

To: University Faculty
From: Faculty Committee on Personnel Policies
Re: Revisions of Employee Handbook
Date: April 6, 2018

PPC is not asking action from the Faculty (see process below), but informing Faculty of updates of the [Employee Handbook](#). The Employee Handbook is separate from the [Faculty Handbook](#). As a reminder of the relation between the Faculty and Employee Handbooks, as stated in the Employee Handbook:

This Employee Handbook supersedes any and all previous oral or written statements of University policy, including all previous employee or staff handbooks, with the exception of the current Faculty Handbook. Regarding faculty-specific policies, benefits, or issues specifically under faculty authority or governance, the Faculty Handbook prevails. If the Faculty Handbook is silent on a subject, the Employee Handbook and other established University policies prevail. The Employee Handbook and other established University policies will also prevail related to the following topics: • University-wide benefits • Legal compliance

From pages 12-13 of the 2017 Augsburg University Employee Handbook

Review and Approval Process

The Employee Handbook will be on a two-year cycle for review. Any changes other than those required by law will be made during the review cycle. The review of the Employee Handbook will be by committee with Human Resources leading the work. Human Resources will notify and consult with the Faculty Senate Committee on Personnel Policies (PPC) and the Provost/Chief Academic Officer regarding revisions that have a significant effect on faculty members as part of the review process. Policies affecting the authority of the faculty will follow the Faculty Handbook.

The Employee Handbook must be approved by the President's Leadership Team and sent to the Board of Regents for final approval. Revisions will be effective immediately upon board approval.

Augsburg University may, with Board of Regents approval, change, delete, suspend, or discontinue any part or parts of the policies in this Employee Handbook at any time without prior notice as business, employment legislation, and economic conditions dictate. Significant changes to the Employee Handbook made outside of the standard two-year review cycle will be communicated to all employees.

The members of the Employee Handbook revision team: Lisa Stock, Director and Chief Human Resources Officer, Dawn Miller, Senior HR Generalist, Nicole Peterlin, Human Resources Specialist, Matt Haines (faculty/PPC representative), George Dierberger (faculty representative), Joanne Reeck, Chief Diversity Officer, Dir of Campus Activities & Orientation, Jim Mattias (staff representative) Liaison for Computing.

Last year, Sections 1.0-4.0 of the Employee Handbook were revised. This year, the focus was sections 5.0-9.0 and then revisiting the Computer Usage Policy (Section 4.0), the Harassment and Discrimination Policy (section 2.0), and Consensual Relationships (continued conversations on the last item).

There were many small changes in section 5.0-9.0 of the Employee Handbook such as moving paragraphs or sections, renaming headings, or adding some details without changing the spirit of the 2017 Employee Handbook. Trying to compare a marked up version is complex. Instead, what is presented is highlights where language was changed. The documents that the Board of Regents will be reviewing are attached below:

- Overview of Handbook Edits Sections 5.0-9.0 (p. 3 of this pdf)
- Section 5.0 -Section 9.0 PLT (p. 6 of this pdf)
- Harassment and Discrimination Board Proposed Changes (p. 86 of this pdf)
- Computing Resources Proposal (p. 92 of this pdf)

These can also be found on the [Faculty Handbook community Moodle site](https://moodle.augsburg.edu/moodlecommunity/course/view.php?id=963#section-5) .
<https://moodle.augsburg.edu/moodlecommunity/course/view.php?id=963#section-5>.

In addition to the two faculty representatives, PPC has seen the revisions and offered some suggested modifications.

Contents of Employee Handbook Sections 5.0-9.0

- Section 5 relates to Performance and Development for Staff (not Faculty, though, there are references to responsibilities of Managers) (p. 6 of this pdf)
- Section 6 Compensation and Work Hours (mostly specific to staff, but some items such as payroll deductions) (p. 22 of this pdf)
- Section 7 Benefits (including insurance, retirement, disability, FMLA, tuition assistance)(p. 33)
- Section 8 Time Off (including personal leaves, jury duty) (p. 54 of this pdf)
- Section 9 Safety and Security (including emergencies, animals, motor vehicle) (p. 71 of this pdf)

Section 2.0 Meeting Our Obligations

Subsection: Harassment and Discrimination Policy (p. 86 of this pdf)

The primary substantive changes are:

1. Broadening of the specific examples to other types of harassment beyond sexual harassment.
2. Addition of language that further emphasizes and encourages raising concerns early, before they become a bigger issue

Section 4.0 Conduct

Subsection: Computer Usage Policy (p. 92 of this pdf)

Here is an sample of the updates.

Current:

Employees have no right to privacy with regard to their use of the University computer system and computers, including the use of email, instant messaging, the University network and the internet.

Update:

Employees have no right to privacy with regard to their use of the University computer system and computers, including the use of email, instant messaging, the University network and the internet. **While the University does not routinely monitor email or internet use by employees, the University reserves the right to monitor or review the use of its computers without prior warning and notice.**

AUGSBURG EMPLOYEE HANDBOOK REVISIONS: SECTIONS 5.0-9.0

April 5, 2018

Policy	No Substantive Change	Comments
Section 5.0 Performance and Development for Staff		
Job Descriptions	X	
New Employee Engagement Period for Staff	X	
Performance Reviews		Updated policy to reflect the current annual review window dates and online process
Reclassification	X	Updated language for clarification purposes only
Promotion	X	Updated language for clarification; to be consistent with language previously approved by the board in 2017 in section three, added language to allow flexibility to promote without posting, if in the best interest of the University
Training	X	
Professional Development	X	
Professional Development Leave (Staff Sabbaticals)	X	
Coaching (formerly Informal Counseling for Staff)	X	Replaced "counseling" with "coaching" and updated language for clarification purposes only
Corrective Action		Replaced "progressive discipline" with "corrective action"; updated language to allow more flexibility in application of corrective action that may not be progressive; changed applicability from six (6) months of employment to completion of new employee engagement period. Performance Improvement Plan (PIP) was added as an alternate to a written warning rather than a separate step in the process.
Licensure and Professional Certification (sub-category)		Added clarifying language "The University does not pay or reimburse for professional licensure or certification fees or renewals."
Grievance Policy		Replaced "grievance form" with "written grievance; clarified eligibility to serve as peer ally; removed "terms" to serve as peer ally; added requirement to participate as a peer ally, an employee must have completed Augsburg's Diversity and Inclusion Certificate Program.
Section 6.0 Compensation and Work Hours		
Compensation Framework	X	
Staff Compensation Review	X	Added "Augsburg strives to balance external market data with internal equity."
Guidelines for Placement in Salary Ranges	X	Updated language for clarification purposes only
Time Reporting/Hours of Work for Staff and Student Employees	X	
Meal and Rest Breaks	X	Updated language for clarification purposes only
Lactation Breaks	X	Moved into new section
Travel Time for Staff and Student Employees	X	
Flexible Work Arrangements and Telecommuting	X	
Pay Periods	X	
Pay Dates and Direct Deposit	X	
Payroll Deductions	X	
Cash Advances and Loans	X	

AUGSBURG EMPLOYEE HANDBOOK REVISIONS: SECTIONS 5.0-9.0

April 5, 2018

Policy	No Substantive Change	Comments
Section 7.0 Benefits		
Benefit Eligibility for Faculty and Staff		Expanded section to clarify the benefits that apply to specific employee groups; added information regarding Sick and Safe Leave Ordinances; converted course load to FTE for faculty eligibility for benefits; added standard ERISA language regarding governance of plan documents; added section on COBRA continuation
Summary of Benefits	X	
Medical Coverage	X	
Pre-Tax Flexible Benefits	X	Added pre-tax subsection to include clarified/condensed information about Health Savings Accounts, Flexible Spending Accounts, and Dependent Care Accounts
Dental Insurance Coverage	X	
Vision Insurance Coverage	X	Section added-- vision insurance added in 2017
Other Voluntary Benefits	X	Added statement about reviewing other voluntary benefits on an annual basis
Life Insurance and AD & D Insurance	X	Clarified voluntary/optional insurance coverage at full expense of employee, per current practice
Long Term Disability Insurance	X	Added section on long-term disability - no change but was not previously in handbook
Retirement Plan		Language changed to clarify and more accurately describe features/process of our retirement plan
Tuition Assistance Benefit		Clarified definition of "retired"; clarified practices/application process; added option of auditing classes; added tuition benefit calculation samples with various FTEs; reflected credit changes at Augsburg; added graduate program review process and reference to list of approved graduate level programs; added language related to degree-seeking spouses; reflected 2015 MOU for former ACTC schools; removed references to weekend college; added instructions for seeking tuition benefit at exchange schools
Employee Assistance Program	X	
Time Off	X	Added general time off heading/description
Holiday	X	Clarified allocation of designated holidays and floating holidays; removed frequently updated list of scheduled holidays (changes year to year); updated policy to more accurately reflect current holiday pay practices
Vacation	X	Added examples of vacation accrual based on FTE
Sick Time		Added language to adhere to Minneapolis and St. Paul Sick and Safe Leave; added examples of sick accrual based on FTE
Personal	X	Added language to clarify relationship of personal time to sick accruals
Civic Engagement and Community Service		Added language that authorizes paid time off for civic engagement opportunities in addition to community service

AUGSBURG EMPLOYEE HANDBOOK REVISIONS: SECTIONS 5.0-9.0

April 5, 2018

Policy	No Substantive Change	Comments
Section 8.0 Time Off Work		
Administrative Leave	X	
Investigative Leave		Clarified that investigatory leave may be paid or unpaid; changed timeframe of the written notice of suspension provided to the employee from 1 business day to 48 hours, expanded outcome of investigatory leave beyond suspension without pay or dismissal to include all levels of corrective action, or none.
Bereavement Leave		Added "de-facto parent, clarified great-grandchild and grandparent as eligible for paid leave. Expanded length of bereavement leave from three to five days for death of parent. Broadened language as to when bereavement time can be used to be more flexible and culturally responsive.
Bone Marrow Donor Leave	X	
Court Leave and Jury Duty	X	
Disability Leave/Pay Continuation	X	Section was moved from Benefits section to Time off Work section; re-organized and created sub-sections for clarity
Family and Medical Leave	X	Language added for process clarification purposes
Military Leave	X	
Military Leave for Family Members	X	
Voting Time	X	
Section 9.0 Safety and Security		
Emergencies	X	Updated language to reflect current policy, including E2 Campus and website information
Non-Emergency Services and Information	X	
Emergency Closure/Suspension of University Operations	X	Updated language to reflect current policy and notification procedures
Inclement Weather	X	Separated inclement weather from emergency closing for clarification purposes
Key, Fob and Access Control	X	Updated language to reflect current process and included use of fobs
Violence Free Workplace	X	
Weapon Free Workplace	X	
Use of Tobacco (formerly Tobacco Free and Clean Air)	X	
Children in the Workplace	X	Strengthened language related to parent accountability if children are on campus
Pets on Campus	X	Removed requirement for service dogs to wear identifying harnesses (unlawful)
Open Flame Policy	X	
Fitness for Duty	X	
Motor Vehicle Safety	X	Updated language to reflect current process and policy, added corrective action may occur for failure to adhere to policy
Transportation and Parking		Broadened section to reflect Augsburg's transportation vision as an urban campus; describes multiple modes of transportation to and from campus including bicycling, metro transit, and carpooling; updated information regarding parking
Workers Compensation	X	
Ergonomics	X	Updated language to reflect current process and deleted unnecessary information

5.0 PERFORMANCE AND DEVELOPMENT FOR STAFF

This section applies exclusively to Augsburg staff. Faculty should refer to the Faculty Handbook for information regarding performance and development.

JOB DESCRIPTIONS

A job description is essential for every position. A job description is a formal document that defines the:

- Responsibilities of the position.
- Required education & experience.
- Knowledge, skills, & abilities necessary to perform the essential functions of the position, physical conditions & requirements.
- FLSA status (exempt or non-exempt).

All regular staff members should review and sign their job description upon hire, and whenever significant changes to the job description are made. The signed job description indicates understanding of the position requirements, and is placed in the staff member's personnel file. During the annual performance review, the manager and staff member should review and update the job description, if needed, and forward to Human Resources for final approval.

A manager may require a staff member to perform work assignments outside of the duties and responsibilities outlined in the job description. In addition, managers may request that a staff member accept additional responsibilities, work, or training outside regular working hours. A manager may temporarily or indefinitely adjust work hours to best meet the needs of the University.

NEW EMPLOYEE ENGAGEMENT PERIOD

Every new or rehired staff member must complete a 90-calendar day engagement period. This is an adjustment period for new staff members to learn how Augsburg operates, and familiarize themselves with the University's policies and procedures. New staff members are expected to meet or exceed the initial expectations of the position during this time period.

If during the new employee engagement period, the staff member's performance or behavior is not meeting expectations, the manager may give written notice of the concern, and set performance expectations needed for successful continued employment.

If a staff member's performance or conduct does not meet the expectations set by the manager, or there has not been enough opportunity to evaluate performance, and there is a strong probability that the staff member will meet expectations, the manager may extend the new hire engagement period up to an additional ninety (90) days. Notice of extension should be given to the employee in writing indicating why the period is being extended. At the end of the extension, the manager will discuss with the staff member their performance and notify them whether or not they successfully completed the engagement period.

If performance doesn't improve to meet expectations during the initial 90-day engagement period or within the extension period, employment may be terminated. Terminations will be reviewed with the division Vice President and Human Resources prior to meeting with the staff member.

Successful completion of the new employee engagement period does not alter the at-will nature of the employment relationship.

PERFORMANCE REVIEWS

The annual performance review process is intended to provide an opportunity for managers and staff to develop and maintain a shared understanding of their work that supports the mission and vision of Augsburg University.

During the performance review process, the manager and staff member meet to:

- Identify key successes and strengths.
- Identify areas for further development and growth.
- Evaluate progress of goals from the previous year.
- Establish goals for the next review period.
- Evaluate overall performance for the year.

The manager and staff member should jointly establish objectives, goals, and professional development opportunities that will improve, sustain, or maximize performance. Regular communication between the manager and the staff member, including positive recognition and constructive feedback, should be ongoing throughout the year.

Annual Review Period and Timeline

The annual review period coincides with each academic year. Staff reviews are

completed between May 1 and July 31, and evaluate performance and goals from the previous academic year. Goals for the upcoming academic year are established during the annual review.

Alternate Timeline

Departments or managers who cannot complete performance reviews during the established timeframe may request an alternate timeframe, approved in advance by Human Resources.

Process

- Staff performance reviews are completed online and accessed through Inside Augsburg/Administrative Tasks/Reviews and Searches/Performance Review.
- Detailed instructions are provided on the home page of the performance review dashboard in the upper right hand corner labeled, "Instructions."
- Staff should contact Human Resources with any questions or concerns regarding the online performance review form or process.
- Staff members may access their previous reviews at any time.

Request for Rating Review

Staff members who disagree with their rating may submit a written request for a rating review to their division Vice President within fifteen (15) calendar days of the date of the performance review. The Vice President will review the rating and notify the staff member in writing of their decision to uphold the rating or change it, within thirty (30) calendar days.

RECLASSIFICATION

Departments may work with Human Resources to identify career development opportunities in existing staff positions and establish a career ladder in the department.

If it is determined through a job evaluation that the duties and responsibilities of a position have changed significantly from the job description, a reclassification may be appropriate. The change may result in an increase or decrease in scope and responsibilities. Reclassification may also involve a change in title and/or compensation. These are typically not vacant, open or posted positions.

In some circumstances, a reclassified position may result in a promotion. To qualify for a promotional reclassification, the incumbent must currently be performing at least 50% of the work in the reclassified role, and meet the educational and experience qualifications as established in the revised job description.

Reclassification is not intended as a means to promote staff who have acquired additional academic or professional credentials that may not be required in the position.

PROMOTION

Promotion to a vacant or new position at a higher salary or pay grade, or to a position where the incumbent is not already performing at least 50% of the duties, would be considered a “promotion,” which requires a competitive application process.

In rare circumstances, when it is determined to be in the best interests of the University, a promotional opportunity may not be posted if qualified staff are identified from within the department. The division Vice President must seek approval from Human Resources and the President’s Leadership Team before proceeding.

TRAINING

Augsburg University’s training and development opportunities seek to support faculty and staff development, and organizational effectiveness, through high-quality educational training programs designed to meet individual, departmental, and institutional needs and objectives. The University’s goal is to enhance individual learning and development as a means for creating a better workplace environment and for building a stronger University community. All employees are expected to grow and develop their professional skills as a condition of employment, to ensure that their contributions remain aligned with the needs of their department and the University.

Managers are expected to develop accurate job descriptions and professional development goals for each staff member and to provide the appropriate support and opportunities to ensure that staff develop their skills in line with the University’s mission and goals. While the goal of training opportunities is to enhance staff performance and professional abilities, Augsburg University cannot guarantee that participation in formal training will result in promotion or pay increases.

Training sessions and development opportunities are offered by a number of sources including Human Resources, Center for Teaching & Learning, and the Diversity, Inclusion & Equity office. Eligible employees may also access classes through the course catalog using the tuition benefit.

PROFESSIONAL DEVELOPMENT

The University supports career-related professional development activities. It is expected that managers discuss professional development opportunities and needs as

part of ongoing performance management discussions. Managers may, at their discretion and subject to the business needs of the University, support a staff member's request to participate in a development program or activity by approving flexible or alternate work schedules, approving vacation or leave without pay, providing full or partial payment of fees and expenses, and temporary or part-time reassignment in another department.

Activities

Professional development activities may include, but are not limited to: opportunities for on-the-job training, cross-training, coaching, and internships; attendance at courses, workshops, seminars, conferences, institutes, lectures, and meetings; and participation in professional and technical associations. In approving professional development activities, the department head considers scheduling, staffing, budget, and other related considerations.

Eligibility

To participate in professional development opportunities, staff must successfully complete the new employee engagement period and have satisfactory or better performance.

