University who has been trained to recognize physical or behavioral symptoms commonly attributed to the use of drugs or alcohol. If facts, circumstances, physical symptoms, patterns of performance or behavior would cause the authorized University employee to reasonably conclude that an employee may have used, or be under the influence of, or intoxicated by drugs or alcohol, the employee may be asked to undergo a drug screen. Any employee whose drug screen is positive will be referred to the University's Employee Assistance Program. Employees whose results are negative will be paid for time lost and allowed to return to work at the beginning of the next regularly scheduled day.
- V. Employee Self-Referral and Employee Assistance Program
  - A. *Self-Referral.* Employees with a substance use disorder are strongly encouraged to voluntarily contact their family physicians or the University's Employee Assistance Program for assistance. Employees may seek help without their supervisor's knowledge. Although voluntarily seeking assistance will not bar the University from treating the employee like other employees under this policy, the University will consider voluntary requests for help in determining any discipline to be imposed. The University will not assume any financial or other responsibility for drug or alcohol treatment except as may be provided by University benefits.

B. *Employee Assistance Program*. The University's Employee Assistance Program offers free, confidential services to employees with a substance use disorder, including:

1. Information about the dangers of alcohol and drug use and the University's Alcohol- and Drug-Free Campus and Workplace Policy;
2. Assessment and evaluation;
3. Referral to and information regarding public and private treatment programs;
4. Services to families of employees with drug or alcohol problems; and
5. Assistance with questions concerning insurance coverage.

VI. Federal Contract or Grant Employees

Under the Drug-Free Workplace Act of 1988 and the Federal Acquisition Regulations System, in addition to the other requirements of this policy, (1) regardless of amount granted, organizations must maintain a drug-free workplace, and (2) a federal agency grant employee will notify their supervisor or department head if they are convicted under a criminal drug statute for conduct in the workplace no later than five calendar days after the conviction. The University will notify the federal contracting or granting agency within 10 calendar days after receiving notice of the conviction from the employee or otherwise receiving actual notice of the conviction.

VII. Grievance Procedures

Any student or employee with a complaint relating to the application of this policy may seek redress through applicable University complaint policies and procedures. However, employee complaints challenging drug or alcohol test results must be resolved in accordance with the applicable testing procedure.

VIII. Confidentiality

The University will take reasonable measures to ensure individual privacy under this policy including, but not limited to, keeping all drug and alcohol test results confidential to the maximum extent possible.

IX. Administrative Responsibility

Campus personnel departments will share responsibility for administering this policy and its associated procedures as they relate to employees and invitees. The Office of Student Affairs will administer policy and procedures related to students.

**Conflict of Interest and Commitment (Including Outside Employment/Activities)**

Institutional policy 4.k Conflict of interest Policy (employee) describes HU's policy related to employee conflict of interest.

See: <https://www.heritage.edu/university-policies/>

Consistent with its mission of service and its desire to operate openly, fairly, and for the common good, employees of Heritage University are expected to maintain high ethical standards and exercise sound business judgment in carrying out their duties and responsibilities.

In addition, employees of Heritage University shall not maintain any financial interests, direct or indirect; engage in any business or transactions; use privileged information or personal influence; nor undertake any activity that will secure any individual or group special privileges or advantages that are in conflict with their obligations or responsibilities to the University.

Employees must disclose to their immediate supervisor any circumstances they become aware of that may constitute a conflict of interest, including all circumstances where the appearance of a conflict may be inferred by others not party to the transaction.

#### **Gratuities – Prohibited Receipt of Gifts**

An employee of Heritage University shall not directly or indirectly solicit, receive, accept, or agree to receive a thing of value by inducing the reasonable belief that the giving of the item/gift will influence employee's performance or failure to perform any official action. The acceptance of a benefit, reward, or consideration where the purpose of the gift is to influence an employee in the performance of official functions is prohibited.

For purposes of this policy a gift is defined as lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value. A gift shall not include

- Food or beverage consumed at an occasional meal or event, provided the value is reasonable under the circumstances, but in no event exceeds \$100 per person;
- Food, beverages, and registration at group events to which substantial numbers of employees of an institution are invited;
- Food, beverage, or expenses afforded to employees, relatives or others that are associated with normal and customary business or social functions or activities;
- Actual and reasonable expenses for food, beverages, travel, lodging, and registration provided to permit participation in a meeting, demonstration, or training related to official or professional duties if participation has been approved by the President, or their designee;
- Promotional items generally distributed to the general public;
- Textbooks, software, and instructional materials to be reviewed by teaching faculty;
- An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement;
- Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with University, campus policies, and Washington law.

#### **Possession of Dangerous Weapons/Workplace Violence**

Institutional policy 7.h Possession and Use of Firearms on University Property describes HU's policy on possession of weapons on campus.

See: <https://www.heritage.edu/university-policies/>

#### **Policy on Smoking**

Institutional policy 4.j Smoking Policy describes HU's policy related to smoking on campus property.

See: <https://www.heritage.edu/university-policies/>

#### **Policy on Romantic Relationships/Nepotism**

Institutional policy 4.b Romantic Relationships/Nepotism describes HU's policy regarding romantic relationships on campus and nepotism.

See: <https://www.heritage.edu/university-policies/>



## **1.2 Code of Ethics and Conduct**

Employees are responsible for their behavior. Common sense, good judgment, cooperation, and appropriate personal behavior are part of the essential responsibility of every employee at Heritage University.

We agree to ethics of conduct that will guide all members of the Heritage University community in all decisions and activities. These ethics are:

*Respect:* We will nurture a culture of care, concern, inclusion, fairness, and civility toward others while recognizing and embracing each individual's dignity, freedom, and diversity even in the face of disagreement.

*Honesty and Integrity:* We will act and communicate truthfully and candidly. We will uphold Heritage's mission and values and make decisions based on what is right, equitable, and just.

*Communication:* We will openly share information with stakeholders regarding the processes used in developing policies and making decisions for the university.

*Professionalism:* We will conduct all university affairs diligently, applying professional care while striving to meet the high expectations we have set for ourselves as well as the expectations of those we serve.

*Responsibility and Accountability:* We will use university resources in a wise and prudent manner to achieve our mission and strategic objectives. We will not use university resources for personal benefit or gain. We will be trustworthy and answerable for our conduct, decisions, and obligations. We will comply with all applicable laws, regulations, policies, and procedures. We also recognize our obligation to report unethical conduct to appropriate authorities.

Employees participating in inappropriate conduct will be subject to disciplinary action, up to and including termination. The conduct listed below is not an exhaustive list of inappropriate conduct.

### **Examples of Inappropriate Conduct**

Heritage University has established common themes for performance. Though jobs may vary across the University, there are some common conducts that are unacceptable. Examples of inappropriate behavior may include, but are not limited to, the following:

- Creating unsafe conditions or contributing to such conditions by act of omission
- Excessive absenteeism or lateness or job abandonment
- Failure to maintain professional standards or conduct with clients and co-workers
- Falsification of employment or other records, including timesheets
- Gambling on University premises or while engaged in University business
- Illegal manufacture, possession, use, sale or distribution of drugs, or use of alcoholic beverages on University premises
- Inappropriate handling or disclosure of confidential information or records
- Larceny, misappropriation, or unauthorized possession or use of property belonging to Heritage University or any employee or visitor
- Misappropriation of university or student funds
- Neglect of duty or failure or refusal to perform job-related duties and assignments

- Refusal to cooperate with a Heritage University investigation
- Sleeping on the job
- Submission of falsified claims under the University's medical or other insurance plans
- Threatening, intimidating, harassing, or coercing of another employee
- Unauthorized possession, copying or use of University records or providing them to unauthorized persons
- Violation of the University nondiscrimination or sexual harassment policy
- Working under the influence of alcohol or an illegal substance

### **1.3 Non-Retaliation and Whistle Blower Protections**

Members of the University community who believe that they have been retaliated against in violation of the Anti-harassment/Anti-discrimination Policy may submit a written or oral complaint to the Human Resources Office, who may refer the complaint to the appropriate University office(s) for review and disposition. Interim actions may be taken by the University prior to final disposition.

#### **Reporting Violations**

The Code of Ethics and Conduct addresses the University's open-communication practice and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. Supervisors and managers are required to report suspected violations of the Code of Ethics and Conduct to the Human Resources Office or the Issues Resolution Committee. For suspected fraud, or when you are not satisfied or uncomfortable with following the University's open-communications practice, individuals should contact the Human Resources Office directly.

#### **Issues Resolution Committee**

A question or concern may arise that does not clearly fall within the purview of Human Resources, other committees, or units/areas. Such complaints or grievances should be brought to the Issues Resolution Review Committee, which is a university-wide advisory committee that reviews issues identified from any area of the University that do not clearly fall within the purview of other committees or areas. Employees may contact any Issues Resolution Committee member with their confidential complaint or grievance. Faculty Senate and Staff Senate maintain lists of Committee members on MyHeritage, behind your employee-issued login.

#### **Acting in Good Faith**

Anyone filing a complaint concerning a violation or suspected violation of the Code of Ethics and Conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code of Ethics and Conduct. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

#### **Confidentiality**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

#### Handling of Reported Violations

The Human Resources Office will notify the sender and acknowledge receipt of the reported violation or suspected violation within five work days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

## **2. DISCRIMINATION, HARASSMENT, GRIEVANCE AND/OR COMPLAINT PROCESSES**

### **2.1 Discriminatory Harassment Policy and Non-Discrimination Policy Statement**

Heritage University allows the free inquiry into all ideas and the free expression of opinions by those within the University community. In the presence of harassing behavior, a person's learning or working ability may be impaired. This discriminatory harassment policy acknowledges protection of free speech, which is guaranteed by the First Amendment of the United States Constitution, while at the same time requiring that the dignity, worth, and respect of each individual be nurtured and protected.

The University will not tolerate discrimination based on race, color, gender, sexual identity, age, disability, national origin, or religion. Every student and employee in the University community has the responsibility to avoid engaging in any unlawful discrimination and/or inappropriate conduct that is disrespectful or unprofessional.

The right of free speech, although fundamental to our democratic system of government and essential to the exchange of ideas in our University, is not absolute. The Supreme Court of the United States has held that certain categories of speech are not entitled to First Amendment protection. These categories include obscenity, fighting words, and to a limited extent, defamation. There is no place on a university campus for speech or other expression that personally vilifies another individual. Such personal vilification will not be tolerated when it involves insults based on race, color, gender, sexual identity, age, disability, national origin, or religion.

### **2.2 Sexual Harassment Policy**

Sexual harassment is prohibited by Heritage University and by state and federal law. Heritage University is firmly committed to maintaining a work environment free of sexual harassment and does so by providing training for all employees explaining the definition of sexual harassment, how to report sexual harassment, and the consequences for sexually harassing a member of the University community. Sexual harassment of any member of the University community is prohibited and will subject the offender to disciplinary action up to and including termination.