Required Training or Development

When staff are required to attend training or development programs, the time spent in attendance will be counted as time worked, and the full fees and related costs, e.g., materials, travel, and reimbursement for meals, will be paid by the department.

Licensure and Professional Certification Fees for Staff

The University does not pay or reimburse for licensure or professional certification fees or renewals.

Continuing Education

Continuing education courses for the maintenance of state licenses that are a requirement for continued employment may qualify as professional development, subject to manager approval and budget availability.

Professional Association Membership

The University supports employee involvement in professional associations relevant to the work performed in their role at the University. Requests for reimbursement for staff membership in professional associations may be approved by the manager based on

several factors, including relationship to the staff member's job duties and budgetary considerations.

The University has several institutional memberships; staff should contact their managers prior to joining a professional association to see if the University already is an institutional member.

PROFESSIONAL DEVELOPMENT LEAVE (STAFF SABBATICALS)

A staff member who wishes to request professional development leave will develop a proposal for review and approval by the manager and the division Vice President. If funds are available, the proposal will be sent to President's Leadership Team for approval.

Eligibility

- Regular employment status
- Employed with the University for seven (7) or more years
- Performance meets or exceeds expectations
- No previous professional leave within the past five (5) years

Length of Leave

- Maximum of 120 hours of paid leave for full-time non-exempt employees
- Maximum of 15 days of paid leave for full-time exempt employees
- Pro-rated to FTE status for part-time employees

Request for Professional Development Leave

To request a professional development leave, the staff member must develop a written plan describing the proposed activity and submit the plan to their manager for approval. The written development plan should include (as applicable):

- A timeframe including proposed dates and times.
- A description of the activity or activities to be undertaken during the leave.
- The relation of the activity to the individual's current job responsibilities and to the department's or University's mission and goals.
- The anticipated outcome in terms of professional and personal growth and/or improvement that would result from the leave.
- The anticipated benefits to the University.
- The impact, if any, on employee workload and others in the department.

Guidelines for Leave Approval

Managers will consider the following in approving a professional development leave:

- Proposed duration of the leave
- Scheduling and staffing
- Budget considerations
- Overall department operations

Managers may approve all or a portion of the proposed leave, or suggest an alternative timeframe. A copy of the approved development plan is placed in the staff member's personnel file. Upon return from the leave, the staff member will be expected to submit a presentation based on the professional development activity.

COACHING

It is often the case that a manager can assist the staff member in improving their performance or conduct through informal discussions without initiating formal corrective action. Coaching occurs in a private meeting between the manager and staff member where constructive feedback is given along with clear expectations of necessary improvement. **Coaching meetings generally are not corrective in nature, but serve a primary goal of improving performance.**

Managers engaging in coaching discussion(s) should generally follow these guidelines:

- The objective of the discussion is to thoughtfully and privately communicate the issues and to establish clear job expectations, performance standards, and/or standards of conduct.
- Create a meeting environment that encourages the staff member to explain what they believe is happening, whether it involves work performance or behavior.
- Involve the staff member in the identification of possible solutions and clearly identify a timeframe for achieving the goals or milestones identified.

The manager **is strongly encouraged to** keep notes of all meetings summarizing the discussion in their manager file. This documentation will be presented if the performance or behavioral concern does not improve and the manager initiates corrective action.

If coaching does not resolve the issue(s), or if the performance issue(s) or behavior(s) are too serious to warrant coaching, then corrective action should be initiated.

University staff who are not covered by a collective bargaining agreement are employed at-will, and either the University or the staff member may choose to terminate the employment relationship at any time. No coaching is necessary prior to termination.

CORRECTIVE ACTION

Corrective action is intended to be a tool to help staff understand both the expectations for their position as well as a path for improvement. In the normal course of manager and staff interaction, adequate and timely information about job expectations and regular feedback on job performance is desirable.

In most cases, managers should consult with the division Vice President and Human Resources prior to taking corrective action.

When corrective action is taken, the staff member should be informed of the specific work performance concern and/or behavior, expectations for improvement, and additional training and other resources that may be available to help them succeed. The staff member is expected to correct the concern and/or behavior, ask for assistance if needed, and sustain improvement over time. Managers should monitor the performance of staff in corrective action and provide ongoing feedback to support improved performance, or continue corrective action.

Augsburg University applies the corrective action process based on the facts and circumstances of each situation. Levels of corrective action will vary depending on factors such as the staff member's prior work history and severity of the issue. Some circumstances will warrant immediate suspension or termination of employment.

This policy is designed to provide guidance and does not create a binding contract. The University reserves the right to deviate from the policy at any time based on the specific circumstances, and may revise the contents of the policy at any time, in whole or in part, in its discretion.

Applicability

Corrective action will usually be issued to staff who have successfully completed their new employee engagement period.

Levels of Corrective Action

The University may take a range of actions to assist a staff member in improving their performance and/or behavior. These actions include, but are not limited to: verbal

warning, written warning/performance improvement plan, suspension, and involuntary termination. In determining the proper course of corrective action, the University may repeat, modify, or omit a level of corrective action based upon the circumstances of the situation.

Verbal Warning

A verbal warning is often the first step of the corrective action process. A verbal warning given during a formal meeting between the manager and the staff member can effectively inform the staff member about a performance or behavior concern, bring increased attention to the issue, and set clear expectations for improvement. If improvement isn't made and sustained, additional corrective action may occur, up to and including termination. A summary of the verbal warning should be documented in writing and placed in the employee's personnel file. A copy of the warning is provided to the staff member.

A verbal warning may not be grieved under the University grievance policy.

Written Warning or Performance Improvement Plan

If performance or behavior does not improve, if improvement isn't sustained, or the issue is more serious, the manager may take corrective action in the form of a written warning or performance improvement plan. Staff who have received a written warning may not be considered for internal transfers, promotion, or awards for 90 days. A copy of the written warning should be placed in the employee's personnel file and provided to the staff member.

Whether in the form of a written warning or Performance Improvement Plan, a written outline of the performance/behavioral concerns can serve to establish and communicate clear expectations for improvement, along with timeframes in which improvement must be made. Providing the specific feedback in writing is often effective to ensure the staff member fully understands the expectations and objectives. Failure to successfully meet the identified objectives may result in additional corrective action including termination. Written warnings may not be grieved under the University grievance policy.

Suspension

In some cases, after other corrective actions have not fully resolved the issues, a final warning may be issued in the form of an unpaid suspension. However, some offenses may be serious enough to warrant immediate suspension. A suspension is normally a period of one (1) to three (3) days and is without pay. Longer suspensions may be given

depending on the nature of the issue(s) and at the discretion of the University. This step will be reviewed by the division Vice President and Human Resources prior to taking action. Human Resources should usually be involved in all suspension meetings.

Suspensions may be grieved under the University's grievance policy.

Involuntary Termination

If performance issues or behavior concerns continue despite corrective action, employment may be terminated. Some offenses or circumstances may warrant immediate termination, at the University's discretion. This step should be reviewed by the division Vice President and Human Resources prior to taking action. Human Resources should usually be involved in all termination meetings.

Involuntary terminations may be grieved under the University's grievance policy.

Immediate Termination

There are instances where the University determines that the specific circumstances of an individual situation are serious enough to warrant immediate termination by the University without any form of corrective action.

Examples of offenses for which immediate termination may occur may include, but are not limited to:

- Theft or any illegal activity
- Breach of confidential information in violation of federal or state laws or statutes
- Mishandling or unauthorized removal or destruction of confidential or sensitive information
- Inappropriate use of power to influence
- Threats or acts of violence
- Verbal abuse, including bullying
- Sexual assault
- Intimate or sexual contact with a student
- Dishonesty, or other unethical behavior, such as falsification of records or knowingly and willfully misrepresenting data requested by the University
- Possession or consumption of alcohol on University premises or while performing University duties unless during a University-sponsored event where alcohol is permitted
- Use or possession of illegal drugs on University premises

- Impairment of faculties from the consumption or use of alcohol or illegal drugs on University premises or while performing University duties
- Blatant disregard for safety regulations
- Abuse, neglect, mishandling, destruction, or unauthorized removal or use of University property
- Possession or use of a weapon on University premises
- **Hate acts**
- Conviction of an illegal act, on or off the job, which adversely affects the job performance or the University's reputation

Documentation of Corrective Action

Although not always feasible or practical, managers are encouraged to document all levels of corrective action in writing, acknowledged with signatures, and placed in the employee file, with a copy given to the staff member. The staff member should be asked to sign an acknowledgement that the meeting occurred, and the corrective active was issued. The signature does not indicate agreement with the action taken.

Staff Written Response to Discipline

Staff members may respond in writing after corrective action was issued to explain their perspective of the issue or concern. Written responses will be attached to the original notice and placed in the employee file.

GRIEVANCE POLICY

Augsburg University affirms its commitment to providing an environment for all employees that is respectful, that rewards employees on the basis of work standards and performance, and that is free from discriminatory, inappropriate, and disrespectful conduct or communication. The University is committed to fostering and upholding values of human dignity and respect for the individual. Augsburg University expects standards of professional behavior that exceed those minimally prescribed by law.

The grievance procedure provides a just and equitable method for the resolution of staff grievances without discrimination, coercion, restraint, or reprisal against an individual who may submit a grievance or is involved in a grievance. If a grievant fails to cooperate in good faith with the timeframes outlined in the procedure, their grievance will be considered withdrawn. If a grievant voluntarily terminates their employment during the grievance process, their grievance will be considered withdrawn.

Good Faith Participation

The grievance process is dependent upon the willingness of all involved to participate in good faith, whether as a grievant, respondent, or witness. Accordingly, it is expected that faculty and staff will participate in the grievance procedure in an open, civil, and thoughtful manner that is aimed at productive resolution. Should an employee be found to have knowingly and intentionally brought forward a false charge, provided false witness, or in any other way knowingly acted to misuse the grievance process or disparage the University, they may be subject to corrective action up to and including termination.

Non-Retaliation

All employees may use the procedures described below without fear of retaliation from managers or others against whom a complaint may be lodged. Retaliation against any member of the community for good faith participation in the procedures described below is a violation of University policy. Retaliation will not be tolerated and will be subject to corrective action up to and including termination. Any violation of this policy should be reported to Human Resources.

Role of Human Resources

At all stages of the grievance process a representative from Human Resources will be present. The Human Resources representative will provide information to the parties and facilitate the process. The role of Human Resources is not to speak on behalf of either the grievant or the respondent.

Confidentiality

Confidentiality and privacy of those involved will be respected to the degree possible during all complaint procedures, and information will be disclosed on a need-to-know basis. It is important to recognize that understanding the nature of the complaint and facilitating resolution typically requires speaking with others. Human Resources will take this step when necessary with those persons who are relevant to the resolution of the complaint.

Maintaining confidentiality is a requirement of all participants in the process (e.g., grievant, respondent, interviewees, witnesses, managers, peer allies, Human Resources). As such, no information about the grievant, the respondent, the witnesses, or the grievance will be shared with other faculty, staff, students, alumni, or anyone else not actively involved in resolving the grievance. It is expected that all participants of a grievance will maintain the confidentiality of the proceedings to ensure that those

involved feel they can speak openly and honestly, and participate in the process without fear of retaliation. Confidentiality of the process helps ensure an unencumbered resolution process.

Definitions

Grievant: The staff member who initiates a complaint or grievance.

Respondent: The individual against who the complaint or grievance is made.

Peer Ally: An Augsburg University faculty or staff member who attends each step of the grievance process with the grievant, if the grievant so chooses. The role of the peer ally is to serve as a witness, to counsel the grievant about how best to present their concern, to discuss resolution options with the grievant, and to ensure that the process is consistently applied. The peer ally can advise the grievant but cannot speak for the grievant or act as a spokesperson. The goal of the grievance process is to resolve issues internally; a grievant may bring their peer ally to grievance meetings, but no attorneys may attend grievance meetings.

Grievance Process

This grievance process is for staff members to dispute actions at the suspension or termination level under the corrective action policy.

Timeframes

The timeframes referred to should be followed under normal circumstances, but may be changed at the discretion of the University. These days do not include days when the Human Resources department is not open for normal operations or days when either the grievant or the respondent is unavailable due to previously scheduled and approved time away.

Standard Grievance
Applicable to: This grievance process may be open to a staff member who has a dispute with the serious corrective action imposed by their manager.
Step 1: Filing a Grievance A staff member who believes they were subjected to unjust suspension or termination of employment will submit a written grievance to HR within 7 days of the notice of suspension or termination.
Step 2: Review and recommendation from Human Resources
Step 3: Review and decision by division Vice President
Step 4: Appeal to Grievance Review Committee
Step 5: Decision by President

Informal Discussion with Manager

It is the goal of the University to resolve concerns informally whenever possible. If problems arise in a work situation, the people closest to the situation should have the first opportunity to try and work through the issues or disagreements. In many cases, concerns can be resolved through effective dialogue between staff members and their managers. The University strives for a workplace in which communication helps to avoid problems and quickly resolves concerns when they arise. If the staff member believes the manager has inappropriately issued a suspension or termination of employment, they should discuss the concern with the manager within three (3) days of the action.

Step 1: Submit Written Grievance to Human Resources

If the staff member is uncomfortable approaching the manager directly, or has done so and is not satisfied with the response, the staff member may submit a written grievance to Human Resources within seven (7) business days. Human Resources may be able to help answer questions or help facilitate an informal resolution of the concern.

Step 2: Human Resources Review and Recommendation

If it accepts review of the decision, Human Resources will give the grievant and the manager written notice once informal attempts to resolve the concern have concluded. Human Resources may then meet with the manager, the grievant, and the peer ally, if

the grievant so chooses, to discuss the corrective action and the history of performance and conduct prior to the corrective action or undertake any further investigation it chooses.

Human Resources may recommend additional meetings, a performance improvement plan, mediation, training, the same or other corrective action, or other action. The review by Human Resources will be completed within ten (10) business days.

Step 3: Review and Decision by the Division Vice President

Upon appeal by either party of the decision by Human Resources, the Vice President will determine the method and depth of the review. A written decision will be provided to the grievant within ten (10) business days of the filing of the appeal. A copy will be provided to the respondent, the respondent's manager and Human Resources. If the corrective action is upheld by the division Vice President, the action will be effective immediately, if it has not yet taken effect.

Step 4: Appeal to the Grievance Review Committee – Staff Discharge Only

Only issues of staff discharge are subject to review by the Grievance Review Committee, and only in cases where the University has discharged the grievant without prior corrective action. If the Grievance Review Committee accepts review, a written decision will be provided to the grievant within ten (10) business days of the filing of the appeal. A copy will be provided to the respondent, the respondent's manager, the division Vice President and Human Resources.

Step 5: Final Decision by the President

Review by the President will occur if an appeal was reviewed by the Grievance Review Committee and its recommendation differed from that of the division Vice President. The President will determine the method and depth of the review. A written decision will be provided to the grievant within ten (10) business days of the filing of the appeal. A copy will be provided to the respondent, the respondent's manager, the division Vice President and Human Resources. Decisions of the President are final.

Peer Ally Selection Process

Any current, regular faculty or staff member may be selected by the grievant to serve as a peer ally. The grievant must provide Human Resources with the name and contact information of the peer ally.

To serve as a peer ally, the faculty or staff member must have completed the Diversity and Inclusion Certificate Program at Augsburg. Human Resources will also provide the

Peer Ally with resources and training specific to the Employee Handbook and conflict-resolution.

The peer ally will advise the grievant on University policies, practices, and procedures and be present for all meetings with the grievant during the process. The role of the peer ally is not to speak for the grievant, but rather to counsel and support the grievant and ensure that the grievance process is followed. Use of a peer ally is optional; individuals are not required to select and utilize a peer ally to pursue the grievance process.

Grievance Review Committee Selection Process

The members of the Grievance Review Committee will be selected by the Faculty Senate and the Staff Senate. The Faculty Senate will appoint two regular faculty members and the Staff Senate will appoint two regular staff members to the committee. The individuals selected do not have to be senators to serve on this committee. Faculty or staff with current corrective action on file, or who have a conflict of interest, may be ineligible to serve on this committee.

Additional Resources

Staff Senate

Staff who do not wish to file a grievance may bring their individual concerns to a member of Staff Senate to talk through their options. Staff senators will keep their concern confidential to the extent possible, unless an issue of safety, workplace violence, harassment, discrimination, or illegal conduct is alleged. In those circumstances, the senator may not keep the issue confidential but must report the concern to Human Resources and to the Department of Public Safety if it is an urgent issue of safety or workplace violence.

Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is a confidential resource available to all Augsburg University faculty and staff. Individuals may utilize online resources and/or may utilize the free confidential in-person counseling sessions available with licensed counselors regarding work issues, financial issues, personal issues, and family concerns. Contact information for the Employee Assistance Program is available in the Benefits section of this handbook and on the HR Connection website.

6.0 COMPENSATION AND WORK HOURS

COMPENSATION FRAMEWORK

Augsburg University believes that employees are its most valuable resource and are partners in achieving the University's mission, vision, and goals. Compensation is a key factor in recruiting, retaining, motivating, and rewarding a talented and committed workforce.

The University's goals are to:

- Compete for qualified employees in an evolving higher education environment.
- Pay employees equitably.
- Be fiscally responsible.

For compensation plans to be equitable and effective it is important to consider both internal and external equity. Internally, it is important to consider the compensation of like jobs, as well as the individual's skills, knowledge, performance and job-related experience. The external market consists of other similar organizations with whom we compete for employees with relative skills and experience.

Staff Compensation Review

Human Resources participates in annual salary surveys and obtains salary information on "industry standard" positions, referred to as benchmark jobs; i.e., those jobs that are typical in higher education and other industries and easily matched to jobs at Augsburg University. Salary data from these surveys indicate a salary range for jobs found in the market similar to ours. The market value for certain jobs will vary and pay levels may increase at different rates depending on whether certain skill sets are in increasing demand or whether there is a shortage of individuals with specific expertise.

Human Resources monitors the relevant labor market to determine market movement and its effect on staff members' pay. **Augsburg strives to balance external market data with internal equity.** Reviewing an individual's compensation does not necessarily mean that the staff member will be given an increase due to individual and/or University performance. Any changes to salary due to market reviews must be supported by Human Resources and approved by the division Vice President and President's Leadership Team prior to being implemented. Division Vice Presidents will be expected to fund approved salary increases within their division budget. Approved requests for salary increases are generally effective as of the next biweekly pay period.

These guidelines help ensure that the same decision factors and priorities are consistently applied when adjusting salaries and approving salary actions. All actions described in the following guidelines must be reviewed and approved through the applicable approval process before they are communicated to the affected or prospective staff member.

Pay Determination Policies for New Staff Members

Starting salaries for new staff members are determined by Human Resources after reviewing the pay grade for the position, the individual's job-related experience, knowledge and skills, current pay, and the salaries of other staff performing the same or similar job functions. In order to compare pay for those in similar jobs, Human Resources must also analyze job-related characteristics, including:

- Job content (are individuals doing similar work)
- Years of experience
- Qualifications, education
- Job-related knowledge
- Skills (required and "premium" skills)
- Technical expertise
- Performance
- Value of job in the labor market

Staff will not be hired below the minimum salary of the pay grade. All salaries must be approved by the division Vice President or their designee.

Guidelines for Starting Salaries

The pay range minimum is the rate that is typically offered to staff members who meet the minimum qualifications and who are expected to perform the basic duties and responsibilities of the position after normal training. These individuals often have limited relevant experience and will require learning certain aspects of the job.

- The midpoint or the market reference point is considered appropriate for experienced and fully qualified staff whose performance and experience fulfill the major requirements of the position and enable them to perform most aspects of the job effectively with little or no training.
- The maximum of the pay range is considered the upper limit of the salary for a broadly and highly experienced staff member. The individual should be

knowledgeable in the job and related areas, have many years of experience at a similar level, and may have specialized skill or knowledge and serve as an expert resource.

TIME REPORTING / HOURS OF WORK FOR STAFF AND STUDENT EMPLOYEES

Hourly (Non-Exempt) Staff and Students

Hourly staff and student employees are required to accurately report all of their work hours for each pay period. Hourly employees may take leave in increments of a quarter of an hour or more and must reflect any leave taken on their timesheet. Hourly employees are not allowed to work “off the clock” or “volunteer” time. Hourly staff and student employees must receive approval from their manager or department head prior to working any overtime. All hours worked must be paid, including unauthorized overtime.

Staff and students who fail to report all of their work hours (including any overtime) on their timesheet in a timely manner, falsify a timesheet, or work unauthorized overtime may be subject to corrective action, up to and including termination. No one at the University is authorized to direct or require an employee to “work off the clock,” to inaccurately record time worked, or to substitute “comp time” for overtime hours. Leave time used (sick, vacation, holiday, etc.) does not count towards hours worked for purposes of overtime.

Salaried (Exempt) Staff

Staff who work in exempt positions are generally paid on a salary basis and are ineligible for overtime pay. Salaried staff members are expected to manage their work schedule to accomplish the duties of the position, and may be required to work more than forty (40) hours in a week, including nights and weekends.

Salaried staff do not record individual work hours, but must document all time off taken on their timesheet. Salaried staff absent from work for less than a half-day are not required to record that time off. Salaried staff should record time off taken in half-day increments of no less than four (4) hours on their timesheet, except for leave taken under the Family and Medical Leave Act (FMLA). FMLA leave can be recorded in increments of a quarter hour or more. Salaried staff with questions about recording time off on their timesheet should contact Human Resources.

Manager Responsibility for Timesheets

Timesheets must be completed accurately each pay period for all staff and student employees. At the end of each pay period, staff and student employees must submit their timesheets to their managers for verification and approval. Managers are expected to review the timesheet for each of their employees and work with individuals to correct errors. The manager verifies the accuracy of the timesheet by approving the timesheet in the timekeeping system. If a question arises concerning hours worked or absences, the question should be resolved **before** the time is approved.

Employee Concerns

Augsburg University complies with the Fair Labor Standards Act (FLSA) and all applicable federal, state, and local laws regarding employee compensation. Staff and student employees, whether hourly or salaried, who perceive an issue regarding their hours of work or overtime compensation are encouraged to report the problem to their manager or division Vice President as soon as possible. If a staff member feels their position has been improperly designated as either non-exempt or exempt, they should contact Human Resources.

TRAVEL TIME FOR STAFF AND STUDENT EMPLOYEES

Time spent commuting to and from work is considered “home-to-work travel” and is not considered paid work time. However, the time a staff or student employee spends traveling from one work site to another for work purposes is considered work time. Time spent in travel away from home outside of a staff or student’s regular work hours as a passenger on an airplane, train, automobile or public transportation is not considered work time. Work assignments that require a staff or student employee to stay out overnight will qualify for expenses, but no time will be compensated beyond appropriate travel time and actual hours worked.

TRAINING TIME FOR STAFF AND STUDENT EMPLOYEES

Staff or student employee’s attendance at training sessions is **not** considered work time if all of the following four criteria are met:

- Attendance at the training session is outside of regular work hours.
- Attendance at the training session is voluntary.
- The training session is not directly related to the employee’s current job.
- The employee performs no productive work during the training session.

PAY PERIODS

All employees are paid bi-weekly. The bi-weekly pay periods are two-week periods, beginning at 12:01 a.m. on Sunday and ending at 12 midnight Saturday two weeks later. All staff and student work hours and/or absences must be entered into the timekeeping system no later than the deadline on the Monday after the pay period. Managers must approve staff and student employees' work hours by the deadline on the Tuesday after the pay period ends.

PAY DATES AND DIRECT DEPOSIT

Employees are paid on the Friday following the end of the pay period. If a payday falls on a holiday, employees will be paid on the day immediately before the holiday. A list of bi-weekly pay periods and pay dates for the current year is available through Payroll.

Employees have the option to utilize direct deposit. Direct deposit is a service where an employee has their paychecks automatically deposited into the checking or savings account(s) of their choice. Employees should contact Payroll for information on enrolling in direct deposit.

Employees who do not elect direct deposit will be issued a pay card as the default method for receiving pay. For more information about the pay card, employees should contact Payroll.

PAYROLL DEDUCTIONS

A difference exists between gross earnings and take-home, or net earnings. The reason for that difference is the deductions required by federal and state government and any voluntary reductions/deductions authorized by the employee. The pay slip supplied to each employee each pay period shows the specific deduction and reduction amounts for that pay period and for the year-to-date.

An employee's pay slip will reflect these ***required deductions***:

- **Federal and state withholding taxes.** The amounts withheld for taxes will be based on earnings, marital status, and the number of exemptions claimed. Each year, employees receive a W-2 form indicating total taxes withheld for the previous year.

- **Social Security.** Both the University and the employee contribute equally to Social Security, which is designed to provide retirement, disability, and death benefits. The withholding rate is established by law and is subject to change.
- **Medicare.** Both the University and the employee contribute equally to Medicare, which is designed to provide medical benefits at retirement age. The withholding rate is established by law and is subject to change.

In some cases, additional required deductions may include wage garnishments, wage assignments, third party levies, and income withholding orders such as child or spousal support. The University will comply with all legal requirements regarding garnishment orders.

In addition, an employee's pay slip will show any **voluntary deductions or reductions**. The employee authorizes those deductions/reductions by filling out the appropriate forms. Reductions may include insurance premium contributions, retirement plan contributions, voluntary life insurance premiums, and flexible spending plan contributions. Voluntary deductions or reductions will continue until the employee notifies the appropriate office, Human Resources or Payroll, in writing of a change by filling out the appropriate form.

CASH ADVANCES AND LOANS

The University does not allow employees to receive pay advances or loans from the University or any office or department of the University.

MEAL AND REST BREAKS

Augsburg University provides rest and meal breaks for all employees. Managers may grant staff and student employees one paid rest break of up to a maximum of twenty (20) minutes during each four-hour work period. Managers may rearrange scheduled breaks as needed to ensure proper staffing to meet University needs. Unauthorized extensions of rest breaks will not be considered work time.

All staff and student employees who work at least six (6) hours in a day are expected to take a meal break. Meal breaks are unpaid and are generally thirty (30) minutes in length. Staff and student employees who work at least eight (8) consecutive hours are **required** to take a 30-minute unpaid and uninterrupted meal break. Employees who are called back to work during their meal break will be paid for time worked.

Staff and student employees may not combine, or forfeit meal or rest breaks in order to leave work early.

LACTATION BREAKS

Employees who are nursing mothers are allowed to take reasonable unpaid break time to express breast milk or breastfeed an infant after the birth of a child.

Nursing mothers may utilize the lactation rooms on the main floor of the Christensen Center or on the 3rd Floor of the Hagfors Center; both are adjacent to the women's restroom. The lactation rooms may be utilized by all faculty, staff, students, and visitors. Individuals with questions should contact Human Resources.

FLEXIBLE WORK SCHEDULES FOR STAFF

Augsburg University recognizes the value of flexible work arrangements to attract and retain talented staff. The University supports work schedules that allow for flexibility for a staff member as long as the workload and productivity of the staff member and the department are maintained.

Flexible schedules may include:

- Non-traditional schedules (e.g. 7:00 AM – 3:30 PM or 9:00 AM – 5:30 PM)
- Compressed work schedule (e.g. 4-10 hour work days or a 9/80 schedule)
- Reduced work hours/reduction in FTE (subject to Vice President approval)

Departments may allow flexible work arrangements if the following conditions are met:

- Adhering to “core” office hours, generally 9:00 AM – 3:00 PM, during which staff are expected to work, whether on a flexible schedule or not. Flexible schedules must include “core” hours in order to provide customer service, accessibility, and team work. Offices may set different “core” hours to ensure appropriate service to students.
- The manager determines whether workflow, productivity, and staffing levels are sufficient to meet its operating requirements.
- The manager may implement, continue, discontinue, or modify flexible work schedules as necessary. The manager has the right to return the staff member to a standard work schedule.
- The flexible schedule must include the full number of regularly scheduled work

hours for the staff member's FTE. Requests for a reduction in work hours/FTE requires the approval of the division Vice President prior to implementation. Requests of this nature may be denied due to the workload of the department.

- For hourly (non-exempt) staff, actual hours worked must be recorded accurately on the correct day on the employee's timesheet.
- Actual work hours per week may not exceed 40, unless overtime has been approved in advance by the manager. Work hours cannot be recorded on a different day or on a different week to avoid overtime.
- Any staff member working a flexible schedule agrees to maintain core work hours and organize work time to meet the job requirements established by the manager.

Accrual of vacation time, sick time, and paid holidays is based on the staff member's FTE and is the same for staff working flexible arrangements as for those working a standard schedule.

Departments wishing to implement flexible work arrangements will work with Human Resources and begin the arrangement with a trial period, typically 60-90 days in length. During the trial period, the manager should gather data to evaluate any effects resulting from the flexible schedule. Information regarding absenteeism, turnover, punctuality, overtime, and production should be considered when deciding whether to continue, modify, or end the flexible work arrangement.

TELECOMMUTING FOR STAFF

Augsburg University considers telecommuting an alternative work arrangement which in certain circumstances could benefit the staff member and the University.

Telecommuting is a work arrangement in which part of a staff member's regularly scheduled work is performed at an off-campus location, which could include the home, an off-campus office, or an alternative location.

Telecommuting may be appropriate for some staff members and positions. It is neither an entitlement nor a benefit. Telecommuting does not change the basic terms and conditions of employment at Augsburg University. Staff on a telecommuting arrangement are expected to maintain their regularly scheduled work hours and availability while telecommuting. All University employees, including telecommuters, are subject to University policies and adherence to the Augsburg University Employee Handbook.

Telecommuting is not appropriate for all staff or positions. Generally, requests to telecommute should NOT be allowed when:

- The nature of the job requires the staff member's physical presence (e.g. they regularly greet visitors on-site, or must supervise others), or efficiency is compromised when the staff is not present.
- The staff member's performance evaluations or observed productivity do not indicate sustained high performance.
- The staff member requires close supervision or direction from others on-site.
- The staff member has received corrective action or has an attendance problem.

Guidelines for Telecommuting

1. The telecommuting request will be evaluated according to specific criteria. The manager will work with Human Resources to evaluate suitability of a telecommuting arrangement. The request will be evaluated, paying particular attention to the following areas:
 - The staff member has demonstrated sustained high performance, and the manager believes that the employee can maintain the quantity and quality of work while telecommuting.
 - Quality of service can be maintained for students, staff, faculty, and other members of the University community.
 - Telecommuting is appropriate considering the nature of the staff member's job and the needs of the department.
2. Approved telecommuting arrangements will start on a trial basis with ongoing evaluation of effectiveness, performance, and productivity. The manager will complete an evaluation and make recommendation for continuance, modification or termination of telecommuting. Telecommuting agreements should be reviewed by the manager at least annually.
3. Telecommuting is not to permit staff to work at other jobs or to run their own businesses. Failure to fulfill normal work requirements for the University may be cause for corrective action up to and including termination.
4. Staff must establish an appropriate work environment within their home for work purposes. Augsburg University is not responsible for costs associated with the

setup of the employee's home office, nor will it be responsible for repairs or modifications to the home office space.

5. Telecommuting is not a replacement for appropriate child or dependent care. Staff are expected to work in a location free of distractions from other family members.
6. The manager and staff member will agree on the number of days of telecommuting allowed each week and the work schedule the employee is expected to maintain. The staff member must be accessible by either phone or e-mail within a reasonable time period during the work schedule.
7. Equipment supplied by the University will be maintained by IT. Equipment supplied by the staff member will be maintained by the staff member. Augsburg University accepts no responsibility for damage or repairs to employee-owned equipment. Equipment supplied by the University should be used for University business purposes only, and should not be used by anyone other than the employee. The employee should take precautions to protect equipment from damage or theft. Upon termination of the telecommuting arrangement or termination of employment all property must be returned to the University.
8. The staff member is responsible for transporting University-owned equipment to the University for maintenance. The University will not reimburse the employee for travel expenses to and from campus nor for any home related expenses (internet service, utilities, etc.)
9. Telecommuting staff are expected to ensure the protection of proprietary University information accessible from their home or remote office. This includes, but is not limited to, locked file cabinets, regular password changes, and any other steps appropriate for the job and environment.
10. Injuries sustained by the staff member while at the alternate work location and in conjunction with the regular work duties may be covered by the University's Workers' Compensation policy. The staff member is responsible for notifying the University of an injury within 24 hours. The individual employee is responsible for injuries sustained by visitors to their site.
11. Telecommuting staff who are non-exempt and paid hourly will be required to record and submit all hours worked. Hours worked in excess of 40 hours per

week are overtime and require the advance approval of the manager. Failure to comply with this requirement can result in corrective action and the immediate termination of the telecommuting agreement.

12. The telecommuting arrangement may be discontinued at any time by the staff member or the University. Effort will be made to give notice of such a change to accommodate issues that may arise from such a change. There may be instances, however, where an immediate change is required and no notice is possible.

7.0 BENEFITS

BENEFIT ELIGIBILITY FOR FACULTY AND STAFF

Participation in Augsburg University Benefit Programs

Eligible employees may participate in Augsburg's benefit programs according to the terms and conditions of each plan. Each benefit plan has eligibility requirements that take precedence over this policy. Benefits will be provided as appropriate, and allowable by law, for employees at our international locations. Except as noted below, temporary staff, stipend staff, part-time faculty paid on a per-course basis, and student employees are not eligible for benefits.

Benefit Eligibility

- Regular faculty and staff working equal to, or greater than, a .75 FTE are eligible for the following benefits:
 - Medical Insurance
 - Pre-Tax Flexible Benefits
 - Dental Insurance
 - Vision Insurance
 - Life and Accidental Death and Dismemberment Insurance
 - Retirement Plan Participation
 - Tuition Benefit, based on FTE
 - Employee Assistance Program
 - Time Off (staff only), based on FTE
 - Short Term Disability (staff only)
 - Long Term Disability
- Faculty and staff working equal to, or greater than, a .50 FTE, are eligible for the following benefits:
 - Retirement Plan Participation
 - Tuition Benefit, based on FTE
 - Employee Assistance Program
 - Time Off (staff only), based on FTE
- Regular faculty, part-time staff (less than .50 FTE), temporary staff, stipend staff, and student employees may be eligible for paid sick leave, according to applicable laws in Minneapolis and Saint Paul. For more information, please refer to the Sick and Safe Leave Policy:
http://web.augsburg.edu/hr/Employee_Handbook/sick_and_safe_policy.pdf.

Note: The Employee Retirement Income Security Act of 1974 (ERISA) is a federal law that sets minimum standards for voluntary pension and health plans to protect individuals in these plans and requires employers to provide plan information to participants. Benefit plans and eligibility are subject to change and revocation at any time, at the discretion of the University. If there are discrepancies between this handbook and the actual plan documents that govern the plan, the plan documents will control in all cases. Please refer to the current Summary Plan Descriptions (SPD) for more detailed information about each plan.

Employee Responsibilities

Employees have the responsibility to accurately and promptly notify Human Resources of changes in personal information and/or status that would impact their benefits. Particularly important, faculty and staff who have a qualifying life event which would allow them to make mid-year benefit changes must notify Human Resources. Change requests must be submitted with completed paperwork and supporting documentation to Human Resources within thirty (30) days of the qualifying event in order for the mid-year benefit change to be allowed. These qualifying events include:

- Marriage
- Divorce, legal separation, or annulment, or change in domestic partnership status (as defined by the SPD)
- Birth or adoption of a child
- Death of a spouse or child
- Child meets (or fails to meet) the plan's eligibility rules (reaching age 26)
- Employee, or a covered dependent, gains or loses other benefit coverage due to a change in employment status

Some events, such as Medicare enrollment, allow for a longer change period. For more information about qualifying events, please consult Human Resources.