#### **Sexual Harassment Prevention Training**

All employees, both new and existing, are required to complete an on-line sexual harassment prevention training. All current faculty and staff must complete the sexual harassment prevention every year. Contact Human Resources to discuss waiver options if this training may cause detrimental stress.

#### **Sexual Misconduct**

Pursuant to [RCW 28B.112](#), applicants for employment must declare whether they are the subject of any substantiated findings of sexual misconduct in any current or former employment, are currently being investigated for (or have left a position during) an investigation into a violation of any sexual misconduct policy at the applicant's current or past employers. By law, post-secondary education institutions cannot hire an applicant who does not complete the Sexual Misconduct Declaration form.

## **Definition of Sexual Harassment**

The Equal Employment Opportunity Commission definition, adopted by Heritage University, states that unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when

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

*Sexual Misconduct:* According to [RCW 28B.112](#), "Sexual misconduct includes, but is not limited to, unwelcome sexual contact, unwelcome sexual advances, requests for sexual favors, other unwelcome verbal, nonverbal, electronic, or physical conduct of a sexual nature, sexual harassment, and any misconduct of a sexual nature that is in violation of the postsecondary educational institution's policies or has been determined to constitute sex discrimination pursuant to state or federal law."

Heritage University will not tolerate any form of harassing behavior to employees by other employees nor by third parties such as consultants, contractors, or other non-employees.

## **2.3 Reporting and Protection from Retaliation**

Heritage University prohibits retaliation against anyone for inquiring about suspected breaches of University policy, registering a complaint pursuant to its policies, assisting another in making a complaint, or participating in an investigation under its policies. Retaliation is a serious violation that can subject the offender to sanctions, regardless of whether there is a finding that a complaint or grievance has merit. Anyone experiencing any conduct that they believe to be retaliatory should report it immediately to the Human Resources Director. Any employee who has experienced or witnessed harassment is encouraged to promptly report the harassment to their supervisor or the Human Resources Office without fear of retaliation. Supervisors who know or receive reports of offending behavior must promptly notify the Human Resources Office. An investigation of a complaint will be conducted promptly, assuring maximum confidentiality consistent with the principles of due process and fundamental fairness. See Section 2.4 Employee Grievance/Complaint Process and Section 2.5 Discrimination or Harassment Grievance/Complaint Process.

## **2.4 Employee Grievance/Complaint Process**

Employees who believe that a grievance or complaint not related to violation of policy, ADA violation, harassment, discrimination, or other mandatory reporting instances should be examined, may present their case according to the process explained here, in Section 2.4 Employee Grievance/Complaint Process. Employees should file a complaint in a timely manner. Not doing so may limit the ability to resolve the issue due to limitations outside of our control. The grievance process is based on a restorative justice model. Employees seek a resolution through confidential discussion, investigation, and review of evidence. Employee complaints and evidence are gathered as part of the investigation. The Human Resources Office will provide a neutral advocate to employees to guide them through this process.

(See Section 2.5 Discrimination or Harassment Grievance/Complaint Process for complaints related to violation of policy, ADA violation, harassment, discrimination, or other mandatory reporting instances.)

### **Initial Discussion (Intake)**

The process begins with an initial intake conversation to gather information. The initial conversation is between the employee and the Director of Human Resources Director and/or HR Advocate (HRA). The initial conversation is confidential, unless there is an alleged violation of policy, ADA violation, harassment, discrimination, or other mandatory reporting information that requires disclosure to appropriate personnel. The HRA will explain the investigation process described below.

Once the process is explained, the HRA will assist the employee with determining next steps.

1. The employee decides not to proceed and the grievance is dropped.
2. The employee wishes to engage in informal resolution (see below).
3. The employee wishes to engage in a formal investigation (see below), and proceeds with filing a formal complaint.

### **Informal Resolution**

The informal resolution seeks to resolve the conflict, dispute, complaint, or issue by having the parties involved working towards resolution on their own without involving others.

1. The employee is coached and supported through the process of working to resolve the issues with the instructor, department chair, or other individual.
2. If the employee believes the matter has not been satisfactorily resolved they may return to the HRA and submit a formal complaint.

### **Formal Investigation**

The formal complaint process requires a second intake process, different from the first because confidentiality is no longer a guarantee. Individuals have a right to know who is making a complaint against them. During a formal complaint process additional information is gathered to determine the nature of the complaint and what the appropriate resolution our outcome might be that would satisfy both parties.

1. The HRA begins by gathering information and opening an investigation, with the employees' written permission.
2. The employee begins gathering information and evidence to back up their allegations: which may include the following:
  - text messages
  - Emails, personal or work
  - Notes of conversations
1. The HRA may also choose to interview other employees and gather additional information.
2. The HRA will also gather information from the individual who the grievance or complaint is against.
3. Based on the information gathered during the investigations, the HRA will submit, in writing, their findings and any recommendations for resolution to the appropriate supervisor or administrator. The Human Resources Office and appropriate supervisor or administrator will make the final decision for resolution and determine the best course of actions based on the restorative justice model. The final decision for resolution will

be communicated to the employee in writing. However, if the final decision for resolution contains confidential information, the employee will only be notified that a resolution has been reached. There may be legal constraints on what the university can or cannot, or is required, to communicate to the employee.

4. If the employee believes the matter has not been satisfactorily resolved, the employee may request formal mediation through a third party.

NOTE: If at any point in time, an event occurs that includes a policy violation, ADA violation, harassment, discrimination, etc., the complaint will automatically be investigated, and may involve the President or legal counsel. If any findings include policy violation, the report may be escalated to the President's Office or legal counsel for resolution. Please see Section 2.5 Discrimination or Harassment Grievance/Complaint Process for details.

## **2.5 Discrimination or Harassment Grievance/Complaint Process**

These grievance procedures provide a complaint process for employees or other individuals to make a complaint about discrimination or harassment, or otherwise seek review of a decision or action regarding a disability determination, accommodation, modification, auxiliary aid, or otherwise based on a disability. The University will ensure the prompt and equitable resolution of complaints.

Individuals with concerns about accommodations or other disability related complaints should bring those concerns forward promptly. Individuals are encouraged, but not required, to try to resolve concerns through the informal review and resolution process outlined below.

### **Informal Review and Resolution**

Individuals with complaints or concerns about discrimination or harassment may choose to pursue the informal review and resolution process as an alternative to proceeding directly to the formal grievance process.

The request for an informal review and resolution should be in writing and should be directed to the Human Resources Director. It is important that the person making the request include a description of resolution being sought. The Human Resources Director will attempt to resolve the situation through discussions with the individuals involved, and will issue a written determination as to the resolution within fifteen (15) work days after receipt of the request.

If the individual making the request does not feel a satisfactory resolution has been reached, the individual may file a complaint through the formal grievance process described below. An individual may file a formal grievance without first using the informal review and resolution process.

### **Formal Grievance**

- A grievance should be filed as soon as possible or within 30 calendar days after the grievant becomes aware of the alleged violation.
- A grievance must be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation.

Grievances should be addressed to:  
Human Resources Director  
3240 Fort Road  
Toppenish WA 98948

509-865-8617

[HumanResouces@heritage.edu](mailto:HumanResouces@heritage.edu)

If a grievance alleges discriminatory treatment or harassment by the Human Resources Director, the grievance should be addressed to:

President

3240 Fort Road

Toppenish WA 98948

509-865-8600

[PresidentsOffice@heritage.edu](mailto:PresidentsOffice@heritage.edu)

The President will designate an appropriate individual or individuals to investigate a grievance against the Human Resources Director. After receiving the results of the investigation, the President will make the determination concerning resolution of the grievance and any corrective actions that may be undertaken. The President's decision shall be final and not subject to further appeal.

### **Investigation**

- An investigation, as may be appropriate, will follow the filing of a grievance. The investigation will be conducted by the Human Resources Director or designee (Human Resources Advocate – HRA). Investigations will be conducted as expeditiously as possible and are usually completed within 30-60 days, though this may vary based on the availability of witnesses, the scope of the investigation, or unforeseen circumstances.
- During an investigation, the grievant will have the opportunity to describe their allegations and identify supporting witnesses or other evidence. Individual respondent(s), if any, will have the opportunity to respond to each allegation and identify supporting witnesses or other evidence. As determined to be appropriate by the investigator, he or she will review evidence presented and may meet with witnesses identified by the grievant, respondent(s), third parties, or the investigator. All parties involved in the investigation are expected to cooperate and provide truthful information throughout the investigation process.
- During the investigation process, both the grievant and any individual respondent(s) may ask an advisor or support person of their choice to accompany them to any meetings with the investigator. Although neither party is restricted from choosing an attorney as their support person, an attorney serves in the same advisory role as a non-attorney support person, not as a legal advocate. The investigator will apply any restrictions on the advisor or support person's ability to speak or otherwise participate equally to both parties.

### **Confidentiality**

Heritage University cannot ensure total confidentiality in its investigation of grievances filed under these procedures. However, Heritage University makes every reasonable effort to conduct investigations and related proceedings in a manner that protects the privacy of all parties, and will make clear to each individual involved in the grievance process that the expectation of confidentiality also applies to them. Each situation is reviewed as discreetly as possible, with information shared only with those who need to know about it in order to investigate and resolve the problem.



## **Resolution**

At the conclusion of an investigation, the Human Resources Director or HRA will determine whether the preponderance of the evidence supports the allegations of a violation of the University's Anti-Harassment and Anti-Discrimination Policy or the Access and Accommodations (ADA/504) Policy for Persons with Disabilities, and will consult with the appropriate University office regarding the resolution of the grievance and any corrective actions that will be undertaken. For staff, the appropriate office is the Human Resources Office in collaboration with the respondent's supervisor. For faculty, the appropriate office is the faculty member's Chair or the University Provost.

The Human Resources Director will issue a written determination on the validity and resolution of the grievance and provide a copy to the grievant and respondent(s) within 60 calendar days from the date the formal grievance is filed, although that time frame may be extended for good cause.

When a grievance is found to have merit, the University's response is based on several factors, including the severity of the conduct, and aims to prevent problems from recurring and ensure compliance with relevant discrimination and harassment laws, both state and federal. Individuals found responsible for discrimination or harassment will be subject to disciplinary action, up to and including termination of employment, in accordance with relevant University policies and/or procedures and other requirements set forth in the Employee Handbook and/or Faculty Handbook.

The University will take steps to ensure access to qualified individuals, to prevent recurrence of any discrimination or harassment, and to remedy any discriminatory or harassment effects on the grievant and others, as appropriate.

## **Appeals**

If the grievant or an individual respondent is dissatisfied with the outcome of the grievance, they may appeal the grievance determination, as outlined below. The appeal must be submitted within ten (10) work days of the party's receipt of the grievance determination from the Human Resources Director.

The appeal must be submitted to the Appeals Committee in writing and must specify the substantive and/or procedural basis for the appeal. The Appeals Committee is appointed by the University President, and shall consist of the Human Resources Director, the Vice President for Student Affairs, and the Provost, unless the University President determines that one of those three members should be replaced with a different member of the University administration. If an appeal involves allegations of discriminatory treatment or harassment by a member of the Appeals Committee, that member will not take part in the consideration or decision on the appeal. If the remaining members of the Appeals Committee believe it is necessary for the resolution of the appeal, they may request that the President appoint an additional committee member to take the place of the recused member for consideration and decision on the appeal.

The Appeals Committee will review the appeal and issue a written decision to the grievant and respondent(s) within 15 work days of receipt of the appeal, unless extenuating circumstances require additional time for completion of the written decision. The decision of the Appeals Committee shall be final and not subject to further appeal, except in exceptional circumstances, where discretionary review is granted by the University President.

Appeals should be addressed to the Appeals Committee and may be submitted either to the Human Resources Director or the President at the addresses below:

Human Resources Director

3240 Fort Road

Toppenish WA 98948

509-865-8617

[HumanResouces@heritage.edu](mailto:HumanResouces@heritage.edu)

President

3240 Fort Road

Toppenish WA 98948

509-865-8600

[PresidentsOffice@heritage.edu](mailto:PresidentsOffice@heritage.edu)

### **Discretionary Review**

If either the grievant or respondent is dissatisfied with the outcome of the appeal and believes there are exceptional circumstances that justify a different result, the party may seek discretionary review from the University President by submitting a written request detailing the exceptional circumstances and the substantive or procedural basis for seeking review. The request for discretionary review must be submitted within ten (10) work days from the party's receipt of the final determination from the Appeals Committee.

The President's decision on discretionary review will normally be issued within 15 work days of receipt of the request, unless additional time is required for a full consideration of the circumstances. The President's decision to accept or reject discretionary review, and any subsequent decision made by the President on the grievance if discretionary review is granted, is final and not subject to further appeal.

### **Outside Remedies**

The right of a person to prompt and equitable resolution of a complaint or grievance shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the responsible federal and state agencies. Use of the University's internal grievance and appeal process is not a prerequisite to pursuing other remedies with outside agencies. These agencies are:

Washington State Human Rights Commission

905 West Riverside, Suite 416

Spokane, WA 99201

(509) 456-4473

U.S. Department of Education Office for Civil Rights

915 Second Avenue, Room 331

Seattle, WA 98174

TDD (206) 220-7907

(206) 220-7880

The Department of Justice Civil Rights Division

1425 New York Avenue, Room 5041

Washington, D.C. 20005  
TDD (800) 514-0383  
(202) 514-4224

### **3. EMPLOYEE ORIENTATION**

#### **3.1 Categories of Employment**

Depending on the number of hours worked, employees will be designated as a full-time or part-time employee. At Heritage University, employees (whether full-time or part-time) are classified as either exempt or non-exempt from overtime in accordance with the requirements of applicable wage and hour laws, including the Fair Labor Standards Act (FLSA) and the Washington Administrative Code (WAC 296-128-500 through 296-128-545).

#### **Employment Classification**

All employee job titles at Heritage University are assigned a status of either exempt or non-exempt. Personnel employed for a continuous period expected to exceed one semester, or six calendar months are “regular” employees. The Human Resources Office is responsible for determining if a position is to be designated as either exempt or non-exempt in compliance with Federal law.

#### **Exempt**

Exempt status is assigned to positions that are not eligible for overtime pay. Employees in executive, administrative, and professional positions are typically exempt and are paid a designated salary, regardless of the number of hours they might work in a week. Such positions are hence “exempt” from overtime pay. Exempt employees are not entitled to additional pay or compensatory time off for hours worked in excess of 40 hours in a given work week. Any schedule adjustments for an exempt employee must be approved by their immediate supervisor.

#### **Non-Exempt**

Non-exempt employees are eligible to be compensated for hours worked in excess of 40 per week as provided by law. Employees that are assigned non-exempt status must complete timesheets or time and accountability forms and be paid on an hourly basis for all hours worked over 40 in a workweek. If a non-exempt employee works more than 40 hours in the workweek, they must be compensated overtime at a rate of time-and-a-half. Overtime must be approved in advance by the supervisor or department head.

#### **Full-Time**

Full-time employment consists of a regular schedule of 40 hours per week and is generally eligible for all University benefits.

#### **Part-Time**

Part-time employment consists of a regular schedule of less than 40 hours per week. Employees regularly scheduled to work 30 or more hours per week may be eligible for participation in most benefit programs, subject to any specific requirements described under each benefit program.

#### **Temporary**

Personnel who are not employed as regular classified employees are considered temporary employees. Temporary employees may be employed full-time or part-time for a period of no longer than 6 calendar months. Temporary employees are not generally eligible for benefits.

### **Employment on a Grant or Project**

If a position at Heritage University is funded by a grant or a project, it is subject to the availability of funds, and the employee will be notified that it is a grant funded position. In the event that the grant or project funds are exhausted or reduced, or the grant or project is completed or canceled, this employment may terminate. An employee working in a position funded by a grant or project should take accrued vacation during the term of the project since funds will not be available to pay for accumulated vacation after the grant or project ends. Federal grants typically require submission of time and effort reports or other human resources documents/requirements.

### **Student Employees and Work Study Students**

All hourly employees who are currently enrolled in classes at the University and are not identified as temporary employees or as regular classified employees may be designated as Work Study Students or Student Employees.

#### **Work Study Students**

Work Study student assistants are exempt from FICA (Federal Insurance Contributions Act) withholdings (Social Security) if they are registered for at least half time and seeking a degree and work no more than 19 hours per week.

#### **Student Employees**

Student employees will be taxed as a temporary employee. Student employees may not work more than 40 hours per week in a University department or in combination with a job elsewhere in the University, except in cases of pre-approved authorization by the immediate supervisor.

### **Consultant/Independent Contractor**

Persons in this category are not University employees. They are on a contract to provide services to a department or unit and are not subject to the benefits outlined in this Employee Handbook.

### **Special Employment Situations**

#### **Employment of Foreign Nationals**

The employment and/or payment of nonresident foreign nationals shall be in compliance with all applicable federal laws and shall comply with all relevant visa restrictions.

#### **Employment of Minors**

The employment of all persons under the age of 18 years shall be in compliance with the regulations of the U.S. Department of Labor and Washington State Department of Labor and Industries. The Director of Human Resources must approve employment of all minors.

## **3.2 Hiring and Termination Guidelines**

### **Pre-Employment Screening**

The pre-employment screening process may consist of a background check for all positions as well as a probable skills proficiency demonstration based on the assigned position and departmental requirements.

### **Background Check**

It shall be a condition of all regular employment with Heritage University to submit to a background investigation. Positions determined by the hiring department in conjunction with the Human Resources Office to be “a position of trust” are those that routinely as part of the job involve interaction with children, after-hours access to facilities, access to financial resources, or positions that have been otherwise identified by the hiring department in conjunction with the Human Resources Office to require a more extensive background investigation.

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

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

### **Pre-Employment Forms**

New employees will be asked to fill out information forms for payroll and benefit purposes and will be responsible for the continuing accuracy of all information, including all criminal actions. If necessary, new forms may be obtained from Payroll or the Human Resources Office. The employee is responsible to notify Payroll or Human Resources of a change of address. To change federal withholding, the employee may obtain the forms at Payroll or the Human Resources Office.

- **Personal Data Record/Change Form.** This form obtains pertinent data such as address, phone number and emergency contact that will be kept in the employee’s personnel file. This form may also be used to update this information.
- **Completion of I-9.** This form identifies an individual’s legal right to employment in the United States and must be completed within three days of employment.
- **Federal Withholding W-4 Forms.** These documents indicate the amount of federal taxes to be withheld by the employer and must be completed upon employment.
- **Benefit Forms Completion.** For benefits-eligible employees only: optional benefit forms (for example, health insurance) must be completed within 31 days of the employee’s original hire date with the University in order to participate in benefit programs.
- **Direct Deposit of Paycheck** All employees of Heritage University are encouraged to use the automatic payroll deposit service, which provides for the direct deposit of pay to bank or credit union accounts.
- **Official Transcripts.** The University may require copies of transcripts to verify education and degrees awarded.

### **3.3 Orientation**

A general orientation program is scheduled at the beginning of each semester for all new regular employees. The orientation program provides information regarding Heritage University History, Mission, and Vision as well as critical information concerning policies, procedures and

employee benefits. All new employees are encouraged to attend the orientation program as scheduled. In addition to attending the general orientation program, each new employee should meet with their supervisor, who will explain the duties and responsibilities of the position. Any specific departmental policies, procedures, and regulations will be explained by the supervisor at that time.

### **Identification Card**

A new employee may obtain an identification card (ID) as soon as their payroll information is added to the automated system. Human Resources will provide directions for obtaining an ID card when pre-employment forms are completed.

The ID card is the employee's official University identification and should be carried at all times. The card is not transferable and is the property of Heritage University. It should be returned to the University upon termination of employment. Loss of a card should be reported immediately to the Security Office. After the card has been reported lost or missing a new card can be issued. There may be a replacement fee for lost, stolen, or damaged cards; the fee may increase for each subsequent replacement.

### **Duty to Report Criminal Charges/Determinations**

Employees have the responsibility to report criminal charges/determinations.

#### **Criminal charges**

Any employee of Heritage University who is charged with a crime (other than a minor traffic offense and/or local ordinance violation) shall report having been charged to their supervisor within 3 days of becoming aware of such charge. The employee shall report the crime(s) they have been charged with and provide documentation of the charges upon request. Within 3 days of receiving notice from the employee, the supervisor will contact the Human Resources Office so a determination can be made as to what action, if any, is immediately warranted.

#### **Criminal Determinations**

Within 3 days of the employee receiving a determination of the criminal charges (e.g. charges dismissed, allowed to plead *nolo contendere*, found guilty, acquitted), they will notify their supervisor and provide documentation of the disposition. Within 3 days of receiving notice from the employee, the supervisor will contact the Human Resources Office so a determination can be made as to what action, if any, is warranted.

### **3.4 Provisional Period**

#### **Provisional Period for New Hires, Transfers, and Rehires**

Each new employee is required to serve 90 days of employment at Heritage University in a provisional status. The supervisor will evaluate the employee's job performance with them throughout the duration of the provisional period. The provisional period may be extended due to exceptional circumstances.

Employees in the 90 day provisional period are eligible for transfer or promotion within the University during that period only when granted permission by the Vice President of their current college/division. Employees who have successfully completed a provisional period and who are transferring to or being promoted into a new position will not be subject to another provisional period.

Former employees who are rehired will be considered new employees and will have another provisional period.

### **Benefit Status during Provisional Period**

A new hire must be employed on or before the fifteenth of a month to qualify for accrual of vacation/annual leave for that month. Employees on provisional status who are otherwise eligible may enroll in benefit programs.

### **3.5 Reduced Hours and Shift Modifications**

Occasionally, due to the needs of the University, employees may be required, with sufficient notification, to reduce their hours worked per week. In these instances, the employee will be given two weeks' notice when possible.