Employees also have the responsibility to:

- Provide complete and accurate enrollment information for each enrollee included under the policy.
- Agree to pay all employee portions of insurance premiums, and authorize the employer to deduct the required contributions as payroll deductions.
- Understand that a domestic partner and their children will not be recognized as qualified dependents for tax purposes and agree to have the employer calculate, and include in paychecks, the imputed income on the value of the insurance

coverage being provided by the University to the domestic partner and the children of the partnership, unless the children otherwise qualify as dependents of the employee.

Employer's Responsibilities

- Administer the benefit plan in a fair and consistent manner.
- Provide employees with the information necessary to evaluate all benefit options available.
- Issue notification of continuation rights as required by the Consolidated Omnibus Budget Reconciliation Act (COBRA), upon timely notice from the employee of a termination of a marriage, domestic partner relationship, or a change in dependent status.

Health Insurance Continuation for Faculty and Staff

All employees who are actively enrolled in the University's health, dental, life insurance, or other benefit plans may be eligible to continue those benefits at their own expense after separation of employment through the Consolidated Omnibus Budget Reconciliation Act (COBRA).

In instances where loss of coverage is a result of an employee's death, dependents covered on a deceased employee's benefit plan may be eligible for continuation of benefits through COBRA.

For information regarding the termination of benefits, please contact Human Resources.

Fraudulent Practices

Coverage for the employee will be terminated for knowingly committing fraudulent practices, including but not limited to falsification of any information including medical history on the application of coverage; submission of fraudulent, altered, or duplicate billings for personal gain; and/or allowing another party not eligible under the plan to use dependent coverage. Civil or corrective action may result from any losses incurred by the University as a result of claiming benefits for a spouse, domestic partner, or child where such a relationship does not exist.

SUMMARY OF BENEFITS

The following sections provide additional details on each of the benefits currently offered as part of the University's overall benefits package.

MEDICAL COVERAGE

Benefit-eligible employees may participate in Augsburg's group health and medical insurance coverage. Employees share in the cost of the plan. Premiums are withheld on a pre-tax basis. Refer to the summary plan description for detailed information about the current plans and coverage.

PRE-TAX FLEXIBLE BENEFITS

Benefit-eligible employees may also be eligible to participate in one or more of the following pre-tax spending/savings accounts. Changes to pre-tax accounts are allowable only under certain qualifying events or during an open enrollment period, with the exception of an HSA.

Health Savings Account (HSA) – A savings account that provides an opportunity to set aside pre-tax dollars to pay for qualified medical, dental, or vision expenses. Funds roll over from year to year. Contribution changes may occur during the year without a qualifying event. Only employees on the University's High Deductible Health Plan (HDHP) are eligible to elect and contribute to an HSA.

Flexible Spending Account (FSA) – A spending account that provides an opportunity to set aside pre-tax dollars to pay for qualified medical, dental, or vision expenses for the plan year. Funds do not roll over from year to year; money remaining in the account at the end of the calendar year is forfeited. An FSA elected while enrolled in a HDHP is converted into a Limited Purpose Flexible Spending Account (LPFSA).

Limited Purpose Flexible Spending Account (LPFSA) – A pre-tax spending account used only for qualified dental and vision expenses. Employees enrolled in the HDHP are eligible to elect a LPFSA. Funds do not roll over from year to year; money remaining in the account at the end of the calendar year is forfeited.

Dependent Care Account (DCA) – A flexible spending account that allows employees to set aside pre-tax dollars to pay for qualified dependent care expenses. Funds do not roll over from year to year; money remaining in the account at the end of the calendar year is forfeited.

Please refer to the summary plan description for more details regarding flexible benefits.

DENTAL INSURANCE COVERAGE

Benefit-eligible employees may participate in Augsburg's group dental coverage plan. Employees pay the full cost of the plan. Premiums are withheld on a pre-tax basis. Refer to the summary plan description for detailed information about the plan and coverage.

VISION INSURANCE COVERAGE

Benefit-eligible employees may participate in Augsburg's group vision coverage plan. Employees pay the full cost of the plan. Premiums are withheld on a pre-tax basis. Refer to the summary plan description for detailed information about the plan and coverage.

OTHER VOLUNTARY BENEFITS

Augsburg reviews benefit options on an annual basis and may provide other voluntary benefits to meet the needs of our faculty and staff.

LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D) INSURANCE

Eligible employees are automatically enrolled in Augsburg's group term life insurance plan. The premium is paid by the University. The amount of coverage is equal to one times the employee's annual base salary, rounded up to the next \$1,000 increment. The Accidental Death and Dismemberment (AD&D) policy doubles the amount of life insurance received if the death is accidental. The policy also pays partial benefits for the loss of limbs. Please refer to the summary plan descriptions for more information.

When an employer provides more than \$50,000 life insurance to an employee, the IRS regulations require that employers add to their W-2, as taxable income, an amount calculated through an IRS schedule.

Voluntary Life and Accidental Death and Dismemberment Insurance

Eligible employees may apply for supplemental group term life and accidental death and dismemberment coverage, at the full expense of the employee. Life insurance may also

be purchased for the employee's spouse and/or dependents. For more information, please refer to the summary plan description.

LONG TERM DISABILITY INSURANCE

The University provides long-term disability insurance to eligible employees. The premium is paid by the University. Eligible employees may apply for long-term disability (LTD) benefits after 6 months (26 weeks/180 days) of disability through the University's LTD insurance carrier. Human Resources will work with the employee in instances where LTD is sought.

RETIREMENT PLAN – 403(b)

Employees eligible for Augsburg's 403(b) retirement plan are able to make pre-tax salary reduction contributions as of the first day of any pay period coinciding with, or following, the employee's date of employment.

Defined Contribution Plan

An eligible employee, who has attained 21 years of age, has completed one (1) year of service, and meets the 1,000 hours of service requirement, will be automatically enrolled for participation in Plan Level One unless Human Resources is notified of an employee's decision to waive.

There are two plan levels of employer contribution:

1. **Plan Level One:** Upon entry into the level, employees contribute 5% of their base salary and the University matches with a 5% contribution.
2. **Plan Level Two:** After four (4) years of matching participation in the plan (Plan Level One), the employee will automatically move to level 2 where the University's contribution is increased to 8% and no employee contribution is required. The 5% employee contribution made in Plan Level One will continue as a supplemental contribution unless changed by the employee.

Employees are welcome to make changes to voluntary contributions at any time. The plan has immediate vesting. Contributions are made pre-tax. This plan is subject to applicable IRS provisions and limitations. For more information, see the summary plan description.

TUITION ASSISTANCE BENEFIT

Augsburg University values higher education, and as such, offers a generous tuition benefit for eligible employees, their spouses, and dependents. Nothing in this policy is to be interpreted as a guarantee for terms and provisions of the benefit, now or in the future. Augsburg University reserves the right to eliminate or change the terms and provisions of the Tuition Benefit (TB), including who is eligible for the benefit and the amount or value of the benefit, in its sole discretion at any time. This is the University's current policy for employees hired on or after January 1, 2006. For employees hired prior to January 1, 2006, contact Human Resources for the applicable policy.

These definitions are used for purposes of the tuition benefit:

Employee: The general term "employee" refers to faculty and staff.

Full-time Faculty and Staff: .750 FTE or greater

Part-time Staff: .500 - .749 FTE

Part-time Faculty: .375 - .749 FTE

Summer courses and overload courses are not included in FTE calculations for purposes of benefits.

Retired: The employee retires from Augsburg University after ten years or more of service at a cumulative employment level of 75% or higher (.750 FTE), and was eligible for the tuition benefit at retirement. To be eligible for the benefit:

- The employee must have retired with twenty or more years of service to the University
- OR
- Be age 59 ½ years of age or older and have at least ten years of service to the University.

Disabled: The employee was eligible for tuition benefits at the time they became disabled, and is eligible for long-term disability coverage.

Tuition Benefit Eligibility

- Regular staff who work at least .50 FTE and regular faculty who work at least .375 FTE.

- The class (classes) must start after completion of the one-year waiting period from the employee's date of **employment** in a regular, benefits-eligible position.
- Temporary **staff, stipend staff, part-time faculty paid on a per course basis, and student** employees are not eligible.

Policies for All Tuition Benefit Participants (Employee, Spouse, and Dependent Children)

Tuition Benefit Applications must be submitted by the employee through Human Resources. Separate applications are required for each academic year. **Applications for upcoming Summer, Fall, and Spring semester terms are due May 1st. Exchange program application deadlines may differ; please refer to the prospective host school(s) for the most recent application deadlines.**

- The employee, spouse, or dependent must submit an application and be accepted for admission to the University and pay any application fees. Eligibility for the TB does not guarantee admission.
- A complete application for financial aid is required for dependents, employees in the undergraduate program, and spouses pursuing their first bachelor's degree. The financial aid priority deadline is **May 1. If eligible to receive the Pell Grant, State Grant, or Augsburg University need/merit scholarship awards, tuition scholarship will be reduced so that the total of all gift aid equals the maximum amount of an employee's specific benefit program.**
- The "academic year" – for which the TB is determined – begins with Summer Term I and ends with Spring Term.
- Registration for classes must be completed during normal registration periods.
- The class must start after completion of the one-year waiting period from the employee's date of employment in a regular benefits-eligible position.
- Fees such as student teaching, parking, IT, and any other fees the student is required to pay are not covered and will not be waived under the TB policy.
- If the student chooses to withdraw, any refunds will be in accordance with the established University refund schedule.
- Employees on approved University sabbatical leaves will remain eligible for the employee, dependent, and spouse tuition benefit.
- If the employee under whom the benefit is provided terminates employment or is discharged during the term, the benefit will continue through the end of the term or semester in which employment ends.

The tuition benefit at Augsburg University applies to the **dependent children and spouses of employees who die, retire, or become disabled while employed by the**

University. The tuition benefit also applies to retirees who meet the criteria of “retired” as defined under this policy.

If an employee dies while employed at Augsburg University, the surviving spouse and dependents are eligible for tuition benefits. Assuming the student meets all eligibility requirements of the exchange program to which they apply, this provision includes those tuition exchange programs in which the University participates at the time the eligible student enters college. Refer to the Tuition Exchange section of this policy for details.

Employee Tuition Benefit

Regular full-time and part-time employees may take courses offered in Undergraduate and Graduate programs, for credit or not for credit (audit). Augsburg University reserves the right to limit the number of faculty and staff auditing a course, based on enrollment needs. The tuition benefit for employees is as follows:

- 100% TB for undergraduate courses.
- 100% TB on audit course fee for audited undergraduate courses.
- 75% TB for graduate courses.
- 75% TB on audit course fee for audited graduate courses.
- Part-time employees receive TB on a proportionate basis according to the employee’s FTE (i.e. .50 FTE X 75% graduate TB = 37.5% TB).

The employee tuition benefit must be in accordance with the following:

- The employee may not be enrolled and receive the tuition benefit for more than a total of eight (8) credits at a given time, in the day, adult undergraduate, or graduate programs, or any combination thereof.
- No more than one course per term may take place during an employee’s normal work schedule.
- The employee must make arrangements with their manager to make up time lost while attending classes, and class attendance may not interfere with the business needs of the University as determined at the University’s discretion.
- A tuition discount for summer sessions is awarded subject to the provisions of the current Summer School policy.
- The employee graduate TB is limited to the annual non-taxable limit allowed by the IRS (currently \$5,250 per calendar year). Once the non-taxable limit has been reached for the calendar year, no tuition benefit discount will be applied to the employee’s tuition until the new calendar year.

Tuition Benefit for Graduate Programs

- The President's Leadership Team will review graduate programs at least every two years to determine space availability for employees.
- There will be no TB for audited or for credit courses in any new graduate program until that program is at least two years old, has achieved financial viability, and has been approved by the President's Leadership Team to be included in the TB program.
- A list of graduate programs approved for TB can be requested through Human Resources.

Spouse Participation in Tuition Benefit at Augsburg University

- Spouses of full-time and part-time employees are eligible for the same level of benefit as the employee for undergraduate courses taken at the University.
- Spouses need not be degree-seeking in order to take undergraduate courses.
- There is no tuition benefit for spouses or dependents in graduate programs.

Dependent Child(ren) Participation in Tuition Benefit

- The tuition benefit is available to dependent children seeking their first bachelor's degree.
- A dependent over age 24 is not eligible for TB, even if that person lives with the employee and relies on the employee for support. A TB recipient who reaches age 24 during the academic year will receive TB for that entire academic year.
- The tuition benefit terminates when one of the following occurs: 1) the student has received the credit for a total of 128 credits (including transfer credits), or 2) the student is not making academic progress toward the attainment of a degree, or 3) the student obtains a first bachelor's degree. (See the University Catalog's Academic Policy section for the definition of academic progress.)

The tuition benefit for dependent children is as follows:

- 90% TB
- Dependents of part-time employees received TB on a proportionate basis according to the employee's FTE (i.e. .50 FTE X 90% undergraduate TB = 45% TB).
- The class must start after completion of the one-year waiting period from the employee's date of employment in a regular benefits-eligible position.
- The total credit limit is set at 128 credits (including transfer credits).

Summer School Tuition Discount

Full-time employees, their spouses, and dependents may take Summer School courses at an annually determined discounted rate of tuition. Part-time employees and their spouses will receive a proportionate tuition discount based on their FTE.

Tuition Remissions Disclaimer: Taxation of scholarships and fellowships: The Tax Reform Act of 1986 had a significant impact on education and particularly the financing of students in higher education. Scholarships, grants, and fellowship funds are excludable only to the extent that they pay for tuition, fees, books, and directly related expenses. The portion of awards used for other expenses would count as ordinary income. Since legislation is subject to change, consult with your tax advisor.

Tuition Exchange

Please be advised that like other benefits, there is paperwork to complete and deadlines to observe when using tuition exchange programs. **It is the responsibility of the employee to adhere to each exchange's requirements.** The following guidelines apply to all tuition exchange programs:

- The receiving (or host) institution is the institution that your dependent plans to attend; the sending (or home) institution is always Augsburg University.
- The receiving institutions require financial aid and admissions applications, in addition to tuition benefit applications.
- The benefit is for undergraduate, full-time students only.
- The student must maintain satisfactory academic progress as determined by the receiving institution.
- The student must reapply annually through the sending institution.
- Generally, participants may utilize the program for a maximum of four years.
- Applicants may apply to receive the benefit at as many institutions as they wish. **Separate tuition benefit applications are required; they are completed by the Student Financial Services Tuition Exchange (TE) Liaison on the employee's behalf.**
- Applying early will increase your chances of receiving the benefit.

Tuition Remission through the Former ACTC

The former Associated Colleges of the Twin Cities (ACTC) institutions entered into a Memorandum of Understanding (MOU) in 2015 to continue to provide tuition remission benefits originally adopted in 1974. These institutions include: Augsburg University, Hamline University, Macalester College, St. Catherine University, and The University of St. Thomas.

This tuition remission program provides undergraduate tuition benefit for the dependent children and spouses/partners of eligible employees. Employees are not eligible to take classes through the ACTC Tuition Program.

Dependent children and spouses/partners may be eligible for the tuition benefit if the employee:

- Is in a regular full-time benefit-eligible position. For the purposes of this policy, a position is considered to be full-time at .75 FTE or greater.
- Has completed one year of service from a benefits-eligible start date, prior to the start of classes.
- Is seeking tuition remission for qualified dependents (defined by IRS guidelines), who are fully admitted, full-time students in an undergraduate associate or day baccalaureate degree program OR are seeking tuition remission for spouses/partners admitted into an undergraduate associate or day baccalaureate degree program (part-time or full-time), working to obtain their first bachelor's degree.

Please note that eligibility for tuition benefit does not guarantee admission to any host institution. The student must submit an admissions application and be accepted to the host institution. The student is responsible for payment of all other fees associated with attendance not covered under tuition remission.

ACTC institutions also agree to maintain a reasonable balance of incoming students (imports) and students going to other institutions (exports). Institutions that are accepting a disproportionately large number of imports will be allowed to cease taking additional students until a balance is reestablished. Therefore, eligibility in the program, and acceptance into an institution, does not guarantee tuition remission.

The rights of collective bargaining employees under this policy shall be determined by their respective institution's collective bargaining agreements. No institution, in its collective bargaining agreements, may offer tuition remission at another institution, unless participating institutions enter into separate agreements to offer tuition remission to one another's employees under collective bargaining agreements.

The ACTC MOU does not apply to summer sessions, programs that involve payment to another institution or agency, graduate programs, law institutions, or certificate programs not leading to a baccalaureate degree.

Please refer to the MOU, through Augsburg Human Resources or the prospective host institution, for more information and details regarding the tuition remission program, balancing process, and program limitations.

Other Tuition Exchange Programs-ELCA, CIC/TEP, TE

Augsburg University participates in several tuition exchange programs. Dependent children, and in some cases spouses may receive up to full tuition at a participating University according to the provisions of the program. **The termination of benefits, and how state or federal aid and grants are applied to a student's account are determined by the host institution.** Details of each plan, and current lists of participating Colleges in each program, may be obtained online through each exchange program website.

Availability of each tuition exchange program may change from year to year. Availability one year does not guarantee availability in subsequent year(s).

Contact the school's Tuition Exchange office for deadlines. Employees are encouraged to review program requirements and/or contact the TE office as early as possible for the best opportunities for inclusion in this program.

ELCA College Tuition Exchange/Reciprocity Program

For a list of all ELCA colleges, please visit: www.whygolutheran.org/.

Tuition Benefit: The benefit is full tuition up to the limit at Augsburg University, or the receiving ELCA school, whichever is less.

Maximum Allowable Benefit: A maximum allowable benefit is calculated each academic year. The level of benefit is a percentage of tuition equal to the lower percentage of TB at the sending or receiving institution. Detailed information and eligibility requirements are available from the TE liaison officer.