### **Reductions in Force**

Should it become necessary to reduce the work force at the University, job eliminations or job consolidation may be required. When personnel reductions become necessary, affected employees will be given as much notice as possible so that they may seek employment elsewhere within or outside of Heritage University.

Employees who are terminated, demoted, or otherwise adversely affected by reorganization, redirection, program modification, or financial exigency, as approved or determined by the University president or designee, are not governed by the procedures described in the Complaint Process.

### **3.6 Separation of Employment**

Normally the last day worked is the separation date. Health care and other benefits provided by Heritage University end on the last day of the separation month. Some benefits may be continued or converted (such as COBRA health insurance benefits) on an individual basis. The Human Resources Director can provide contact information for conversion details for terminating employees.

By 4:00 pm on the last day of work, the employee should submit final timesheets or Time and Accountability form to Payroll or to the Human Resources Office. A final paycheck will be mailed to the last address of record or deposited directly into the terminated employee's account.

At the time of separation, the employee must return all University property and must leave the University premises by the date specified. If the employee owes money to the University, Heritage University is authorized to hold accrued vacation pay to cover the obligation.

### **Exit Interview**

An Exit Interview should be conducted by the Human Resources Office. In separating, employee's supervisor should ensure that an Exit Interview is scheduled prior to employee's departure.

### **Resignation**

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



**Retirement**

No staff member will be required to retire because of age. Employees planning retirement are encouraged to discuss their plans with their supervisor (department lead, VP, department chair, etc.) and the Human Resources Office well in advance of their planned retirement dates.

**Termination**

Heritage University encourages all supervisors to follow the progressive discipline process (see Section 8.4 Progressive Discipline and Section 8.5 Progressive Discipline Steps); however, there are certain offenses that warrant immediate termination. When notified of termination, the employee must return all University property and must leave the University premises by the date specified.

**Rehire after Termination**

Former employees who are terminated are generally not eligible for rehire. However, former employees who were terminated may request the Human Resources Director review the case and determine eligibility for rehire.

The Human Resources Director's decision will be rendered after a review of the employee's work records at the University and other information as deemed appropriate.

## **4. COMPENSATION**

### **4.1 Compensation**

The pay rates for each job title are determined by the knowledge, training, skills, and level of responsibility assigned to that position. In addition, every effort is made to ensure equitable salary ranges are in keeping with other universities and similar positions in the local, regional, and national markets.

### **4.2 Internal Posting**

The Human Resources Office posts a current list of vacant positions on the Heritage University website. Employees are encouraged to use the website as a resource for potential promotion or transfer opportunities. The listings can be accessed online at [www.heritage.edu](http://www.heritage.edu).

### **4.3 Classification: Hiring, Promotion, and Transfer**

#### **Minimum Hiring Qualifications**

Minimum Hiring Qualification are intended to help ensure comparable basic hiring qualifications for comparable positions across campus. A minimum qualification is the minimum threshold of education and experience required to perform a given job.

#### **New Hire**

The salaries of new employees are set based on the classification of the position, the salaries paid in the market, and the applicant's education, skills, and previous related experience.

#### **Promotion**

A promotion is the shift of an employee from one job title or position to another having more responsible duties or involving more skill (higher classification). To be promoted, the employee must meet the minimum job qualifications required by the new job title or position.

Employees can only be promoted during the fiscal year as a result of significant changes in assigned duties, the organizational structure, mission, or funding of the department/project. The supervisor is responsible for completing all of the necessary paperwork for this action. Any promotion to a vacant position within the same department is not usually made without advertising the position via the website.

Employees in the 90-day provisional period are eligible for promotion only when granted permission by the area Vice President. All accumulated leave, retirement benefits, and start date will be transferred when the promotion is given if there is no break between the end and start dates of the old and new position.

#### **Transfer**

An internal transfer is the movement of an employee from one position to another within the University. Vacant positions are typically advertised through the Human Resources Office. A formal recruitment process is usually required to fill all vacant staff positions. An employee must be in good standing in their currently held position to be considered for a transfer. This includes promotion and lateral transfers.

Employees in the 90-day provisional period are eligible for transfer within the University only when granted permission by the area Vice President. All accumulated leave, retirement benefits

and start date will be transferred if there is no break between the end and start dates of the old and new position.

#### **4.4 Pay Adjustments**

All pay adjustments are subject to final approval by the President of the University.

##### **Promotion**

A promotion is an authorized reassignment from one position to another position in a higher salary grade. Upon promotion, an employee is eligible for a salary increase. Promotion increases are determined on an individual-case basis within guidelines. Approval by the Human Resources Office and the area Vice President is required.

##### **Stipend**

Additional compensation is appropriate when an individual is assigned a major component of a job at a higher pay grade and is held accountable for the full scope of the job on a temporary basis in the absence of another member of the organization. This assignment must be made in writing. All employees are expected to fill in for their co-workers during vacations and other short-term absences. The supervisor should determine if a stipend or additional temporary compensation is warranted. The amount of temporary compensation is determined on a case-by-case basis considering the additional responsibility and/or added workload. Requests for additional compensation must be made by the department head in advance and in writing to the Human Resources Office. Stipends generally should not continue for more than three (3) months.

If a position has changed over time or if substantive duties have been assumed that are beyond the scope of what is generally considered for the position, the supervisor in collaboration with the incumbent should request a position review. The request and supporting information for the request should be submitted to the Human Resources Office. The Human Resources Office will present the request to the area VP for review and recommendation.

##### **Lateral Transfer**

A lateral transfer is defined as movement from one position to another at the same pay level. A lateral transfer should not result in a change in salary since the assignments are in the same pay level. Should a situation arise that may justify a salary adjustment, a request and supporting information for the request should be submitted to the Human Resources Office. The Human Resources Office will present the request to the area VP for review and recommendation.

#### **4.5 Job Evaluation Process**

The University's job evaluation process is designed to maintain consistency in the utilization of various job titles. This process ensures that employees performing similar duties have the same or similar job titles with corresponding pay levels. The job evaluation process requires a comparative analysis of a position to determine if the current classification and/or compensation levels are appropriate. The job evaluation process also includes the review of required knowledge, skills, and abilities needed to perform duties assigned to a position. A review of current market data may be required during the job evaluation process as a means of obtaining the University's goals in

- Attracting and retaining qualified individuals by matching job skills with the assigned position,

- Ensuring that internal and external equity issues are addressed,
- Encouraging professional growth for employees, and
- Recognizing necessary knowledge and skills required for a position and ensuring that the employee is appropriately compensated for performing them.

### **Job Analysis and Job Audit**

Generally, a position only needs to be reviewed if its duties have changed significantly over time or if substantive new duties have been assumed that are beyond the scope of what generally might be expected for a position with that title. This process will be applied for both increase and decrease in job responsibilities.

If an employee believes their position should be reviewed for reclassification, the employee should discuss the possibility with their immediate supervisor and/or the department head. If the supervisor and/or department head concur, a petition for position review should be submitted to the Human Resources Director. The Human Resources Director will present the petition to the area VP for review and recommendation. Employees may be asked or may offer to help describe the duties they perform so that the supervisor can fully assess and describe the current scope of their responsibilities.

The Human Resources Director and area VP will review the information provided and make a determination. If a favorable determination is made, the changes will be implemented on a date determined by agreement of the Human Resources Director, area VP, and employee, but no later than the beginning of the next fiscal year.

### **4.6 Administrative Salary Adjustments**

Certain rare and exceptional circumstances may occur from time to time that warrant special salary adjustments. Requests for special salary adjustments by a department head/chair must be in writing for review and approval by the Human Resources Director and area VP.

### **4.7 Payroll Deductions**

Each employee's paycheck will have specific deductions as required by law, Heritage University policy, and/or at the employee's request. For deductions information please contact the payroll office.

### **4.8 Garnishments and Withholding**

The University is required by law to accept and process garnishments served by officials of the court.

### **4.9 Payroll Policy and Process**

#### **Pay Periods**

The official work week for all nonexempt employees begins at 12:00 a.m. Sunday morning and ends at 11:59 p.m. Saturday evening.

#### **Paychecks**

Salaried exempt and non-exempt employees are compensated on the last day of the month, and will be paid monthly. Hourly staff, temporary staff, and work study assistants are compensated for all hours worked on the 16<sup>th</sup> of the month and last day of the month. All employees of Heritage University are encouraged to use the automatic payroll deposit service, which provides for the direct deposit of pay to bank and credit union accounts. If an employee does not have or

is unable to obtain a bank account for direct deposit, they should contact the Payroll Office for other arrangements.

### **Timesheets**

Hourly, temporary, and/or student employees are required to record and submit a timesheet as a record of the hours worked per work week per pay period. Timesheets must reflect hours worked for each work week of the pay period and should include all absences taken in the pay period.

### **Time and Accountability**

Salaried exempt and non-exempt employees must complete a Time and Accountability form for all absences. This form must be signed by the employee and supervisor and filed with the Payroll Office by the eighth (8<sup>th</sup>) day of the month for the previous month's absences. The supervisor is responsible for submitting the Time and Accountability form to Human Resources and/or Payroll and ensuring that the employee's and supervisor's signatures are on the document. Time and Accountability forms must to be submitted to Payroll on a monthly basis even if leave has not been taken.

## **5. BENEFITS**

### **5.1 General Benefits Information**

Heritage University offers eligible employees the opportunity to participate in various benefit plans provided by Heritage University, which include but are not limited to health insurance, dental insurance, vision insurance, life insurance, accidental death and dismemberment insurance, and retirement plans.

The Human Resources Office provides each eligible employee with complete descriptions of the benefit plans, along with the respective monthly premiums for optional dependent coverage. For specific information on the available benefit plans, please contact the Human Resources Office.

### **5.2 Benefits Eligibility**

To be considered "benefits-eligible," an individual must be appointed to a faculty or staff position that has an anticipated duration of six months or more and is at least .75 FTE. Benefits-eligible faculty and staff may cover their spouses and eligible dependent children.

### **New Employees**

New benefits-eligible employees may enroll in available benefit plans within the first 31 days of employment. Employees who do not enroll in benefit plans within the first 31 days of employment must wait until the next annual open enrollment period to enroll. Employees should be aware that their first 31 days of employment may be their only opportunity to enroll in certain benefits, unless there is a qualifying event. The Human Resources Office will notify employees of any benefits which fall into that category.

### **Eligible Dependents**

Eligible dependents include the spouse and dependent children up to age 26.

### **Registered Domestic Partners**

Registered domestic partners of employees are eligible to enroll in certain benefit plans offered by Heritage University as provided by law.

### **5.3 Employee Assistance Program**

An Employee Assistance Program (EAP) is available at no cost to Heritage University faculty, staff, eligible dependents, and household members. EAP is a special benefit offering confidential consultations, assessments, and short-term counseling for a variety of issues ranging from work-related concerns to personal difficulties that affect everyday life. EAP will provide assistance with exploring appropriate community resources if an outside referral is needed for ongoing or specialized services. It is completely confidential.

For additional information and assistance regarding benefits contact the Human Resources Office.

### **5.4 Healthcare Benefit Plan**

Heritage University participates in a Section 125 Plan as authorized by the Internal Revenue Code. Employee health, dental, and vision premiums are deducted on a pre-tax basis and are not subject to federal tax, state tax, or FICA. The choices made by a new employee or during the annual open enrollment period must remain in effect for the entire plan year (July 1 – June 30), unless the employee has a mid-year qualifying event.

The annual open enrollment period normally occurs during the month of May with coverage dates effective July 1 for all benefits. A Benefits Fair is held during the open enrollment period to give employees the opportunity to gather benefits information and talk with the various providers before the open enrollment period ends.

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

The IRS regulation, under Section 125, has strict rules regarding the operation of healthcare benefit plans. Exceptions are permitted under IRS rules when a member has a mid-year qualifying event. Employees are required to notify the Human Resources Office within 31 days of the qualifying event and complete the appropriate forms to make mid-year changes. Some examples of mid-year qualifying events include:

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

### **5.6 Continuing Benefit Plans after Separation**

After separation, employees will retain insurance benefits through the end of the month that they separate. Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may elect to continue medical, dental, vision, and/or other medical benefits for up to 18 months. In special instances, the 18-month period may be extended. Claim forms may be submitted up to 60 days after separation date for expenses incurred prior to employment termination date. COBRA election must be made within 60 days from the date COBRA notification is received.

The cost for COBRA for employees and/or dependents is 100 percent of the total premium, plus a 2% administrative fee. It is the participant's responsibility to ensure that premiums are paid in a timely manner. This premium must be paid on time each month or COBRA coverage will be discontinued. Employees interested in electing COBRA benefits should contact the Human Resources Office.

### **Dependents**

A spouse of an employee whose coverage ends due to divorce or a child who reaches the maximum age for coverage as a dependent may continue coverage for thirty-six (36) months. Election must be made within sixty (60) days from the date COBRA notification is received.

### **5.7 Appealing Denied Benefit Claims**

Denied benefit claims must be contested directly through the benefits provider. Contact Payroll or the Human Resources Office for additional information.

### **5.8 Tuition Benefit Program**

#### **Application and Eligibility**

The tuition waiver program is available to full-time (.75 FTE or greater), benefits-eligible employees of the University who have successfully completed at least six (6) months of employment in a benefits-eligible position as of the date of the Tuition Waiver application deadline.

The Human Resources Office will provide the Tuition Waiver Application to employees via email every year. Applications are for the following academic year and must be submitted by the deadline set by the Human Resources Office. The Tuition Waiver may cover up to the maximum allowed credit hours per term for eligible employees and their dependents. State and federal grant and scholarship funds (including WASFA funds) will be applied prior the Tuition Waiver being applied.

Prior to completing the Tuition Waiver application, the individual requesting the waiver (employee, employee spouse, or dependent) must

- Apply for admission to the University; and
- Apply for financial aid by completing a FAFSA.

Employees may apply for undergraduate or graduate tuition waiver. Employees may need to complete an application to take a course during work hours and revised work schedule. The employee's supervisor must approve the work plan and revised work schedule, and verify that the employee's attendance in class will not adversely affect department services.

Completed tuition waiver applications for employees include:

- Tuition Waiver Application Form
- Proof of FAFSA Completion
- Application to take a course during work hours (if applicable)
- Revised work schedule indicating how employee will fulfill normal workweek (if applicable)

Spouses and dependent children can apply for undergraduate tuition waiver. Completed tuition waiver applications for an employee's spouse or dependents include:

- Tuition Waiver Application Form
- Proof of FAFSA Completion
- Proof of dependent status

For any given academic year, applicants must complete the Tuition Waiver Application form with requested number of credits to be taken each semester and return to the Human Resources Office by:

- Fall – August 1
- Spring – January 3
- Summer – May 15

#### Continuing Eligibility

- Employment must be continuous through the end of the semester and grades recorded to be eligible for future waivers.
- Auditing courses, non-traditional courses, non-credit courses, course re-takes, and workshops are not eligible for waiver.
- Recipients must maintain a cumulative 2.0 GPA to remain eligible for tuition waiver.

Please contact the Human Resources Office for additional requirements and details of the Tuition Benefit.

#### **5.9 Retirement Plans {403(b)} Tax-Sheltered**

Benefit-eligible employees are able to participate in a voluntary tax-deferred retirement plan offered through Heritage University under provision 403(b) of the Internal Revenue Code (IRC). This plan allows participants to direct a portion of their income, on a tax-deferred basis, into any of a number of investment vehicles such as annuity contracts and mutual funds. Taxes are deferred until the money is withdrawn - usually upon retirement (withdrawal prior to retirement age carries a penalty). Employees make their full contribution, via salary reduction. Employees may enroll or change their elections for the 403(b) plan at any time.

Employees may invest up to the current IRS mandated limit in a 403(b) plan. Employees age 50 or older may set aside up to an additional \$5,000. The annual contribution is allocated equally across the number of paychecks an employee receives during the year for their base salary. TIAA-CREF is the authorized vendor and administrator.

After one year of service, Heritage University contributes 5% of gross base salary for all Full-Time benefit-eligible employees regardless of an elective deferral by the employee. In addition, Heritage University will match 100% of the employees' before tax contribution to the plan up to 2% of the employees' gross pay, for a total of 7% contribution from the University.

#### **Vesting**

Vesting is immediate once contributions begin. Since vesting is immediate, the total funds remain in the employee's name for their ultimate retirement as per social security guidelines.

If the employee becomes permanently and totally disabled, all monies in the fund would be made available to the employee. If the employee dies, all monies in the fund would be made available to the named beneficiaries.



## **6. VACATION, SICK LEAVE, AND LEAVE OF ABSENCE**

### **6.1 Time-off Benefits**

Time-off benefits are provided to eligible employees of the University for a variety of reasons, including rest, enjoyment, and illness. The University has designed a comprehensive time-off benefits program. Staff and administrator time-off benefits may be different than faculty time-off benefits, due to faculty contract specifics. Faculty need to consult the Faculty Handbook Section 2.11.4, Faculty Leave, in conjunction with this Section of the Employee Handbook.

### **Holidays**

Heritage University currently observes the following official paid holidays each year. An exact schedule of these holidays is published annually by the Human Resources Office. Employees working less than .75 FTE, student work study assistants, and temporary non-students are not eligible to receive holiday pay.

- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving
- Winter Break (see schedule for dates)
- Martin Luther King Jr. Day
- Presidents Day
- Spring Renewal Day
- Memorial Day
- Yakama Nation Treaty Day

These holidays are observed in accordance with the rules and regulations set forth by the University. To receive holiday pay, an employee must be in pay status the day before and the day after the holiday. When a non-exempt employee is required to work on a university observed holiday, the employee shall receive payment of hours worked plus an additional 8 hours of holiday pay. Upon separation of employment, an employee will not be paid for any official holiday occurring after the last working day of their employment.

### **6.2 Personal Leave**

Full-time, benefits-eligible staff and administrators receive 24 hours of personal leave per fiscal year. These hours are granted on July 1. This leave is pro-rated for employees working between 30-40 hours per week and per hire date. Personal leave may be used for emergency and/or short notice purposes. These hours may not be carried over to the next fiscal year. Unused personal leave is not paid to an employee upon separation of employment.

### **6.3 Vacation**

Vacation time must be approved in advance by the employees' supervisor, taking into consideration staffing levels. A minimum of 10 work days advance notice is requested when possible.

**Eligibility**

Full-time, benefits-eligible staff and administrators are eligible to accrue vacation hours. Accruals are pro-rated for staff and administrators working between 30-40 hours per week. Full-time staff and administrators accrue 6.67 hours of vacation per month for the first five years of employment. After the completion of the 5th year of service, vacation will accrue at 10 hours per month. Employees with 10 or more years of service will accrue at 13.33 hours per month. Administrators accrue at 13.33 hours per month.

Staff and administrators must be hired on or before the 15th of the month to accrue leave for that month. Leave is accrued on the last working day of the month. They must have a sufficient leave balance from prior months to cover the hours taken through the last day of the vacation.

**Carryover of Unused Vacation Days**

No more than one year's worth of accrued vacation/annual leave will be carried over from one fiscal year to the next fiscal year. On June 30 of each calendar year, staff and administrator leave records shall be adjusted to reflect no more than one year amount of accrued vacation/annual leave.

**Vacation Pay Upon separation**

All unused, accrued vacation leave, not to exceed one year's accrual, shall be paid to staff and administrators upon their separation from employment when all HU issued property is returned and up-to-date Time and Accountability sheets have been submitted. If any portion of their compensation is funded by a grant or other funding sources, the terms set forth by the grant or funding partner will determine if the payout of vacation hours is permitted.

Staff or administrators who separate on or after the fifteenth (15<sup>th</sup>) of a month shall accrue vacation/annual leave for that month.

**Record of Earned Vacation**

A Timesheet or Time and Accountability form must be completed to document the vacation leave taken. See Section 4.9 Payroll Policy and Process for additional information regarding Timesheets and Time and Accountability forms.

**6.4 Sick Leave****Eligibility**

Full-time, benefits-eligible staff and administrators are eligible to accrue sick leave hours at a rate of 8 hours per month, up to a maximum of 480 hours. Accrual is pro-rated for employees working between 30-40 hours per week. Sick leave may be granted at the discretion of the institution and upon approval by the supervisor for an employee's absence for any of the following reasons:

- Illness or injury of the employee;
- Family emergency;
- Personal crisis;
- Illness, injury, or death in the employee's family requiring the employee's presence;
- Medical, dental, and mental health treatment or consultation;
- Quarantine due to a contagious illness in the employee's household; or
- Other reasons not explicitly specified here as directed or necessitated by medical or mental health care providers.

Sick leave cannot be granted to substitute for vacation leave. Employees are not to perform University related tasks while on sick leave.

### **Sick Leave Accruals**

For all full-time staff and administrators, sick leave shall be accumulated at the rate of one working day per calendar month of service. Temporary employees, student workers, adjunct instructors, and part-time employees will follow Washington State paid sick leave program and will accrue one (1) hour for every 40 hours worked.

### **Reporting Absences**

Employees are expected to report all absences for sick leave purposes directly to their supervisor or department head as soon as possible and should indicate probable length of absence so that schedule adjustments may be made.

Employees absent for prolonged periods should communicate with their supervisors, unless on approved leave of absence.

A Timesheet or Time and Accountability form must be completed to document the sick leave.

### **Sick Leave Upon Separation**

A separating employee shall not be paid for any unused sick leave earned.