Council of Independent Colleges/Tuition Exchange Program (CIC/TEP)

A network of more than 130 CIC member Colleges in 32 states participate in this program. A complete list of participating institutions can be found at www.cic.org. Contact the TE liaison officer for more information and application forms.

Tuition Exchange, Inc. (TE Inc.)

A network of nearly 600 Tuition Exchange member Colleges in 43 states participate in this program.

Tuition Benefit: Up to full tuition is available to dependent children, and in some cases spouses, of employees. Each school is limited as to the number of tuition exchange students it may accept, therefore, early application is necessary. Contact the TE liaison officer for current policy, procedures, and eligible schools. More information can also be found at www.tuitionexchange.org.

EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) through ComPsych Guidance Resources is available to employees and their families 24 hours a day, year-round. This program allows employees access to confidential counseling sessions with licensed counselors for personal one-on-one or family counseling. This is a no-cost, company-sponsored benefit available to all employees and dependents to provide telephone consultation, referrals, and educational materials on a wide range of topics including personal legal matters, financial planning, emotional well-being, and other work-life needs. Employees who need help with work, home, personal, or family issues may **access these resources by calling 877-595-5284 or TDD 800-697-0353, or online at www.guidanceresources.com with the Web ID EAPComplete.**

TIME OFF

Faculty are generally granted time off in keeping with the class academic calendar. Regular staff employees working .50 full-time equivalency (FTE) or greater are eligible for vacation, sick, and holiday pay on a basis proportionate to their FTE. Staff members at less than 0.50 FTE, or who are classified as temporary, on-call, **stipend, or student employees** are eligible for sick leave.

Holidays and Floating Holidays for Staff

Holiday Pay for Staff

Regular staff employees working .50 full-time equivalency (FTE) or greater are eligible for holiday pay on a basis proportionate to their FTE. The University offers a total of twelve (12) paid holidays per **calendar** year, which includes scheduled holidays and floating holidays.

The schedule of paid holidays the University observes **changes from year to year. At the end of each year, the upcoming year's holiday schedule is announced and made available online. Please consult Human Resources for assistance in locating the current holiday schedule.**

Staff represented by a union should refer to the collective bargaining agreement for the list of holidays and pay information. Staff members working at international sites should refer to the list of holidays as designated by the applicable international site.

The following conditions apply to holiday pay:

- Holiday pay is computed at an individual employee's base rate of pay.
- Holidays will not be paid to employees on any type of unpaid **or short-term disability** leave.
- An eligible staff member must be in pay status, **or scheduled for paid time off**, on the work day before and the work day after a holiday in order to receive holiday pay.
- Holidays within an approved scheduled vacation will be paid as holiday pay.
- Holiday pay will not be considered time worked for overtime calculations.

When it is necessary for University offices to remain open on a scheduled holiday, non-exempt (hourly) staff members who are **required** to work will be paid time and one-half pay for hours actually worked on the holiday. **In addition, the non-exempt staff member will receive the regular holiday pay** OR given equal time off within the pay period in which the holiday occurs. **Advance approval by the manager is required when a staff member works on a regularly scheduled holiday.**

If a holiday falls on a day not normally scheduled as a work day for an eligible staff member, the staff member will be granted another day within the same week with pay as their holiday.

Floating Holidays for Staff

Floating holidays are awarded based on that year's designated holiday schedule to equal a total of twelve (12) holidays per calendar year. For example, if there are ten (10) designated holidays in the year, two (2) floating holidays will be awarded to equal twelve (12) total holidays in that calendar year.

Floating Holidays will be awarded as follows:

- Current staff are awarded all paid floating holidays as of January 1.
- New staff who begin work between September 1 and November 30 will be eligible for **one (1) less** paid floating holiday **than that year's schedule awards.**
- New staff who begin work on or after December 1 will **be eligible for two (2) less floating holidays than that year's schedule awards.**

Under normal circumstances floating holidays will be paid when they are:

- Approved in advance at the discretion of the employee's manager
- Taken as a full work day
- Reported in the timekeeping system

Floating holidays may not carry over into the next calendar year. Floating holidays not taken by December 31 will be forfeited. Floating holidays may not be taken after an employee has submitted a verbal or written resignation notice.

Religious Holidays for Faculty and Staff

Time off without pay may be granted to employees who desire to observe a religious holiday that is not recognized by the University, provided it does not create an undue hardship for the University. Eligible staff may substitute accrued vacation time or floating holiday time in lieu of leave without pay. Staff or managers with questions should contact Human Resources. Faculty members with questions should contact the Provost's office.

Vacation for Staff

Regular staff employees working .50 full-time equivalency (FTE) or greater are eligible for vacation time on a basis proportionate to their FTE, according to their employment classification.

Under normal circumstances, vacation time will be paid when it is:

- approved in advance by the staff member's immediate manager
- recorded in the University's timekeeping system (for both exempt and non-exempt staff)

Full-time Non-exempt (Hourly) Staff Vacation Accrual Schedule

During:	Accrual rate:
1 st and 2 nd years of employment	15 days/year (accrued at 10 hours/month)
3 rd and 4 th years of employment	18 days/year (accrued at 12 hours/month)
5 th year and greater	22 days/year (accrued at 14.67 hours/month)

Full-time Exempt (Salaried) Staff Vacation Accrual Schedule

Accrual rate: 22 days/year (accrued at 14.67 hours/month)

Examples of accrual calculations:

Non-exempt (1st and 2nd year of employment)

- FTE of 1.0 X 10 hours per month = 10 hours of vacation per month
- FTE of .75 X 10 hours per month = 7.5 hours of vacation per month

- FTE of .50 X 10 hours per month = 5 hours of vacation per month

Exempt

- FTE of 1.0 X 14.67 hours per month = 14.67 hours of vacation per month
- FTE of .75 X 14.67 hours per month = 11 hours of vacation per month
- FTE of .50 X 14.67 hours per month = 7.33 hours of vacation per month

Provisions Applying to Staff Vacation

- The maximum vacation accrual balance is 120 hours for a full-time staff member.
- **Vacation maximum balances are prorated according to the staff member's FTE (ie. 120 hours max X .50 FTE = 60 hours vacation accrual max).**
- Once the maximum is reached, no further accrual will be earned until vacation is used and the balance drops below the maximum accrual.
- Vacation pay may be used to supplement pay continuation during short-term disability after accrued sick time has been exhausted.
- If an illness occurs during a staff member's vacation, the time off may be changed to accrued sick time if available, and not be taken from vacation.
- If a holiday falls within an approved vacation period, the holiday will be counted as a holiday rather than as a vacation day.
- Vacation time will not be considered time worked for overtime calculations.
- Vacation may not be taken after an employee has given verbal or written notice of resignation of employment.
- Upon separation of employment, staff members are paid for their unused accrued vacation time up to the maximum accrual balance.

Sick Time for Staff

Regular Staff

Regular staff working equal to, or greater than, a .50 FTE are eligible to earn sick time on a basis proportionate to their FTE. Sick time begins to accrue immediately upon hire, but is not available for use until completion of the 90-day new employee engagement period. The accrual rate is one day (8 hours) per month, prorated to the staff member's FTE, for every month worked or in an active pay status.

Example of accrual calculations:

- FTE of 1.0 X 8 hours per month = 8 hours of sick time per month
- FTE of 1.0 X 120-day accrual maximum = 960 hours sick accrual maximum

- FTE of .75 X 8 hours per month = 6 hours of sick time per month
- FTE of .75 X 120-day accrual maximum = 720 hours sick accrual maximum

- FTE of .50 X 8 hours per month = 4 hours of sick time per month
- FTE of .50 X 120-day accrual maximum = 480 hours sick accrual maximum

Unused sick time will be accumulated to a maximum of 120 days, prorated to the staff member's FTE. When the accrual balance reaches the maximum accrual, no further days will be credited to the balance until the balance is reduced.

Sick Time for Regular Staff's Personal Use

The University recognizes the need for benefit-eligible staff to have paid time away to conduct personal business. As such, benefit-eligible staff may use up to three (3) days (24 hours) of their available sick time for personal time off. Personal time is awarded each calendar year, on a basis proportionate to the staff member's FTE. Such time off could be for reasons, including (but not limited to) banking appointments, school conferences or activities, absences due to car or home repair, and other personal business. Personal time is deducted from the staff's sick time accrual balance. There must be sufficient accrual of sick time before personal time may be used.

Personal time is available for use upon completion of the 90-day new employee engagement period. Personal time does not carry over to the next calendar year. Personal time should not be considered as additional vacation days and is subject to advance approval at the discretion of the manager.

- Personal time used will be subtracted from the staff member's accrued sick time.
- Personal time is not available to individuals with no accrued sick time.
- Sick time taken as personal time is not protected under the Sick and Safe Time Ordinances.
- Personal time may not be taken after a staff member has given verbal or written notice of resignation.
- Employees will not be paid for unused personal time upon separation of employment.

Regular Faculty

Regular faculty are allowed to use sick time when necessary. As exempt professionals, regular faculty members have the discretion to manage their schedules as they see fit. If regular faculty need to be absent from work for any of the reasons set forth in the Minneapolis/St. Paul Sick Leave Ordinances, they may do so. If the absence qualifies for a leave of absence under FMLA, or constitutes any other form of protected leave, please inform HR immediately.

All Other Staff

All other staff, including part-time staff (less than .50 FTE), temporary staff, stipend staff, and student employees are eligible for sick time. The accrual rate is one (1) hour for every thirty (30) hours worked. Employees can accrue up to 48 hours per year, which may be carried over until an 80-hour maximum accrual cap is reached. When the accrual balance reaches the maximum accrual, no further days will be credited to the balance until the balance is reduced. Sick time begins to accrue immediately upon hire, but is available for use following 90-days of employment.

- Employees working at least 80 hours per year in the cities of Minneapolis or St. Paul are generally covered by the corresponding Sick and Safe Time Ordinances.
- The rights of covered employees under the Minneapolis Sick/Safe Leave ordinance include the following: (1) the right to accrue one hour of paid Minneapolis Sick/Safe Leave for every 30 hours worked in Minneapolis, up to a maximum of 48 hours per year; (2) the right to carry over up to 80 hours of accrued but unused Minneapolis Sick/Safe Leave each year; (3) the right to use Minneapolis Sick/Safe Leave for the purposes set forth in the ordinance; (4) the right to file a complaint with the City of Minneapolis – Labor Standards Enforcement Division; and (5) the right to be free from retaliation for using or requesting Sick/Safe time.
- If you have any questions about St. Paul Sick/Safe Leave or any other employee benefits, please contact Human Resources. Additional information is available at http://web.augsburg.edu/hr/Employee_Handbook/sick_and_safe_policy.pdf.

Sick time may be used:

- To attend routine medical, dental, or optical examination or treatment of the employee or a member of the immediate family.
- To care for the employee's own illness, injury or health condition, or to obtain medical diagnosis, treatment, or preventative care for such conditions.

- In the event of illness or injury of a physical or mental nature, including disability resulting from pregnancy or childbirth, which prevents the employee from performing their normal work duties.
 - In case of childbirth, sick time may be used up to eight (8) weeks and would run concurrent to parenting leave or leave under the Family Medical Leave Act.
- To care for an immediate family member with an illness, injury or health condition, or who needs to obtain medical diagnosis, treatment or preventative care for such condition(s).
- While receiving assistance because of domestic abuse, sexual assault, or stalking, or providing such assistance to an immediate family member.
- If a member of the immediate family is afflicted with a contagious disease that requires the care and attendance of the employee, or when through exposure to a contagious disease, the presence of the employee on the job would jeopardize the health of others.
- During the closure of employee's place of business by a public official.
- During the closure of a family member's school or place of care by a public official or due to inclement weather, loss of power, heating, or water, or other unexpected closure.

Provisions Applying to Sick Time:

- Any time a staff member is absent from work, they must inform their manager within thirty minutes of their scheduled start time **each day** of their absence, unless they have agreed on alternative arrangements with the manager.
- **Non-exempt (hourly) staff and student employees** may **use sick time** in increments of a quarter hour or more.
- **Exempt staff should record sick time taken in 4-hour increments or more on their timesheet.**
- Human Resources maintains the official sick time accrual and use records. Absences must be recorded in the University's timekeeping system.
- Sick time will **not** be considered time worked for overtime calculations.
- If an employee is absent due to illness for three (3) or more work days, or if there is reason to believe that sick time is being abused, the manager should notify Human Resources. Human Resources may require the employee to provide a certificate from the health care provider or provide other proof **that the absence was for a qualifying reason.**
- When **an employee takes more than three (3) consecutive days of sick time to**

care for a family member, Human Resources may require a health care provider's certificate to verify the absence was for a qualifying reason. To ensure that ill or injured employees do not return to work before they are able, any employee absent for more than three (3) consecutive days because of an extended illness, injury, or surgery may be required to present a medical release from the health care provider before returning to work.

- Employees will not be paid for unused sick time upon separation of employment.

Civic Engagement and Community Service Time for Staff

Regular full-time and regular part-time staff employees are eligible for two (2) days paid time each calendar year to participate in civic engagement opportunities and/or volunteer with their chosen community or religious organization. Examples of civic engagement might include meeting with elected officials, speaking to the legislature, or attending legislative or judicial sessions. Examples of community service volunteering might include working with Habitat for Humanity, working at a homeless shelter or food shelf, working with the Girl Scouts or Boy Scouts, working with a church-sponsored volunteer project, or serving on the board of a community group. To qualify for paid community service leave, the time spent must be with an organized charity or community group. Civic engagement and community service time should be utilized in increments of two hours or more.

Time off for civic engagement or community service must be approved in advance by the employee's manager and recorded in the University's timekeeping system.

8.0 TIME OFF WORK (LEAVES OF ABSENCE)

ADMINISTRATIVE LEAVE (Personal)

Leave with Pay

A division Vice President may grant, in concurrence with Human Resources, a leave of absence with pay and benefits to a faculty or staff member when such leave is in the best interest of or will benefit the University. Paid leave of absences may not exceed two (2) months (60 calendar days). During an approved leave of absence with pay, an employee will accrue time toward years of service, receive appropriate salary increases, and will continue to accrue vacation and sick leave, if applicable. The employee is expected to maintain ongoing regular communication with and availability to the University during any such paid leaves, including attending meetings at the request of the University.

If the employee is compensated by another entity for working during the leave of absence with pay, the University will not pay more than the difference between the employee's gross earnings and the corresponding earnings paid by the other entity during the leave of absence. Employees who do not return to work for the University at the end of the approved leave of absence will be separated from employment as a resignation.

Faculty should refer to the Faculty Handbook for additional information regarding leaves.

Leave without Pay

A division Vice President may grant, in concurrence with Human Resources, a faculty or staff member a leave of absence without pay for a period of time not to exceed six (6) months. Upon return from leave without pay, the division Vice President may restore the employee to their former position and status or one of equivalent pay and status. Upon return from leave without pay, the employee will be restored to the same leave accrual rates. Time on leave without pay will not apply toward vacation or sick leave accruals, if applicable.

ADMINISTRATIVE LEAVE (Investigatory)

A faculty, staff, or student employee may be placed on administrative investigatory leave to permit the University to review or investigate serious actions that may be in violation of one or more University policies. Examples may including, but are not limited to dishonesty, theft or misappropriation of University funds and/or property, workplace violence or harassment, safety negligence or acts endangering others, insubordination or any other conduct that warrants, removing the employee from the worksite during the investigation.

Procedures

A manager typically will place an employee on investigative leave for a period of up to fifteen (15) business days in order to review or investigate actions that prompted the leave. Investigative leaves in excess of 15 days must be approved by Human Resources. The leave must be confirmed in writing to the employee within two business days of the beginning of the leave.

The notice must:

- Explain the reasons for the investigative leave.
- State the expected dates of the leave (the leave may be extended, if necessary).
- Direct the employee to remain available to participate in investigative interviews.

Human Resources, in consultation with the division Vice President, will conduct or appoint a person to conduct, a prompt and thorough investigation of the allegations or charges, with the exception of harassment and discrimination complaints, which are investigated in accordance with the University's Harassment and Discrimination Prevention policy.

Following the conclusion of the investigation, the employee will be informed in writing of the outcome, including notice of corrective action, if warranted, and pay status of the leave.

BEREAVEMENT LEAVE FOR STAFF

Staff who work .50 FTE or greater are eligible for bereavement leave in the case of the death of an immediate family member. For the purposes of this policy, immediate family includes:

- Spouse or domestic partner, as defined for benefit eligibility
- Legal guardian or de-facto parent

- Parent or parent-in-law
- Child or child-in-law
- Sibling or sibling-in-law
- Grandchild or grandparent, including great-grandchild and great-grandparent
- Aunt/Uncle
- Niece/Nephew

Upon the death of an immediate family member, a staff member may take up to three (3) work days with pay for bereavement. In the event of the death of a child, partner, spouse or parent, a staff member may take up to five (5) work days with pay. Additional time off may be taken using accrued vacation time or leave without pay with manager approval.

The University recognizes that employees may wish to attend the funeral of others outside of immediate family. Managers may allow employees to take unpaid leave or use accrued vacation to attend those funerals.

All staff must accurately record their time-off as “Bereavement” in the timekeeping system.

BONE MARROW DONOR LEAVE

Employees who work .50 FTE or greater are eligible for up to forty (40) hours of paid leave to undergo a medical procedure to donate bone marrow. This leave may be taken on an intermittent basis if necessary. Employees are required to provide verification by a health care provider of the purpose and length of the leave. This leave will not be charged against any other type of paid leave time. Before an employee returns to work, they must present a health care provider’s release to work. The release should state any restrictions such as lifting restrictions or limits on the number of hours that may be worked per day and a date at which restrictions, if any, will be reviewed or lifted.

COURT LEAVE AND JURY DUTY

Whenever an employee is required to report for jury duty or is subpoenaed to testify in court by the U.S. government, State of Minnesota, or other governmental body, the employee is entitled to a leave of absence to serve on the jury or testify in court. Employees called to attend court hearings in connection with their official duties for the University shall consider those hours as work time.