## **6.5 Donated Leave**

Heritage University recognizes that staff may have a family emergency or a personal crisis that causes a severe impact to them resulting in a need for additional time off in excess of their available leave balances. Donated leave is defined as leave time donated from individual employee's unused balances (sick, vacation, or personal) to their co-worker(s) in need, in accordance with the policy outlined below. This policy is strictly voluntary. Human Resources Staff will monitor the use of donated leave to ensure equal treatment of all employees and requests.

### **Eligibility to Receive Donated Leave**

Staff who would like to receive donated leave time from their co-workers must have a situation that meets either of the following criteria.

**Family Health Related Emergency** – Critical or catastrophic physical or mental health emergency of the employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. Immediate family member is defined as spouse, child, parent or other relationship in which the employee is the legal guardian or caretaker.

**Other Personal Crisis** – A personal crisis of a severe nature that directly impacts the employee, which may include a natural disaster, impact to the employee's primary residence, death in the family, etc.

Appropriate medical certification or other supporting personal crisis documentation both of the necessity for the leave and the length of time which the employee reasonably can be expected to be absent is required.

If the recipient employee has available leave time in their balance, this time will be exhausted prior to receiving any donated leave time. Donated leave time may only be used for time off related to the approved request.

Employees who receive donated leave time may receive no more than 480 hours (12 weeks) within a rolling 12 month period. Donated leave will not affect or extend the duration of the employee's 12-week FMLA entitlement.

Every effort will be made to maintain confidentiality of a medical condition for which donated leave is requested. Donated leave will be converted to sick leave for the recipient on an hour for hour basis. Leave will be deducted from the leave pool on a month by month basis as needed.

An employee receiving donated leave who separates employment is not paid for any remaining donated or unused donated leave (i.e. separation date will not be extended for the sole purpose of exhausting donated leave).

Employees who would like to make a request to receive donated sick/personal/vacation time are required to complete a Leave Time Request/Donation Form, which includes authorization to disclose the amount of leave needed to those interested in making a donation. Forms are located in the Human Resources Office.

#### **Eligibility to Donate Leave**

Staff who donate time must have sufficient time in their balance and will not be permitted to exhaust their balances because they may experience their own personal need for time off. Staff cannot borrow against future leave time to donate. Staff who are currently on an approved leave of absence cannot donate leave time.

Staff who donate leave time must be employed by Heritage University for a minimum of 1 year. Staff may donate a minimum of 4 hours, and a maximum of 40 hours (1 week) per year, and must have a minimum of 80 hours of leave (2 weeks, combined vacation, sick, and/or personal leave) left after donating.

#### **6.6 Leave without Pay**

Leave without pay may be granted only in extenuating circumstances for a period not to exceed one year at the discretion of the department with the approval of the Human Resources Director and will be without pay.

#### **Duration of Leave without Pay**

All leave without pay must be approved and filed with Payroll and Human Resources on either a Time and Accountability form for exempt employees or a Timesheet for non-exempt employees. Any leave, except that charged to accrued vacation that is anticipated to extend beyond two weeks in duration, must be approved by the employee's supervisor. A minimum of 10 work days advance notice is requested when possible.

#### **Benefits during Unpaid Leave**

Approved unpaid leave allows employees to elect to continue their group insurance benefits through COBRA. However, employees on unpaid leave will not continue to accrue vacation or sick leave.

Upon return from approved leave without pay, the employee will be restored to their original position, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. Should an employee be unable to return to work after being granted leave without pay for one year, the employee status will convert to resigned or retired.

### **6.7 Unapproved Leave**

An employee not at work must be in an approved leave status. When an employee is absent from work and has not made arrangements to be on official leave, accrued vacation will be charged until exhausted. Once exhausted, the employee will be in an “hours without pay” status. This means that paychecks will no longer be issued, unless Human Resources or Payroll determines otherwise. (See Job Abandonment Section 8.6)

### **6.8 Workers’ Compensation**

All University employees are covered by state Workers' Compensation laws, which may provide medical and income benefits if an employee is injured on the job. In the event of an injury while performing job duties, the employee should immediately report the injury to the supervisor or supervisor’s designee. The supervisor (or designated alternative) is responsible for reporting employee injuries/accidents, following the established reporting system. An employees’ failure to report the accident promptly may result in failure to receive benefits.

In the event of a life-threatening emergency, employees are to call 911 for immediate assistance. For all other work related injuries, employees may report to University Security during evenings and weekends. University Security will refer injured employees to seek medical attention according to the Workers’ Compensation instructions.

### **6.9 Administrative Leave**

Administrative leave is a leave of absence initiated by the University to deal with special circumstances to determine continued employment. Administrative leave may be with or without pay and carries no promise of future re-employment.

### **6.10 Family and Medical Leave**

#### **Family and Medical Leave (FMLA)**

The [Family Medical Leave Act \(FMLA\)](#) entitles eligible employees to take up to 12 weeks of unpaid, job protected leave each rolling 12-month period. A rolling 12-month period is defined as 12 months from the date of first absence. To be eligible, the employee must be employed for at least one year and have worked at least 1,250 hours over the previous 12 months.

Sick leave must be used first while on FMLA leave. When sick leave has been exhausted, the employee will use their accrued vacation leave. Once all accrued leave has been exhausted, the remainder of the FMLA leave will be in an unpaid leave status.

#### **Washington State Paid Family and Medical Leave (WPFML)**

[Washington Paid Family and Medical Leave \(WPFML\)](#) is administered by the Washington Employment Security Department (ESD) and is funded through employee and employer contributions. Employees are eligible for WPFML if they have worked 820 hours for any Washington employer(s) in the qualifying period. Employees must apply for WPFML through the Employment Security Department (ESD). The ESD will determine employee eligibility after the employee completes an initial application with the department.

Eligible employees can take up to 12 weeks of partially paid leave benefits within a 12-month period for the following reasons:

- For the employee's own serious health condition;
- To care for the serious health condition of a child, son-in-law, daughter-in-law, grandchild, spouse, registered domestic partner, parent, parent-in-law, grandparent, grandparent-in-law, or sibling;
- To bond with a minor child during the first year after birth or placement; or
- Because of any military family member's qualifying emergency as permitted under the federal Family and Medical Leave Act (FMLA).

Paid leave benefits may be extended to a total of 16 weeks in the 12-month period if an employee has multiple needs to use family leave and/or medical leave in the same year, or up to 18 weeks if the employee is disabled due to pregnancy or childbirth.

### **Family Leave Entitlement**

Employees may request Family Leave, including but not limited to the following events:

- Birth of a child,
- Adoption of a child,
- Fostering of a child,
- Serious health condition of employee's child, spouse, or parent, or
- Serious health condition of employee.

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient hospital care (such as an overnight stay), hospice, or residential medical care facility;
- any period of incapacity requiring sporadic absences from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated, would likely result in a period of incapacity;

Spouses/significant others/domestic partners who are both employed by the University are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a child or parent (but not parent "in law") who has a serious health condition. Leave for birth, adoption, or foster care placement must conclude within 12 months of birth or placement.

Under some circumstances, employees may take FMLA leave intermittently—which means taking leave in blocks of time, or by reducing the normal weekly or daily work schedule. Where FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to approval by Heritage University. FMLA leave may be taken intermittently whenever it is medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

### **Notice and Certification**

Employees seeking to use FMLA leave are required to

- Provide 30-days advance notice to the Human Resources Office of the need to take FMLA leave, when practical. The Human Resources Office will notify the supervisor of necessary action.
- FMLA leave requires a Physician Statement (DOL Form WH-380-E). *Required forms may be obtained from Human Resources Office.*
- Meet with the Human Resources Director and provide periodic reports during FMLA leave regarding the employee's status and intent to return to work.

### **Benefits Coverage during Leave**

During the period of FMLA leave, an employee may retain health, dental, and life benefits under the same conditions that applied before the leave began.

### **Job Restoration**

Upon return from FMLA leave, the employee will be restored to their original position or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

The employee's use of FMLA will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave. In an unpaid leave status the employee will not continue to accrue vacation or sick leave benefits.

### **Return from Leave**

Employees must notify the Human Resources Office of their return to work date, preferably at least five (5) work days in advance of the return to work date. If circumstances necessitate, a statement from the employee's physician certifying that the employee is able to return to work may need to be turned into the Human Resources Office on the employee's first day back to work if employee took FMLA for personal reasons. The employee is responsible for ensuring that the documentation is delivered to the Human Resources Office, either in person or electronically. Upon receipt of the statement, the employee will be added to payroll if they were on leave without pay.

If an employee wishes to return to work prior to the expiration of FMLA leave, notification must be given to the Human Resources Office, preferably at least five (5) work days prior to the employee's planned return. The Human Resources Office is then responsible for notifying the employee's supervisor of the employee's status. The employee may need to provide medical certification that they are able to return to work earlier than expected.

### **Extension of Leave**

An employee requesting an extension of FMLA leave due to the continuation, recurrence, or onset of their own serious health condition or of the serious health condition of the employee's spouse/significant other/domestic partner, child, or parent must submit a request for an extension in writing to the Human Resources Office for arrangements in additional unpaid medical leave.

## **6.11 Military Leave**

### **Definition of Military Leave**

Military duty, for the purpose of these regulations, includes any ordered military duty in the service of the United States.

### **Duration of Military Leave**

The University follows all applicable federal and state statutes for employees on Active Duty, National Guard, or the Military Reserves. Employees must notify their supervisors at the earliest date possible by providing a copy of their orders and completing a Leave of Absence form.

According to federal and state requirements, the University will provide re-employment to employees returning from active military duty. To be eligible for reinstatement, the employee must have been employed in a regular position and the total amount of active duty cannot exceed five years.

### **Benefits during Military Leave**

The employee on Military Leave may elect to exhaust accrued vacation leave hours prior to going on unpaid leave. During the period of military leave without pay, an employee may retain health, dental, and life benefits through COBRA under the same conditions that applied before the leave began.

### **Return from Military Leave**

The employee must provide advance notification to the department and the Human Resources Office of the return-to-work date. The individual will be reactivated in payroll if the individual was on leave without pay. The effective date will be the return to work date. Employees may be required to provide fitness-for-duty certification prior to being restored to active status.

Failure to return from leave for reasons other than a continued serious health condition may require the individual to repay the employer's contributions to healthcare premiums during the period the individual should have returned.

### **Leave for Spouses of Deployed Military Personnel**

Spouses of military personnel deployed or on leave from deployment during times of military conflict are eligible to take up to 15 days of unpaid leave from work per deployment. The eligible employee may choose to use vacation accruals during this leave. Spouses of returning military personnel whose deployment orders have ended are not eligible for this leave. Employees must notify their supervisors at the earliest date possible by providing a copy of their spouse's orders and complete a Leave of Absence form.

### **6.12 Leave for Victims of Domestic Violence, Sexual Assault, and Stalking**

Under [Washington State law](#) (Domestic Violence Leave) victims of domestic violence, sexual assault, or stalking may utilize sick hours to seek medical treatment, counseling, legal, or law-enforcement assistance. Family members may also utilize sick hours to help a victim obtain needed treatment or services. Employees must give advance notice when possible to their supervisor for approval.

### **6.13 Educational Leave**

The President or a designee may grant educational leave without pay to full-time employees who have at least 10 years of service at the time of the request. Educational leave may not exceed one year at a time and is to be used for obtaining a degree or professional certification. Such approved leave allows the employee the right to elect to continue their group insurance



benefits through COBRA election. See Faculty Handbook for Sabbatical Leave information, Section 2.12.3.

#### **6.14 Bereavement Leave**

Employees who have a death in the immediate family may be allowed to use five days of their accrued sick leave for absences related to the death. Sick leave in excess of five days for a death in the employee's immediate family requires approval by their supervisor and the Human Resources Office. The approval should be attached to the employee's Timesheet or Time and Accountability form filed for the absence. The immediate family in this instance includes the employee's spouse, domestic partner, parents, children, siblings, stepchildren, grandparents, grandchildren, aunts, uncles, foster parents, legal guardians, and in-laws in the same categories.

Vacation and/or personal leave may be used for attendance of funeral services of non-immediate family.

#### **6.15 Jury Duty**

Jury duty leave with pay is granted up to a maximum of 80 hours at regular pay rate to full-time employees working full-time (.75 FTE) or more for the purpose of serving on a jury or as a witness. Such leave is granted upon presentation of official documentation. A subpoena from the appropriate court to serve as a witness qualifies as documentation. A receipt from the appropriate court stating the number of days served qualifies as documentation for serving on a jury. In the event that an employee is required to serve on a jury that exceeds the 80 hours paid benefit, the employee may take accrued leave or be placed on leave without pay status for the remaining jury service. Employees may retain juror or witness fees paid by the court.

An employee appearing in court related to a personal matter or as an expert witness will not be granted leave with pay but may take vacation time, if available.

### **7. WORKPLACE PRACTICES**

#### **7.1 Confidentiality**

Employees of Heritage University may encounter a variety of confidential matters regarding other employees, faculty, staff, students, clients, and donors. When doing so, it is the employee's responsibility to maintain the highest level of privacy for fellow employees and other members of the University community.

#### **7.2 Work Schedules**

The normal work week for full-time employees consists of 40 hours per week. Employees may, on occasion, have to work more or less than forty hours per week. In these instances, advance notice will be provided when possible and the employee will be compensated for the hours worked in excess of 40 hours per week, in accordance with the Fair Labor Standards Act (FLSA). Work hours and days are determined by the needs of the University and will be communicated to the employee by the supervisor. There may be instances when the needs of the University dictate a change in schedule. This change will be communicated to the employee by the supervisor as far in advance as possible.

Time for breaks, including lunch or rest periods, will be communicated by the immediate supervisor. Break times may not be skipped in order to leave early or come in late.

The University reserves the right to change work schedules as necessary to meet changing departmental needs.

### **Attendance**

Employees, exempt and non-exempt, are expected to adhere to their scheduled hours. If the employee is unable to report to work as scheduled for any reason, the employee should promptly notify their supervisor. It is not sufficient to leave a message with a co-worker nor should the notification be made by a friend or family member except under emergency situations. Such notification should be made as far in advance as possible.

### **Meal and Rest Periods**

In compliance with federal and state laws, full-time, non-exempt employees receive a fifteen minute rest period the first half of their work shift and another fifteen minute rest period the second half. Rest periods are limited to fifteen minutes of absence from the job. Part-time, non-exempt employees receive a fifteen minute rest period for each four hours of continuous work time.

Employees may not forego rest periods to accumulate extra time off in the future or to make up for tardiness or previous absence. Rest periods may not be skipped in order to leave early or come in late.

Meal schedules may vary by department and can be adjusted to meet departmental needs. An unpaid meal period of one hour (30 minutes minimum) should be scheduled as close as possible to the mid-point of a work schedule greater than 5 hours.

Meal periods may be reduced to 30 minutes as part of a flex schedule but may not be forgone entirely.

### **Flexible Scheduling**

Flextime allows for flexible scheduling arrangements that permit variations in starting and departure times, but does not alter the total number of hours worked in a workweek or workday and does not allow for working away from the office location. Flextime can be used to improve coverage and extend service hours. Flextime must occur within the 40 hour work week.

Flextime is a privilege and may be discontinued, temporarily suspended, or altered, with or without notice, at the sole discretion of the appropriate supervisor or Vice President when the work needs change or if service is impaired. Each request for a flextime schedule will be decided on an individual basis. All decisions should be consistent with department practices.

### **7.3 Employee Records**

The Human Resources Office maintains a personnel file for each employee containing vital employment information. To ensure that personnel records are up to date, it is the employee's responsibility to promptly notify the Human Resources Office of any changes in name, home address, marital status, number of dependents, telephone number, and person to notify in case of emergency. It is also important to notify the Human Resources Office of academic achievements that may enhance opportunities for advancement.

### **Access to Employee Records**

Employee personnel records are maintained by the Human Resources Office. Employees may review their personnel file upon request. Supervisors also may review the files of those employees for whom they are directly responsible. Contact the Human Resources Office to request access to a personnel record.

### **Privacy of Health Information**

Government regulations define standards to protect the privacy of health information. In the course of the employment relationship, employees' health information may be used by the University when necessary for the administration of workers' compensation benefits or health insurance plan benefits. Employees may be asked to sign an authorization form to permit a medical provider or health plan to disclose health information to the University. Any such disclosure will only be used for the specific purpose of the disclosure and the University will take all reasonable precautions to protect the privacy of this information.

### **Disclosure of Information**

The Human Resources Office will furnish, upon written request of third parties outside the University, employees' dates of employment at the University and their title or position. In instances where payroll information is requested (e.g., salary information for obtaining a mortgage), the requesting party will be advised that this information will only be made available with the written consent of the employee.

### **7.4 Employee Health and Safety**

The prevention of accidents and the promotion of safety are the responsibility of everyone in the University community. Everyone is encouraged to be alert to and report any unsafe practices and conditions that may present an imminent danger to individuals or property. Employees should report these types of conditions to their immediate supervisor and to the Physical Plant and Maintenance Office.

### **Emergency Treatment**

In the event of a serious or life-threatening emergency, call 911 for immediate assistance. If the situation is not an emergency, contact Heritage University Security.

### **Campus Safety, Security, Fire, and Emergency Services**

Each Heritage University building has fire evacuation plans posted in common areas. All employees are encouraged to become familiar with the escape routes for all buildings, and the locations of fire extinguishers, hoses, and alarms. In the event of a fire or evacuation, every employee should follow the fire safety evacuation route, vacate the premises, and gather in a safe area until the officials in charge declare the premises safe to enter.

Exits and areas around fire extinguishers must be kept clear at all times. Periodic fire safety inspections and drills are held to test equipment and procedures.

Employees are strongly encouraged to become familiar with the emergency action procedures associated with their work area and how Heritage University prepares for, responds to, and recovers from a major emergency. The Emergency Action Plan is available online: <https://www.heritage.edu/safety-security/emergency-action-plan/>.

### **Public Employee Hazardous Chemical Protection and Right to Know Act**

The Public Employee Hazardous Chemical Protection and Right to Know Act of 1988 was passed to help protect public employees from dangerous exposure to hazardous chemicals. In compliance with this law, Heritage University has established labeling, reporting, and training procedures relating to the use of hazardous materials. All University employees have access to Material Safety Data Sheets (MSDS), which outline specific information about hazardous chemical materials.

Heritage University has developed a written plan for implementing the Hazard Communication Program. All new hires for whom this is applicable are provided with an overview of the major elements of the Hazard Communication Standard and an understanding of the potential hazards of the chemicals they handle and the procedures to be used to ensure personal safety.

Heritage University requires the training of designated employees about hazardous chemicals, labeling of chemical containers, and the management of chemical information sheets (Material Safety Data Sheets). The intent of the training is to provide employees with the chemical health and safety information they need to help protect themselves and to work safely with hazardous chemicals. Vice Presidents, department chairs, business managers, and supervisors are responsible for assuring that their employees are trained if they are covered by this regulation, that containers are labeled, and that an updated list of non-laboratory chemicals used in their work areas is maintained.

The manner in which Heritage University is complying with each of these requirements is detailed in the Hazard Communication Plan.

Designated employees must follow established procedures, attend a Hazard Communication training session (in some cases just reading this manual suffices), read chemical labels and Material Safety Data Sheets, and follow their instructions and warnings.

For additional information, contact the Safety Administrator in the Physical Plant and Maintenance Office.

### **7.5 Inclement Weather or Emergency Closures and Delays**

In the event of inclement weather or any emergency that jeopardizes the safety of employees, the President or designee of the University may declare closure of campus or delayed opening of campus. In the case of inclement weather, the following details the procedures for advising faculty, staff, students, and community when weather conditions require closure or delay the opening of the University. These procedures will apply to both weekday and weekend activities. The communications protocols for closures or delayed openings of the University during periods of inclement weather are described below.

- If snow or ice falls during the night, the decision to close or delay opening will be communicated through the Heritage University emergency notification system.
- If snow or ice conditions develop during regular daytime working hours and a decision is made to cancel classes and close offices, the University community will be notified via email and the Heritage University emergency notification system.
- Other atypical or dangerous inclement weather occurrences may necessitate campus closure or delay.

### **Web Site Notification**

University closings due to inclement weather will also be posted on the HU web site at [www.heritage.edu](http://www.heritage.edu). Employees will be notified as early as possible about the University's operating status during periods of inclement weather.

## **7.6 Use of University Services and Property**

### **Use of Heritage University Stationery**

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

### **Use of Telephones**

The use of all telephone services should be limited to official University business only. Telephone calls should be handled in a prompt and courteous manner, and University telephone lines must be kept clear for business calls.

Using office phones for personal long distance calls is a violation of University policy.

### **Use of Campus Mail**

Employees may not use the campus postage services for personal mail. This service is staffed to handle only official University correspondence.

### **University Equipment**

Electronic mail, voice mail, fax machines, and copiers should be used for official Heritage University business only. Employees should understand that electronic mail and voice mail messages are not secure and therefore should not be assumed to be private.

### **Computer Usage**

Heritage University equipment, including computer hardware and software, should be used for official Heritage University business only. Although every effort is made to secure the privacy of each authorized user, messages or files stored on the computer or system network should not be considered to be entirely private or secure. Heritage University reserves the right to have access to any information stored on a University-owned computer or network.

Under no circumstances may software be copied or installed on a Heritage University computer if such copying or installation would violate any copyright or licensing agreement. All system users are expected to follow the guidelines outlined in the "Computer Use Policy" published by Information Technology.

## **7.7 Non-University Related Business Activities**

Employees who supplement their earnings by the promotion or sale of products and services do so entirely on their own initiative and without implied approval or endorsement by the University. All such activity, including sampling, soliciting orders, and deliveries, must be conducted entirely outside of working hours and entirely outside of University property. All such activity should be reported according to the Conflict of Interest Policy.