Payroll may require satisfactory written proof that the employee's presence is required for such purpose and pursuant to subpoena or court order. Employees must provide 48 hours advance notice of the leave. If jury duty or witness service does not require a full workday, the employee is expected to return to work for the remainder of the workday. Employees chosen to sit on a jury must inform their manager how long the trial is expected to last **and inform their manager when they expect to return to work following jury duty service.**

Employees who are not benefits-eligible will be granted reasonable **unpaid** time off from work to report for jury duty or to testify in court.

If the employee is benefits-eligible, they will be paid their regular pay, provided the employee pays the amount of their per diem received from the court, minus mileage and parking expenses, to the University Payroll Department. Leave with pay for this purpose is not to exceed ten (10) work days per year. Leave required beyond 10 work days will be unpaid leave, or the employee may use accrued vacation or floating holiday time.

To calculate the amount to be turned over to the Payroll Department:

(Total payment from the court) – (mileage & parking expenses) = Amount employee pays to the University

Procedure for Payment of Court Duty to Augsburg University:

- The employee makes a copy of the court duty check once they receive it.
- The employee cashes the check from the court.
- The employee reimburses the University in cash or by personal check made out to “Augsburg University”. The employee keeps mileage and parking reimbursement.
- The University will pay the employee for the **appropriate** time **away from work.**

Additional questions regarding jury duty leave should be directed to: Payroll 612-330-1030 or Human Resources 612-330-1058.

Victim/Witness Leave

Employees who need time off from work for personal court-related business as a witness, victim, or spouse of a victim will be allowed reasonable time off to attend criminal proceedings related to the victim’s case. Staff will be expected to use unpaid time, accrued vacation or floating holidays for the absence. Information related to victim/witness leave will be confidential.

Employees who need time off work for other court-related business will be allowed reasonable time off to attend proceedings. Staff will be expected to use unpaid time, accrued vacation, or floating holidays for the absence. Information related to court-related absences will be confidential.

DISABILITY LEAVE/ PAY CONTINUATION

Employees on disability leave will be provided continued University group health, dental, vision, life, and long-term disability coverage under the same terms and conditions as other similarly-situated employees. The University will pay the same amount for insurance for the employee on leave as is paid for similarly-situated employees actively at work. During any paid disability leave, the employee's insurance premiums will be automatically deducted through payroll. During unpaid leave, the employee must submit the premium payments to Human Resources by the first of each month.

The following provisions apply to both faculty and staff employees:

- Employees must submit a healthcare provider's statement at the beginning of the leave, indicating the necessity of the leave before payment begins. Augsburg may request it be updated upon expiration or require a second opinion at our expense.
- Absences necessitated by medical conditions related to pregnancy are covered by this policy to the same extent as absences caused by any other medical condition.

Pay Continuation Eligibility

- Pay continuation is only available for the employee's disability. It may not be used to care for ill or injured family members (refer to the FMLA policy for information on ill or injured family members).
- No pay continuation benefits will be paid if the employee's disability is due to a work-related injury or illness as they are covered through Workers' Compensation.
- No pay continuation benefits will be paid under this policy if the illness or injury was sustained in the commission of or in the attempt to commit a felony.
- Eligibility for pay continuation ends when return to work is approved by a health care provider.
 - Before an employee returns to work, they must present a health care

provider's release to work stating any restrictions, such as lifting restrictions or limits on the hours that may be worked per day, and the duration of the restrictions.

Family Medical Leave Act

- Disability leaves may qualify under the Family Medical Leave Act, (please see Family Medical Leave policy).
- After an employee has exhausted their twelve (12) weeks of FMLA leave, the University may fill the employee's position, based on the needs of the University.
- If an employee does not return after twelve (12) weeks of FMLA leave, and the employee's position has been filled, the employee may apply for vacant positions as they are posted when the employee is able to return to work. Reinstatement is not guaranteed in this situation.

Long Term Disability

- Eligible employees at .750 FTE or higher may apply for long-term disability (LTD) benefits after 6 months (26 weeks/180 days) of disability through the University's LTD insurance carrier.
- Human Resources will work with the employee to initiate a LTD application.
- The employee will be responsible for completing the application and for obtaining the health care provider documentation.
- The LTD insurance carrier will determine whether the claim is accepted or denied.

Faculty

Benefits-eligible faculty who are unable to work may qualify for short-term pay continuation of their existing contract through the Provost's Office, in keeping with the Faculty Handbook. **If they are unable to work for medical reasons**, employees should work with their Chair/Program Director and the Dean to discuss their options. Documentation of the need for leave from a healthcare provider must be submitted to Human Resources. Disability leave for faculty members is counted against the employee's 12-week FMLA entitlement, in keeping with the Faculty Handbook.

Staff

Staff members who are employed at 0.75 FTE or greater and who have successfully completed the 90-day new employee engagement period are eligible for the short-term disability plan. Documentation of the need for leave from a health care provider must be

submitted to Human Resources. Disability leave for staff members is counted against the employee's 12-week FMLA entitlement.

Pay continuation benefits begin after a seven (7) calendar-day waiting period, commencing on the day of the illness or injury, with benefits beginning the first working day on or following the 8th calendar day. If no accrued sick leave is available during this waiting period, staff members must substitute other accrued leave. When accrued paid leave is insufficient to cover the waiting period, the remainder of the waiting period is unpaid.

The waiting period and pay continuation benefits combined extend for a maximum of twenty-six (26) weeks in any 12-month period. Pay continuation benefits will be paid on the regular payroll cycle. If all requirements are met, pay continuation under the plan will occur according to the following schedule:

Weeks	Augsburg pays	Staff will . . .
1	0 (waiting period)	Use sick time or other accrued leave to fund
2-12	66% of base pay (rounded to quarter-hour)	Use accrued sick or vacation leave to supplement
13-26	66% of base pay (rounded to quarter-hour)	No use of accrued leave to supplement pay is allowed
27 +	0	Apply for long-term disability, if eligible

A staff member may also use this plan if they are able to return to work part-time. In that case, the staff member receives pay according to the pay continuation pay schedule for the hours of time away from work due to disability. Staff who return to work part-time under the short-term disability plan may use leave time to supplement their pay beyond week 12 of the plan.

Accruals and Time-Off Use

- Vacation and sick time for staff members will not accrue for any pay period during which the employee has no work hours or paid leave.

- Vacation and sick time for staff members will not accrue for any pay period during which the employee has disability pay continuation for the entire pay period.
- The time on leave will be counted toward service years for calculation of benefits, upon return to work.
- University holidays which occur during a period of disability will be counted as short-term disability and will be paid at the percentage indicated on the schedule.

Reoccurrences and New Diagnoses

- A reoccurrence of the same medical condition within 30 days of return to work will be considered the same event for purposes of pay continuation. Pay continuation will start at the point in the schedule as it was when the employee returned to work.
- A reoccurrence of a medical condition after the employee has been back to work for 30 days will constitute a new event and the waiting period and schedule will start over.
- A new medical condition diagnosed while a staff member is already on short-term disability will not constitute a new event, and will not trigger a new waiting period or restart the benefit schedule.
- After an employee returns to work, a new medical condition will restart the waiting period and benefit schedule, regardless of how much time has passed.
- Combined waiting period and pay continuation benefits will be paid for a maximum of 26 weeks in any 12-month period.

Expiration of Disability Leave

The employee will have the option to continue certain insurance plans for a minimum of up to eighteen (18) months at their own expense, subject to the insurance policy restrictions and COBRA requirements. Continuation of coverage due to a disability may extend beyond 18 months.

FAMILY AND MEDICAL LEAVE FOR STAFF AND FACULTY

The federal Family and Medical Leave Act (FMLA) attempts to balance an employee's need for time off for family and medical reasons and the employer's need for a stable work force. The FMLA provides eligible employees up to twelve (12) work weeks of **unpaid**, job-protected leave during a twelve (12) month period for qualifying reasons. The twelve (12) month period is measured forward from the date an employee **first** uses FMLA leave.

If a faculty or staff member is absent due to illness or injury for three (3) or more days, the manager will notify Human Resources immediately so the appropriate FMLA notification can be sent to the employee. If a faculty or staff member anticipates the need for leave for their own serious health condition or that of an immediate family member, the employee should contact Human Resources to discuss leave under the Family and Medical Leave Act.

Augsburg University recognizes that an employee may need to be absent from work for an extended period of time due to the birth, adoption, or foster care placement of a child; or due to the serious illness of one's self, child, spouse, partner, or parent. In compliance with the federal Family and Medical Leave Act (FMLA) and the Minnesota Parental Leave Act, the University has implemented this policy. **This policy applies to both staff and faculty employees of the University.**

Eligible Employee

This policy applies to employees who have worked a minimum of twelve (12) months for the University and have worked a minimum of 1,040 hours in the preceding twelve (12) months.

Use of Paid Time

Augsburg University requires the use of accrued paid leave (sick leave, vacation leave, and floating holiday) for staff members before unpaid leave is taken. Faculty members do not accrue paid leave.

Definitions

1. **Child** is a dependent under age 18 unless incapable of self-care because of a physical or mental disability.
2. **Twelve-month period** is the next following twelve (12) consecutive months commencing on the first day of the employee's first occasion of FMLA leave.
3. **Key employee** is an employee whose restoration to work following leave would cause substantial and grievous economic injury to the University .
4. **Non-birth parent** is an employee who is either the natural parent or the same-sex domestic partner of the birth parent.

Reasons for Taking Leave

Leave will be granted/designated as FMLA leave when taken for any of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care
- To care for the employee's spouse, child, or parent, who has a serious health condition
- For an employee's own serious health condition that makes the employee unable to perform their job.

Pregnancy

Pre-natal appointments qualify as a serious health condition under the Family Medical Leave Act (FMLA). Eligible employees may use FMLA leave for pre-natal appointments.

Employee Responsibilities

1. Notify the University of a FMLA leave request. Staff members should notify their manager and Human Resources. Faculty members should notify their Department Chair and their Dean. Employees must provide the University with a 30-day notice when requesting a leave. In the case of an unforeseen circumstance, the University expects as much notice as is practicable.
2. Submit health certifications documenting the need for FMLA-qualifying leave to Human Resources within fifteen (15) calendar days. Human Resources will maintain the health certifications in confidential files, separate from the employee personnel files.
3. Staff members must record the hours absent for reasons covered by this policy on their time records. If using accrued leave, indicate that these hours count towards FMLA.
4. Eligibility will cease if:
 - The employee fails to return to work when the return is approved by a health care provider.
 - The employee fails to notify their manager of continued status, according to a pre-arranged schedule.
 - The employee does not submit a health care provider's statement to the University.

GENERAL PROVISIONS OF FMLA

Birth, Adoption, or Foster Care Placement of a Child

1. Options for Paid Leave:

- **For adoptive or foster parent:** if available, vacation time, personal time, and floating holidays must be used to reduce unpaid leave taken.
- **For birth mother:** short-term disability and sick leave, if available, must be used while the mother is disabled due to the delivery of the child. Accrued vacation time, personal time, and/or floating holidays, if available, must be used to reduce unpaid leave after the mother is no longer eligible for sick leave or short-term disability.
- **For non-birth parent:** sick time may be used, in accordance with the sick leave policy, while the non-birth parent is needed to care for a member of the immediate family in the event of the family member's illness or injury. For example, an uncomplicated birth would allow two weeks of sick time. When eligibility for sick leave ceases, or when no sick time is available, then vacation time, personal time, and/or floating holidays, if available, must be used to reduce unpaid leave.

2. The employee's entitlement to exhaust leave expires at the end of the 12-month period beginning on the date of birth, or date of adoption or placement of the child.

Serious Health Condition of Employee, Spouse, Parent, or Child

1. Options for paid leave:

- **For employee's illness or injury:** short-term disability and sick leave, if available, must be used to reduce unpaid leave. Accrued vacation time, personal time, and/or floating holidays, if available, must be substituted to reduce unpaid leave after the staff member is no longer eligible for sick leave or short-term disability.
- **For a family member's illness:** sick leave (in keeping with the sick leave policy), vacation time, and/or floating holidays, if available, must be used to reduce the unpaid leave.

2. The time may be taken in twelve (12) consecutive weeks, or if medically necessary, it may be taken intermittently or as a reduced schedule.

- The employee and manager need to agree on a work schedule prior to an intermittent leave.

- If the time is taken intermittently or as a reduced schedule, the University has the right to reassign the employee to another position on a temporary basis. If reassignment occurs, the employee will retain the same salary and benefits.
 - Part time employees will receive 12 weeks of intermittent leave based on their "standard work week," which is computed by averaging the hours of the 12 weeks preceding their leave.
3. The University reserves the right to require a medical certification from the health care provider. If the certification is for the employee's illness, the certification must state "the employee is unable to perform their job duties." If the certification is for the serious illness of a spouse, parent, or child, the certification must contain a statement that the employee is needed to provide the care, along with an estimated time frame for which care will be given.

The employee must provide the certification within fifteen (15) calendar days, and, in addition to the above, it must contain:

- The date on which the serious illness began
 - Its probable duration
 - Appropriate medical facts regarding the condition
4. The University will require a periodic status report from the patient's provider. These status reports must be submitted to Human Resources before or upon the expiration of the previous notice.
5. When necessary, the University reserves the right to require a second opinion. In this case, the employee must be seen by a health care provider designated by the University. The cost of securing the second opinion is the responsibility of the University. In the event the second opinion results in conflicting information from the first, the employee will be seen by a mutually agreed upon health care provider at the University's expense. The third opinion is final.

Employee Benefits While on Leave

1. The University will continue to provide health and dental coverage under the same terms and conditions in place prior to the leave.
- During any **paid** time of the leave, the employee's insurance premium amount will be deducted through payroll.

- During any **unpaid** period of leave, the employee must submit their insurance premium payments to Human Resources by the first of each month.
2. The employee may waive health and dental coverage during leave, provided the waiver is made in writing within 14 days of the commencement of the leave.
 3. The University will continue the employee's life insurance and long-term disability coverage at its expense during the period of this leave.
 4. The employee will retain their seniority status with the University for determining eligibility for other benefits, such as the University retirement plan and vacation accrual.
 5. Vacation and sick leave will not accrue for any pay period during which the staff member has no work hours or paid leave.
 6. Vacation and sick time for staff members will not accrue for any pay period during which an employee has short-term disability pay continuation for the entire pay period.
 7. All short-term or long-term disability time, or accrued vacation, sick, personal, floating holiday used for purposes that qualify for a leave under FMLA is counted as leave under FMLA. **Use of paid benefit time will not extend an employee's eligibility for FMLA; paid benefit time will run concurrently with FMLA leave.**

Return to Work

1. The employee is required to provide a minimum of two (2) days' notice of their intent to return to work after a leave of more than one month.
2. If the employee has missed more than one (1) full workweek for their own serious health condition, the employee must provide a release from the healthcare provider prior to returning to work. If the medical certification forms provided indicated a return to work date and the employee is returning on that date, no additional certifications are required.
3. The employee will be restored to their regular position if the employee returns before or at the end of a leave that is equal in time to twelve (12) weeks. If the employee is unable to return to work after the exhaustion of FMLA leave, the University may or may not fill the position, based on the needs of the University.
4. If, for any reason the employee's regular position is no longer available, the employee will be assigned to an equivalent position. An equivalent position is defined as a position with the same salary, hours, and benefits as the employee's regular position.
5. The University reserves the right to deny a key employee restoration to their position, when the restoration causes a "substantial and grievous economic injury to the University's business". The University will provide advance notice to a key employee if restoration cannot be granted.

6. If the employee fails to return to work, or returns to work for less than thirty (30) days before resigning, the employee **may** be responsible for reimbursing the University for its portion of the premiums paid for health care during the employee's leave.

Military Family Leave

This policy applies to employees who have worked a minimum of twelve (12) months for the University and have worked a minimum of 1,040 hours in the preceding twelve (12) months. The University provides qualifying employees certain leave rights related to military service:

1. **Qualifying Reason for Leave.** Eligible employees are entitled to up to 12 weeks of leave because of a qualifying exigency due to the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.
2. **Leave Entitlement.** An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to twenty-six (26) weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of twenty-six (26) weeks of all types of FMLA leave. However, an employee may not take more than 12 work weeks of leave for any other FMLA-qualifying reason during this period.

Workers' Compensation

At Augsburg University, FMLA leave and Workers' Compensation leave run concurrently. As such, an employee who is off work on Workers' Compensation leave will also have that time designated as FMLA leave, which will count against FMLA entitlement. For more information regarding Workers' Compensation, please see Section 9.0 under Workers' Compensation.

MILITARY LEAVE

Employees who leave Augsburg University for the purpose of performing military service or undergoing military training for a branch of the Armed Forces of the United States, for a period of up to five years, will be granted an unpaid military leave of absence. These employees may retain their rights with respect to reinstatement and length of service, as protected by the Uniformed Services Employment and

Reemployment Rights Act (USERRA). Employment restoration is subject to proper re-employment application and other eligibility criteria established by State and Federal statutes.

Appropriate (paid/unpaid) leave may be provided for reservists and members of the National Guard to participate in annual encampment or active duty training, emergency service or specialized training if all legal requirements are met. If these activities are compensated by the federal government, Augsburg may pay the difference between your regular straight-time wages and the government's compensation, typically for a two week period of time. Paid military leaves, or military leaves supplemented with University pay, may be extended up to a maximum of 30 days. Employees who are not employed on a full-time basis will receive appropriate unpaid time off.

Procedure

1. **Notifying the University of the intent to serve:** An employee who has received written or verbal military orders should notify the direct supervisor immediately. Copies of the orders (when available) should be given to the Human Resources Department.

If the military leave of absence is to extend beyond 30 days, the University will require copies of the military orders to establish the employee's basic eligibility for protection under USERRA (Uniformed Services Employment and Re-employment Rights Act).