### **7.8 Children in the Workplace**

It is expected that employees will not bring their children to work during the employee's scheduled work hours, aside from occasional and limited circumstances. Exceptions must be approved by supervisors.

### **7.9 Pets**

It is expected for health, safety, and courtesy reasons to preclude the presence of pets in the workplace, except approved or certified service animals. Employees should refrain from feeding stray animals on campus.

## **8. STAFF DEVELOPMENT, PERFORMANCE, AND CONDUCT**

The concepts discussed in this section do not modify the "at-will" employment relationship, but provide information consistent with our employment philosophy.

### **8.1 Staff Performance Evaluations**

Heritage University has established a system of performance evaluations for all exempt and non-exempt employees. These evaluations are used for making decisions regarding transfer, promotion, demotion, retention, supervisory assistance, employee training, development, and salary. All employees are evaluated by the immediate supervisor or department head on an annual basis. The supervisor or department head is not restricted to the listed categories on the evaluation form as criteria for performance evaluation.

Employees in the 90-day provisional period will have at least one written evaluation near the end of their first 90 days of employment. More than one evaluation may occur prior to the completion of the 90-day provisional period if deemed necessary.

Heritage University supports a consistent, continued, and communicated performance management process. A formal, written performance evaluation should be completed at least once every fiscal year. The performance evaluation should include, but not be limited to, an evaluation of the employee's job knowledge, accuracy, quality, customer service, attendance, punctuality, productivity, supervision required, adaptability, organizational skills, communication skills, and interpersonal relations/teamwork.

#### **Performance Expectations**

Supervisors should provide employees with a job description, related performance expectations, and a copy of the evaluation instrument. The job description should be reviewed with the employee to ensure that it accurately reflects current responsibilities and expectations.

#### **Performance Evaluations**

The evaluation forms are available on MyHeritage. Completed evaluations, signed by the supervisor and the employee, are to be submitted to the corresponding area Vice President, and to the Human Resources Office by June 30 each year.

### **8.2 Training and Development Programs**

The University recognizes that training and development programs improve individual and organizational performance and help the University achieve its overall institutional goals. Supervisors and their employees should develop plans to enhance skills and prepare for continually evolving responsibilities in their positions.

Since professional development is part of all employees' performance expectations, supervisors should plan for and allow release time from work for training programs determined to be mutually beneficial for employees and the University. Such release time should be granted to employees in a fair and equitable manner, regardless of experience, educational background, or job title.

Work-related training programs and professional development may be provided on campus by the Human Resources Office, Staff Senate Professional Development Committee, Faculty Senate Professional Development Committee, Center for Intercultural Teaching and Learning (CILT), or other entities/groups. Employees may register for training by registering when the training is announced. The Human Resources Office or Staff Senate or Faculty Senate Professional Development Committees can assist departments with coordinating in-house customized training opportunities to meet their specific needs.

All training that will be attended during work hours must be approved by the supervisor before attending. The supervisor must verify that the employee's attendance will not adversely affect department services.

### **8.3 Informally Auditing Courses at Heritage University (Non-Credit Courses)**

A full-time employee may informally audit classes without paying the usual tuition and fees. This benefit is contingent upon approval by the course instructor and the employee's area Vice President.

#### **Approvals for Auditing Courses**

In most circumstances, courses should be taken outside of normally scheduled working hours. Employees wishing to take a course during regularly scheduled work hours must have supervisor approval. The supervisor must verify that the employee's attendance in class will not adversely affect department services.

### **8.4 Progressive Discipline**

The progressive discipline process is designed to be constructive, corrective, and to promote employee success. It gives employees the information necessary to understand what aspect of work performance and/or behavior is unacceptable; identifies the improvements that are expected; and provides the opportunity for employees to demonstrate the expected improvements. The goal of this process is to improve and assist employees in taking ownership of their performance and/or behavior.

### **8.5 Progressive Discipline Steps**

When an employee's performance or behavior is unsatisfactory, a progressive process is usually warranted. The steps involved in the process may include verbal discussion, written warning, and termination.

Supervisors must document all steps of the corrective discipline process as they occur, as well as warnings of further corrective action if the unacceptable performance and/or behavior is not corrected. The Human Resources Director should be notified of all progressive discipline steps.

In each step, supervisors are advised to state the next step to be taken if the performance does not improve. The employee may be immediately terminated or suspended at the discretion of University administration.

### **Verbal Notice**

The initial notice should be verbal, whenever possible. The discussion should be firm but fair and ensure that the employee clearly understands the established standards and expectations with respect to the unacceptable performance or behavior. A written record of the date and content of such discussions will be kept in the appropriate files in the department. The supervisor will communicate expectations to the employee in writing.

### **Written Notice**

When the initial conversation doesn't result in the needed improvements, written warnings will follow. Written warnings may be used as an initial warning for more egregious behavior. The written warning outlines the undesired behavior, states expectations, and lists consequences if issues continue.

Human Resources Office is available to assist supervisors with the communication process. Copies of the written warning will be provided to the employee and also sent to the Human Resources Office to be placed in the official employee file.

### **Dismissal Action**

Prior to dismissing an employee, the supervisor will review the situation and related information with the Human Resources Director and supply appropriate documentation.

## **8.6 Job Abandonment**

When an employee does not report to work for three consecutive, scheduled workdays and does not communicate to the supervisor their whereabouts or intentions regarding the job, the supervisor must contact the Human Resources Director and make reasonable efforts to contact the employee to determine if the employee had an emergency or crisis situation. If the employee is unreachable and does not fall under FMLA, WAFMLA, or other reasonable circumstances, the University may terminate the employee for job abandonment. The following procedures should be followed within 24 hours of determining an employee has abandoned their job.

### **Termination Procedure for Job Abandonment**

- Contact Human Resources to draft a termination letter to the employee and to discuss other steps that need to be taken in the termination process (i.e. return of university property, including IT equipment, return of keys, etc.).
- Contact IT to restrict access to Heritage University Systems.
- Contact Physical Plant and Maintenance office to determine if locks need to be changed or if additional keys are needed for the department.

## **8.7 Personal Appearance**

Heritage University is a professional organization with a high level of visibility in the community. Our premises are visited by state/elected officials, students, clients, and guests on a daily basis. Employees are required to dress in appropriate clothing for their position/job responsibilities.

## **8.8 Work Environment Appearance**



Employees are expected to keep their work environments clean and orderly. Materials of a sensitive or confidential nature must be secured.

---

## ***Index***

---

### **A**

Absences Due to Illness Reporting · 34  
Americans with Disabilities, Disabled Veterans and Veterans of the Vietnam Era · 2  
Attendance · 41  
Auditing Courses · 46

---

### **B**

Background Check · 21  
Benefit Claims Appeal · 30  
Benefit Continuation after Termination (COBRA) · 29  
Benefit Qualifying Events for Mid-Year Changes · 29  
Benefits Eligibility · 28  
Benefits Forms · 29  
Benefits Information · 28  
Breaks · 41  
Business Activities · 44

---

### **C**

Campus Mail (use of) · 44  
Children in the Workplace · 45  
Compensation · 25, 26, 27  
    Workers' Compensation · 36  
Complaint Process · 12  
Computer Usage · 44  
Conduct Guidelines · 8  
Confidentiality · 40  
Conflict of Interest and Commitment · 6  
Consultant/Independent Contractor · 20  
Court Duty · 40  
Credit check · 20  
Criminal Charges · 22

---

### **D**

**Direct Deposit** · 21  
Discipline · 46  
Discrimination  
    Americans with Disabilities Act · 2  
    Complaint Process · 12  
    Discriminatory Harassment Policy and Non-Discrimination Policy Statement · 11  
    Equal Opportunity Statement · 1  
    Title IX of the Education Amendments of 1972 · 3  
Domestic Partner Benefits · 28  
Donated Leave · 34

Drug and Alcohol Policy · 3

---

## **E**

Educational Leave · 40  
Emergency Treatment · 42  
Employee Assistance Program · 29  
Employee Health and Safety · 42  
Employee Records · 41  
    Access · 42  
Employee Right to Know · 43  
Employment Classification · 19  
Employment Conditions · 21  
Employment of Foreign Nationals · 20  
Employment of Minors · 20  
Employment on a Grant or Project · 20  
Employment Opportunities Posting · 25  
Equal Opportunity Statement · 1  
Exempt Status · 19  
Exit Interview · 23

---

## **F**

Family and Medical Leave (FMLA) · 36  
Flexible Work Scheduling · 41  
Full-Time Employment · 19

---

## **G**

Garnishments and Withholding · 27  
Gratuities Prohibited Receipt of Gifts · 7

---

## **H**

Health Information Privacy · 42  
Hiring and Termination Guidelines · 20  
Hiring Standards · 25  
Holidays · 32

---

## **I**

Identification Card · 22  
Inappropriate Conduct · 8  
Information Disclosure · 42

---

## **J**

Job Abandonment · 47  
Job Evaluation Process · 26  
Job Restoration · 38  
Job Analysis and Job Audit · 27

---

## **L**

Lateral Transfer · 26  
Leave (Administrative) · 36  
Leave (return from) · 38  
Leave (unapproved) · 36  
Leave Benefits · 38  
Leave for Victims of Domestic Violence, Sexual Assault, and Stalking · 39  
Leave without Pay · 35

---

## **M**

Military Leave · 39

---

## **N**

New Hire · 25

---

## **P**

Part-Time Employment · 19  
Pay Adjustments · 26  
Paychecks · 27  
Payroll Deductions · 27  
Performance Evaluations · 45  
Performance Expectations · 45  
Personal Appearance · 47  
Personal Leave · 32  
Pets · 45  
Pre-Employment Screening · 20  
Probationary Period · 22  
Promotion · 25

---

## **R**

Reduced Hours and Shift Modifications · 23  
Reductions in Force · 23  
Rehire after Termination · 24  
Resignation · 23  
Rest and Meal Periods · 41  
Retirement · 24  
Retirement Plans · 31  
Romantic Relationships/Nepotism · 7

---

## **S**

Safety and Security Fire and Emergency Services · 42  
Salary Adjustments · 27  
Section 125 Plan · 29  
Sexual Harassment Policy · 11  
Sexual Identity Policy · 3  
Sick Leave · 33  
Sick Leave Annual Allowance and Accumulation · 34

Smoking · 7  
Stationery · 44  
Stipend · 26

---

## **T**

Telephones (use of) · 44  
Temporary Employment · 19  
Termination/Dismissal Action · 47  
Time and Accountability · 28  
Timesheets · 28  
Title IX of the Education Amendments of 1972 · 3  
Training and Development Programs · 45  
**Transcripts** · 21  
Transfer · 25  
Tuition Assistance Program · 30

---

## **U**

University Equipment (use of) · 44  
University Services and Property · 44

---

## **V**

Vacation · 32  
Vacation Carryover of Unused Days · 33  
Vesting · 31

---

## **W**

Work Area Appearance · 47  
Work Schedules · 40  
Workers' Compensation · 36

---