2. **Eligibility for Employment Restoration:** A veteran or reservist shall be required to meet the following criteria to be eligible for full employment restoration with the University.
 - A. **Reason for Leave:** The employee left their position with the University for the purpose of performing military service, undergoing military-related training or to be examined for such service or training.
 - B. **Active Duty Served:** There is a 5-year cumulative service limit on the amount of voluntary/involuntary military leave an employee can use and still retain re-employment rights. This 5-year total does not include: inactive duty training (drills); annual training; involuntary recalls to or retention on active duty; voluntary or involuntary active duty in support of war, national emergency, or certain operational missions; or additional training

requirements determined and certified in writing by the Service Secretary and considered to be necessary for professional development or for completion of skill training or retraining.

- C. **Discharge from Active Duty:** The employee satisfactorily completed active duty service and their release/discharge was "honorable", "general" or "under honorable conditions."
- D. **Request for Re-employment:** The employee should contact the University and request re-employment as soon as possible. Time limits for returning to work depend on the duration of the orders. The rules are as follows:
- Service of 1 to 30 days: the beginning of the next regular scheduled work period on the first full day following completion of service and expiration of an 8 hour rest period following safe transportation home.
 - Service of 31 to 180 days: application for reinstatement must be submitted not later than 14 days after completion of military duty.
 - Service of 181 or more days: application for reinstatement must be submitted not later than 90 days after completion of military duty.
 - (Extension for up to 2 years may be applicable to employees who are convalescing due to a disability incurred or aggravated during military service.)

3. Benefits:

- A. **Medical and Dental Coverage:** For absences of less than 30 days, medical and dental benefits continue as if the employee has not been absent. For absences of 31 days or more, coverage stops unless the employee elects to pay for COBRA coverage. Health insurance will be reinstated on the day the employee is reinstated to work with no waiting period.
- B. **Vacation/Sick Leave Accrual:** No vacation or sick leave will accrue while the staff member is on military leave. Any accrued vacation leave on record will be paid out to the staff member if their leave is to extend beyond 30 days.
- C. **Employment Status:** Employee will be given the same employment/seniority status with regards to length of service for the purposes of leave accrual and eligibility to participate in the Augsburg University Defined Contribution pension plan.

- D. Pension: The employee is allowed to contribute into the Defined Contribution plan any amount that would have been contributed had the employee not been absent due to a military leave of absence.

MILITARY LEAVE FOR FAMILY MEMBERS

If you are an immediate family member of military personnel who are injured or killed while engaged in active service, you will be provided unpaid leave of up to 10 days. Immediate family members include parents, children, grandparents, siblings or spouse. You should provide as much notice as is practicable. You may request paid leave; however, the unpaid leave may be reduced by any paid leave the employee uses.

You may request unpaid leave to attend the send-off or homecoming ceremony for an immediate family member who is mobilized to active military service in support of a war or other national emergency unless the leave would unduly disrupt the operations of the University. Augsburg may need to limit the amount of leave to the actual time necessary to attend the ceremony to a maximum of one day's duration in a calendar year. Immediate family members for this leave are parents, legal guardians, children, grandparents, siblings, spouse, fiancée, or grandchildren.

VOTING TIME

Employees who are eligible to vote in an election are permitted paid time off on Election Day for the time it takes them to appear at their polling place, cast a ballot, and return to work, usually not to exceed two hours.

9.0 SAFETY AND SECURITY

Augsburg University is committed to providing a safe, healthy and productive work environment for all employees. Employees are expected to follow the safety and health policies and guidelines established by the University, and as required by federal, state and local laws.

EMERGENCIES

Reporting an Emergency

Augsburg's Department of Public Safety (DPS) is staffed 24 hours per day, year-round. In the event of an on-campus emergency, employees should immediately contact the Augsburg Department of Public Safety (DPS) using any of the following methods:

Phone

- Dial x1717 from any campus phone.
- Dial 612-330-1717 from a non-campus phone.

911Shield Safety App

- Press the "emergency" button on the app from within the Minneapolis Campus boundaries to speak directly to a DPS dispatcher.
- Use the "iReport" feature to contact a DPS dispatcher to text a message, photos or other information.
- The "iReport" feature can be used in circumstances where it may be unsafe to verbally communicate, or if an individual is unable to speak.

DPS will dispatch emergency responders, including an Augsburg security officer and outside emergency response agencies to the exact incident location. The security officer will provide first response and assist responding emergency services.

Please do NOT call 911 directly for an on-campus emergency, as the 911 emergency dispatchers will only see the main campus address. This can lead to confusion and delays in getting emergency assistance to the correct location.

Campus Emergency Procedures

DPS maintains a comprehensive website (www.augsburg.edu/dps) that contains information pertaining to the campus emergency procedures. All employees should proactively access the website and understand emergency procedures in order to know what to do in case of an emergency. Information on the website is provided to protect

lives and property, and ensure the continuity of essential campus services.

The DPS website provides information on Augsburg's mass notification system (e2Campus), 911safety app (available for free download), and what to do in the event of various emergencies that could arise at Augsburg University including:

- Sexual assault
- Fire and evacuation
- Severe weather
- Natural disaster
- Criminal activity

Additional information is located on the DPS website at www.augsburg.edu/dps.

NON-EMERGENCY SERVICES AND INFORMATION

The Department of Public Safety (DPS) also provides non-emergency services and information 24 hours a day, year-round, by dialing x1717 from a campus phone, or 612-330-1717 from a non-campus phone, and on the DPS website.

Non-emergency situations are defined as not posing an immediate risk to life or property and include:

- Escort Services: on-campus and up to two blocks off-campus; additional information at www.augsburg.edu/dps
- Motorist assistance with jump starts
- Information on crime prevention
- Scheduling crime prevention seminars
- Key/lock/fob services

EMERGENCY CLOSURE/SUSPENSION OF UNIVERSITY OPERATIONS

Under extreme weather conditions, hazardous travel conditions, or other emergencies, the President or Provost may suspend normal Minneapolis campus operations. However, as Augsburg University is a residential school, some services must be provided at all times. Emergency closure at Augsburg sites outside of the Minneapolis area will be determined in consultation with appropriate location managers.

When normal campus operations are suspended, certain "essential services" will be

maintained and are defined as those required to meet the needs of Augsburg's residential community, and include public safety, residence life, library, food service, grounds, and some maintenance and custodial services. Due to suspended operations, not all scheduled employees in essential services departments may be needed that day. Staff members in essential service positions who are required to report to work will receive time and one-half pay for the hours worked on that day. Employees with questions should contact their manager to verify if they should report to work.

When normal campus operations are suspended, staff members in non-essential positions, or those who are told not to report to work, will be paid for their regularly scheduled hours. Staff members with previously scheduled time off, or who were not scheduled to work that day will not receive pay.

Employee Notification

Notification to employees will be provided as follows:

- An alert will be sent out through Augsburg's mass notification system, E2Campus. You can enroll for this free service on the Inside Augsburg webpage by clicking on 'Emergency Notification' in the menu bar on the left side of the page.
- WCCO (830 AM) radio will announce campus operations have been suspended.
- The University website (www.augsburg.edu) will include an announcement.
- The University's social media sites will post updates through Facebook and Twitter.
- The main campus line (612-330-1000) will have a message of the status of campus operations.

Please do not call Public Safety as their lines must remain open for emergencies.

INCLEMENT WEATHER

During periods of inclement weather when normal campus operations are **not** suspended by the President or Provost, employees are expected to be at work during their regularly scheduled hours. Staff or student employees who arrive late or are absent must notify their manager prior to their scheduled work time.

If staff or student employees are unable to safely travel to work due to inclement weather and normal campus operations have **not** been suspended, they must make up

the lost work time during the same work week, or use accrued vacation or floating holiday time. Staff or student employees who leave early due to weather conditions must obtain the prior approval from their manager and make up any work hours missed during that work week, or use accrued vacation or floating holiday time.

Augsburg University affirms that employee safety when traveling to and from work is of utmost importance. Employees who feel their personal safety may be at risk during times of inclement weather should use their best judgement when determining whether to report for work. Employees must inform their manager as soon as possible if they will be absent due to inclement weather.

KEY, FOB AND ACCESS CONTROL

The proper use of key and fob access to campus facilities is critical to the security of campus members and protection of University property. The Department of Public Safety (DPS) manages all campus keys and fobs issued to employees.

- To request a key or fob, the Key Request Agreement must be completed and submitted to DPS online through Inside Augsburg. An authorized key/fob holder has responsibility for all property and/or records secured by the keys/fobs issued to them.
- The key holder may not duplicate key(s).
- The key/fob holder may not transfer them to another user.
- Lost keys/fobs must be immediately reported to DPS.
- Upon termination of employment or transfer to another university location, the employee's manager will return any keys/fobs to DPS.
- Human Resources will notify DPS of all employee departures for fob or access deactivation.
- The cost for lost or unreturned keys/fobs, and/or re-keying will be assessed to the employee's department.

VIOLENCE-FREE WORKPLACE

Augsburg University is committed to providing a safe and healthy workplace. This policy applies to all faculty, staff, students, volunteers, and visitors. Workplace violence includes, but is not limited to physical attack, assault, intimidation, threats, bullying, or

intentional property damage. **It can occur at or outside of the workplace.** Any act of violence by an employee against another employee, student, volunteer, or visitor is subject to corrective action, up to and including immediate termination.

Any employee who experiences or observes an act that may constitute workplace violence is required to immediately report it to Human Resources and the Department of Public Safety (DPS).

Any employee who fears for their safety and/or the safety of others at the University due to domestic abuse should notify their manager and DPS. Any individual who feels they are in immediate danger should call DPS at x1717 immediately.

WEAPON-FREE WORKPLACE

Augsburg University is committed to maintaining a workplace that is free of violence. This obligation includes eliminating recognized hazards that contribute to violence or serious harm. This policy applies to faculty, staff, students, volunteers, and visitors.

The carrying or possession of any type of perilous weapon or firearm on the premises of Augsburg University is strictly prohibited. Perilous weapons include, but are not limited to, firearms, explosives, knives, and other weapons that might be considered dangerous or could cause harm. This prohibition includes persons with legal permits to carry concealed firearms under Minnesota law. Peace officers or armored security personnel may carry weapons or firearms on the premises while on-duty.

For purposes of this policy, the premises of Augsburg are defined as any property, building, or portion of a building or property that Augsburg owns or occupies, on a temporary or permanent basis, and any off-site premises where the University is conducting any activity sponsored by Augsburg University. Unlawful carry or possession of firearms in a parking facility or parking area is prohibited.

Violators will be required to leave the premises immediately. Faculty, staff, or student employees will be subject to corrective action up to and including immediate termination.

Exceptions to this policy must be requested in writing, in advance of entering the University premises, and may only be approved by the University President or Provost.

USE OF TOBACCO

Smoking, (including e-cigarettes/vaping) and chewing tobacco is only permitted outdoors and in designated smoking areas. All employees are responsible for following this policy. All University facilities and vehicles are tobacco-free. Employees may smoke during scheduled breaks in designated smoking areas only. Littering of tobacco-related products on the grounds or in parking lots is also prohibited. Violations should be reported to DPS, your supervisor, or Human Resources. This policy applies to all faculty, staff, students and visitors.

CHILDREN IN THE WORKPLACE

While Augsburg University is sensitive to the needs of working parents, the campus facilities are not designed to accommodate the safety or unique needs of children. Augsburg University recognizes that due to emergency situations or other unforeseen events, employees may occasionally need to bring children to campus for short periods of time. This policy applies to all faculty, staff, temporary, and student employees.

To avoid possible disruptions to the work environment, the following policies apply to children visiting our campus:

- The immediate manager must give prior approval for an employee to bring a child or children to the workplace.
- It is clear to the immediate manager that distractions for the parent/guardian and others are minimal.
- All children must be directly supervised by a parent or adult guardian at all times, and may not be left alone and/or unsupervised in campus buildings or on the campus grounds. Co-workers should not be expected to provide child care.
- Augsburg University employees may not routinely bring children to campus as a part of that child's regularly scheduled supervision and care. Regular arrangements for child care must be maintained off-campus.
- Children may not enter potentially hazardous areas such as the maintenance workshop, areas where chemicals or cleaning supplies are stored, or construction areas.

Exceptions

There may be special occasions in which employees' children may be invited to campus. Employees will be notified of these events as they occur.

Note: The University is not responsible for actions of children on campus; the parents/guardians assume all liability.

PETS ON CAMPUS

While the University appreciates the special nature of the owner-pet relationship, the University is a workplace and residential community. The University recognizes that animals have the potential to impose on the safety, health, and comfort of University employees and residents, as well as the physical condition of the campus. This policy applies to all faculty, staff, student employees, volunteers and visitors.

Animals are prohibited in offices, classrooms, hallways, and all other areas in any academic or administrative building with the exceptions outlined within this policy. Employees may not bring pets to work.

As Augsburg is also a residential community, domesticated pets approved for on-campus housing are permitted outside on campus grounds when leashed and properly attended to at all times. The University reserves the right to require the pet owner or guardian to present documentation from a veterinarian that the pet is in good health, has appropriate shots, and is in compliance with all applicable state and local health laws, especially in the case of a medical emergency related to the animal, such as an animal bite.

Exceptions

The following exceptions apply to the University pet policy:

Service Animals

Service animals are permitted on University-controlled property and in University buildings for the individual they accompany. A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including sensory, psychiatric, intellectual, or other mental disability. Service animals may enter any building or classroom with the person they accompany. The individual with the service animal assumes all responsibility for the actions of the animal. Animal waste must be picked up and disposed of properly.

Research and Teaching Animals

Animals that are officially part of the University's teaching, research, or clinical programs.

Campus Ministry's Annual Blessing of Pets

Pets are permitted on campus for this annual event through Campus Ministry. Guidelines will be provided at the time the event is announced.

Reporting an Issue

To report an issue with an animal on campus, such as an unattended animal, contact DPS at x1717 from a campus phone, or 612-330-1717 from a non-campus phone.

Failure to Comply

Employees who fail to comply with this policy may be asked to leave the campus with their pet, and may be subject to corrective action.

OPEN FLAME POLICY

In order to promote the safety and well-being of students, staff, and faculty, Augsburg University does not permit the use of open flames in office areas or residence halls. Items considered to use open flames include the burning of candles, incense, fueled lamps, etc. Generally, this includes anything utilizing a wick, flame, or consuming flammable substances. This policy was adopted in recognition of the dangers associated with open flames and in response to previous residence hall fires at Augsburg. This policy applies to all faculty, staff, student employees and visitors.

Exceptions

- For religious or cultural observances, lit candles, incense, etc. are allowed in campus chapels and other spaces, provided permission is obtained (from Event Services, Residence Life, or Facilities Management) and with the expectation of constant vigilance.
- Lit candles may be used in dining areas, provided that permission is obtained from Event Services and with the expectation of constant vigilance.
- Candles are permitted in office areas and residence halls provided they are never lit (e.g., used as decorative or aromatic items). Candles must show no evidence of having been burned (e.g., charred wicks, melting, etc.).
- Open flames are permitted in the academic environment with the expectation that students and faculty will exercise constant vigilance (laboratories, studios, workshops).
- Open flames are also permitted as a necessary part of assigned work (e.g., food service, building maintenance).

FITNESS FOR DUTY

Augsburg University is committed to providing a safe work environment for the benefit of all members of the University community. Employees are expected to safely and competently perform their essential job functions, and discuss with their manager any circumstances that may impact their ability to do so. If an employee is having observable difficulty performing work duties in a safe manner, or is posing an imminent and serious safety threat to self, others, and/or property, the University may require a fitness-for-duty evaluation of the employee's physical or mental capabilities to determine their ability to perform essential job functions, with or without reasonable accommodations. The evaluation is conducted by an independent, licensed health care professional and performed only after review by Human Resources.

The fitness-for-duty evaluation will not be conducted for purposes of diagnosis or treatment, but rather for purposes of determining an employee's ability to perform the essential functions of the job.

Human Resources is responsible for the following actions related to fitness for duty:

- Review the circumstances that led to the referral for an evaluation.
- Determine whether or not a fitness-for-duty evaluation is necessary.
- Select the health care professional who will perform the evaluation.
- Notify the employee in writing if an evaluation is deemed necessary.
- Provide the healthcare provider with the essential functions of the position.
- Review the results and determine what, if any, action is required.

To the extent possible, the University will protect the confidentiality of the evaluation and results.

Fitness-For-Duty Process

If, by observation of an employee's behavior or performance, or by receipt of reliable information, the University has reason to believe that an employee may lack the ability to perform the essential functions of their position due to a physical or mental condition, the following steps will be taken:

1. The manager or designee will provide Human Resources with detailed information regarding the reason for and circumstances leading up to the fitness-for-duty referral, the basis for concern regarding the employee's inability to perform essential functions effectively, and any attempts at resolving the matter.

2. Human Resources will review the information provided in the referral, along with a current job description of the employee's position. If it is determined that a fitness-for-duty evaluation is necessary, Human Resources will notify the employee in writing.
3. Human Resources will determine the independent, licensed health care professional who will perform the evaluation, and will schedule the evaluation at the earliest opportunity. All costs of the services performed by the health care professional as part of the evaluation will be paid for by the University.
4. Failure on the employee's part to comply with the scheduled fitness-for-duty evaluation may constitute insubordination and be cause for corrective action, up to and including termination.
5. If Human Resources deems it necessary, the employee may be placed on temporary, paid administrative leave until the evaluation is complete.
6. The University may obtain from the health care provider a description of the functional limitations of the employee that may limit the employee's ability to perform the essential functions of their job.
7. The results of the evaluation will be treated as confidential, kept in a separate file within Human Resources, and the minimum necessary information will be shared only with those who need to know for legitimate business purposes.
8. If it is determined that the employee is not able to perform the essential functions of their position, Human Resources will engage in an interactive process to determine if there is a reasonable accommodation that will allow the employee to continue working. If an appropriate accommodation cannot be made other options will be identified and communicated to the employee.
9. If it appears that any functional limitations on the employee's ability to perform the essential functions of the position are the result of a work-related injury, the matter will be referred to workers' compensation.

Evaluation and Results

The evaluator will provide a written report containing only the following information:

- A conclusion regarding the determination of fitness for duty.
- A description of the nature and extent of any functional limitations on the employee's ability to perform the job.
- A description of the expected duration of each such functional limitation.
- An opinion as to whether or not the functional limitation may be the result of a work-related injury as related by the employee; further medical examination or investigation may be necessary to determine if the functional limitation arises out of, or has been caused by, the employee's occupation.

The division Vice President and Human Resources will make a decision regarding the employee's status, including but not limited to the employee's return to duty or the removal of the employee from any duties pending treatment and re-evaluation, depending upon the results of the evaluation and recommendation of the evaluator.

All actions taken in carrying out this policy will comply with state and federal laws, as well as University policies and procedures.

MOTOR VEHICLE SAFETY

The purpose of this policy is to **lessen the possibility** of bodily injury and property damage to faculty, staff, students, or third-parties as a result of operating motorized vehicles. This policy applies to any Augsburg University vehicle used for University or personal business, as well as rented, leased, or owned personal vehicles operated for authorized Augsburg University business. This policy applies to all faculty, staff, students, and volunteers.

Driver Requirements

To be authorized to operate any vehicle for Augsburg University, a driver must meet the following minimum qualifications:

- Be 18 years old or older.
- Have had a valid driver's license for two (2) or more years.
- The driver's license may not be probationary or court-restricted.
- Pass an initial and annual driving record review, which cannot have included in the past three years:
 - Reckless driving
 - Leaving the scene of an accident
 - Driving while impaired
 - Hit and run
 - Vehicular homicide/assault
 - Eluding or attempting to elude a police officer
 - Participating in an unlawful speed contest

To be authorized to operate a 12-passenger van for Augsburg University, a driver must be 21 years old or older. Students 21 years of age or older may operate a 12-passenger van if they meet all of the following qualifications:

- **Are a current student employee of Augsburg University.**
- **Have successfully completed a background check.**
- **Have successfully completed an online driver's training within the past year; training fees will be paid for by the University.**

Driver Responsibilities

- Carry a valid driver's license, proof of insurance and vehicle registration.
 - Note: Proof of insurance is located in the glove box of all University-owned vehicles and can be obtained prior to leasing any vehicle domestically.
- Wear a seat belt at all times.
- Operate the vehicle in a safe manner, observing all traffic rules and regulations.
- Do not exceed the posted speed limit and decrease speed when dictated by conditions such as weather or road construction.
- Ensure all passengers wear seat belts and follow policy requirements.
- Delay your trip if possible when hazardous weather conditions exist.
- Watch for pedestrians and give right of way.
- Do not drive when tired/fatigued or under the influence of drugs or alcohol.
- Do not operate a cell phone or other two-way communication device while the vehicle is in motion.
- When possible, have at least two drivers per vehicle on any trip longer than five hours or 250 miles with drivers rotating on a regular basis to ensure safety.
 - Have a front seat passenger who will remain awake and monitor the driver.
- Do not eat while operating the vehicle.
- If using a personal vehicle, ensure regular vehicle maintenance.
- If using a University-owned or leased vehicle, report any vehicle maintenance needs or safety problems to Facilities Management immediately.

Reporting Responsibilities

Reporting an Accident

- Report all accidents to local law enforcement immediately.
- Report all accidents to your manager and Human Resources by 9:00 AM (CST) the next business day.
- If involved in an accident while operating a University-owned vehicle, you must report the accident to Facilities Management within 24 hours.
- Include information on all passengers.

License Suspension or Revocation

- If your driver's license is suspended or revoked, you must notify your manager by 9:00 AM the following business day.
- If you drive a University-owned or leased vehicle, you must notify Facilities Management by 9:00 AM on the following business day.
- You may not drive to conduct any University business while licensure is suspended or revoked.

Parking Citations/Moving Violations

- If operating a University-owned vehicle, you must notify your manager and Facilities Management by 9:00 AM CST the following business day.
- Drivers are personally responsible for payment of all parking citations and moving violations.

Failure to follow Augsburg the University motor vehicle policy, including proper notification to appropriate parties, and payment of all citations and violations, may result in corrective action, up to and including termination.

TRANSPORTATION AND PARKING

Augsburg is committed to supporting a wide range of transportation options to help employees utilize the mode of transportation that works best for them.

Augsburg's transportation plan objectives are to:

- Enhance Augsburg's commitment to the city, its urban location, and environmental stewardship.
- Maximize the use of other transportation options, including light rail, bus, biking, and ride-sharing.
- Ensure student access to classes, campus services and educational opportunities.
- Support employees at the Minneapolis campus in getting to work.

Bicycling

Bicycling is one popular and active way to commute to and from Augsburg. There are a number of different bike trails and lanes around campus that connect to Metro Transit lines. Augsburg has bike racks for employees, students, and community members to use at various locations around campus.

Metro Transit

Faculty and staff members are eligible to sign up for a monthly pre-tax Metro Pass through payroll deduction. Metro Passes through Augsburg are subsidized transit passes that reduce the costs of riding the bus or using the light rail. Faculty and staff interested in signing up for a Metro Pass should contact Payroll to enroll in the program.

Carpooling/Vanpooling

Carpooling and vanpooling is encouraged. Parking permits for assigned carpool/vanpool spots are designated and pricing may differ. For more information, go to DPS at www.augsburg.edu/dps, or go to their office in the Urness/Mortenson lobby.

Parking

The Department of Public Safety (DPS) is responsible for all parking policies and regulations, including parking permits, guest and visitor parking, parking for events, parking restrictions, and paying/appealing parking citations. For more information, go to DPS at www.augsburg.edu/dps, or go to their office in the Urness/Mortenson lobby.

Staff and faculty have the option to pay for parking through payroll deductions when purchasing a permit. The process and forms are found at www.augsburg.edu/dps.

WORKERS' COMPENSATION

The Minnesota Workers' Compensation law provides certain benefits for employees who are injured on the job or who sustain an occupational disease. Workers' compensation benefits may include medical care, wage loss benefits, and vocational rehabilitation, depending on the evaluation of the injury or disease. Wage-loss benefits are paid after an employee misses three (3) or more consecutive days of work due to a work-related injury or illness. **Employees will be required to supplement the first three (3) days of missed work by using accrued sick or vacation time.**

Reporting Work-Related Injuries

All employees must report work-related injuries/illnesses, regardless of severity, as soon as possible to their manager. **Serious injuries should also be reported to the Department of Public Safety by calling x1717. A safety officer will provide first aid and/or ensure that the employee is taken to a medical facility in the event further treatment is needed.** Managers are responsible for submitting the First Report of Injury Form to Human Resources within one (1) business day.

The following documents can be found on the Human Resources Moodle website:

- First Report of Injury Form “To the Injured Employee” Information Sheet
- “MN Workers’ Comp System” Information Sheet

General Provisions

- The injured employee must provide prompt documentation of any medical treatments and regular ongoing status updates to Human Resources.
- Payment for lost time under workers’ compensation is paid directly to the employee by the insurance company and is not part of the University’s payroll.
- Employees on extended workers’ compensation leave must self-pay their employee portion of insurance premiums to the University.
- Employees injured at work are not eligible for pay continuation under the University’s short-term disability plan.
- Workers’ compensation leave time will be counted against the employee’s 12-week FMLA period.
- Due to Minnesota state law, foreign nationals working outside the United States are not covered by Augsburg University’s workers’ compensation policy.

More information about workers’ compensation can be found at the Department of Labor’s website at: www.dli.mn.gov/WC/EmpGuide.asp

ERGONOMICS

All Augsburg faculty, staff and student employees may order an ergonomics assessment by submitting a request through Facilities Management on Inside Augsburg. Following the assessment, a written report will be provided to Facilities Management with recommendations and/or requests for any recommended supplies and equipment. If ergonomic accommodations are requested due to a medical condition, employees should contact Human Resources to discuss options.

HARASSMENT AND DISCRIMINATION PREVENTION

The University **strives** to create and maintain a positive living, working, and learning environment in which community members are aware of and respect the rights of others and where individuals take responsibility for their actions. **The University promotes an inclusive culture in which difference is recognized and valued. Bringing together people from diverse backgrounds and giving each person the opportunity to contribute their skills, experience and perspectives supports the University's mission of educating students to be informed citizens, thoughtful stewards, critical thinkers, and responsible leaders.**

Consistent with these principles, Augsburg University is committed to providing **an environment that is free of unlawful harassment, discrimination and bullying in connection with employment, the administration of the University's educational policies, admissions policies, scholarship and loan program, and participation in athletic and/or other school administered program.** This policy applies to applicants for employment, faculty, staff, student employees, Board of Regents, contractors, business partners, vendors, suppliers and visitors. This policy applies not only to the workplace during normal business hours, but also to all work-related social functions, whether on or off University premises, and business-related travel

All faculty, staff and student employees are expected to support this commitment by treating everyone with whom they interact through work, both internally and externally, in a way that is consistent with both the intent and spirit of this policy. In line with this commitment, the University prohibits harassment, discrimination **and bullying** of its employees by a manager, a coworker, student, volunteer, or third party for any reason, including but not limited to a person's race, creed, color, religion, sex, age, national or ethnic origin, disability, military service, protected veteran status, genetic information, sexual orientation, gender identity or expression, transgender status, marital status, familial status, genetic information, status with regard to public assistance, , membership or activity in a local commission, and any other characteristic protected by federal, state or local law.

Harassment violates the rights and dignity of individuals, and the standards of the University community. **Augsburg University will not tolerate harassment or bullying.** The policy extends to all work-related interactions, whether in person, via telephone, in writing, or through electronic communications such as email, text messages, instant messages, blogs, electronic conferencing, and social media posts, regardless of whether they are made through a computer, cell phone, or other electronic device or medium.

This policy prohibits conduct that may constitute or lead to unlawful harassment and/or a hostile work environment. Harassment includes any unwelcome behavior that is offensive, abusive, threatening, intimidating, humiliating, or degrading and that is directed toward that individual because of his or her race, religion, sex, age, national or ethnic origin, disability, sexual orientation, gender identity or expression, marital status, familial status, or other protected characteristic. Bullying includes any intentional behavior that is not for a proper purpose and is offensive, abusive, threatening, intimidating, humiliating to another individual. Giving performance-related feedback does not constitute harassment or bullying.

Prohibited behaviors under this policy can be verbal, written, visual, or physical and can arise out of in-person or electronic communications. While harassment may be based on protected class status, other offensive behavior that impairs morale and unreasonably interferes with work effectiveness, including jokes and teasing, are also prohibited by this policy.

Sexual Harassment

One type of harassment is sexual harassment. Augsburg University prohibits sexual harassment, intimidation and exploitation. Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's education or employment; or
- submission to or rejection of such conduct by an individual is used as the basis for academic and/or employment decisions affecting such individuals; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive environment.

Sexual harassment includes unwelcome sexual behavior by either men or women toward either men or women. Sexual harassment also includes harassment directed at someone because of their gender or gender identity or gender expression, including people who are transitioning and/or who identify as non-binary or gender non-conforming.

Recognizing Sexual Harassment

Sexual harassment can occur when an individual's direct or indirect authority or power creates express or implied pressure over another to participate in, accept, or tolerate sexual conduct, such as:

- subjecting a subordinate or student to unwanted sexual attention
- attempting to coerce a coworker or student into a sexual relationship
- threatening to punish a subordinate or student for refusal to comply with sexual demands
- making sexual favors conditions for participation in a class or work environment stating or implying that sexual favors are a basis for a grade or performance evaluation
- engaging in conduct of a sexual nature that creates an intimidating, hostile, or offensive working or learning environment.

Other Examples of Behavior Prohibited by This Policy

(Within the context of academic freedom around teaching and research)

Some examples of harassing or offensive behaviors prohibited by this policy include, but are not limited to:

Verbal or Written

- Use of offensive terms relating to protected characteristic, including mean-spirited jokes and unwelcome repeated teasing based on race, religion, age, disability, or sexual orientation
- Referring to a person with sexual connotations (e.g. hunk, sexy, babe, doll, etc.)
- Making comments about a person's body or clothing
- Jokes, stories, language, images or history told in person, writing or through an electronic device, that are demeaning based on sex, race, religion, disability, or other protected characteristic.
- Sexual innuendos, language, or images made verbally or sent through texts, instant messages, email, social media posts, or by letter

Non-verbal

- Stalking the person or blocking a person's path
- Giving unwanted personal gifts
- Leering, staring, or looking a person up and down in a suggestive fashion
- Displaying sexually suggestive visual materials or photographs
- Making expressions such as blowing kisses or licking lips or making hand gestures

Physical

- Giving an unwanted massage to the person or brushing up against them
- Unwanted touching of a person's clothing, hair, or body
- Touching and/or rubbing oneself sexually against another person

Reporting Process

Augsburg University encourages all employees to raise concerns about potential harassment or discrimination promptly, so that issues can be addressed early before they cause greater discomfort or disruption to the work environment.

Individuals who witness or experience incidents of harassment or discrimination are encouraged to report the concerns promptly to an investigating officer identified below, or through the Discrimination and Bias Incident Online Reporting form available online at <http://inside.augsburg.edu/diversity/discrimination-and-bias-reporting/>. Supervisors who witness or receive reports of incidents of potential harassment or discrimination must report the issue immediately to an investigating officer identified below. A supervisor or faculty member who fails to report or otherwise fails to deal properly with any such incident may be subject to discipline, up to and including termination of employment.

The following are options for an employee to address an incident of potential harassment or discrimination, including sexual harassment:

1. Address the Offender Directly (Optional)

If the employee believes that they have been the victim of discrimination or harassment, including sexual harassment, the employee is encouraged to discuss the concern with the offender, if comfortable doing so. For example:

- Say "No." Make it clear to the offender that the behavior is unacceptable. Ignoring the situation will not make it go away.
- Write an email or letter to the offender identifying the behavior, explaining your feelings and requesting the behavior to stop. Keep a copy of the email or letter.
- If the behavior does not immediately cease, use the complaint process below.

No employee should feel compelled to tolerate harassment of any kind or to address issues on their own.

2. Complaint Processes (Mandatory)

If the employee is not comfortable speaking with the perceived offender, or they have done so and have received no adequate response, the employee should immediately report all incidents or situations of harassment or discrimination to an investigating officer of the University identified below.

Investigating Officers

- Director of Human Resources
- Provost/Vice President of Academic Affairs
- Vice President for Student Affairs

An investigating officer can:

- Assist and advise faculty, staff and students who feel they are experiencing harassment or discrimination.
- Investigate the complaint
- Take appropriate action to stop the unwelcome behavior

Investigation

All reports of harassment or discrimination, will be taken seriously and appropriate investigative action will take place.

As part of the investigation process, the complainant and the accused may be interviewed, along with other witnesses who may be able to give information on the situation. The complainant may be asked to put the complaint in writing to facilitate the investigation process. University staff and faculty are required, as a condition of employment, to cooperate with University investigations.

All documentation regarding the investigation will be kept in a confidential file in Human Resources. This documentation is not part of the personnel file, however any corrective action rising out of a complaint will become part of an employee's personnel records. The University will make reasonable efforts to keep the complaining party informed of the status of the investigation.

If the University concludes that a violation of this policy has occurred, the University will take prompt and responsive action that may include counseling, a warning, censure, probation, suspension, or termination of employment or expulsion of a student. If either party is not satisfied with the outcome of the investigation, they may request review of the decision by the President's Leadership Team by submitting a written statement of

the reasons for their request for review to the University President, who will facilitate the review process.

Academic Freedom

The University is committed to protecting and supporting academic freedom. For specific details and the definition of academic freedom refer to the Faculty Handbook. Academic freedom shall be considered in investigating and reviewing complaints and reports of discrimination and/or harassment. However, raising issues of academic freedom will not automatically excuse behavior that constitutes a violation of the law or the University's Harassment and Discrimination Prevention policy.

Non-Retaliation Policy

Employees may use the complaint process without fear of retaliation. Retaliation against any member of the community for good faith participation in the complaint and investigation process is a violation of University policy. Retaliation will not be tolerated and will be subject to University disciplinary procedures up to and including termination. Any violation of this policy should be reported to Human Resources.

Employee Resources

Student employees may use confidential counseling services provided by the Campus Pastor and/or the Center for Wellness and Counseling. Faculty and staff may use confidential counseling services provided by the Employee Assistance Program (EAP). These confidential counseling sessions will not be reported to the University, and are not part of the complaint and investigation process. Individuals are still expected to report incidents of harassment or discrimination through the proper channels above.

Confidentiality

The University is sensitive to the fact that complainants often desire privacy and confidentiality with respect to their concerns. The University is committed to maintaining confidentiality to the extent practicable consistent with its need to conduct an investigation and take appropriate correction actions in response the incident.

Questions

Questions regarding this policy should be addressed directly to Human Resources who has overall responsibility for investigating and resolving harassment issues at Augsburg University.

Faculty should also refer to related policies in the Faculty Handbook.

Computer and Network Use

The University's communications systems, including but not limited to computers and telephones, are for the furthering of University business. Use of email, instant messaging, and the internet on University computers and networks is to promote University communications and/or facilitation of University work. The computers belong to the University and are provided to employees for the purpose of the work of the University. Employees have no right to privacy with regard to their use of the University computer system and computers, including the use of email, instant messaging, the University network and the internet. **While the University does not routinely monitor email or internet use by employees, the University reserves the right to monitor or review the use of its computers without prior warning and notice.**

Prohibited email usage includes, but is not limited to, distribution of chain letters, inappropriate humor, demeaning comments, offensive graphics and offensive images or language. Illegal downloading of copyrighted, protected materials or software is strictly prohibited.

Augsburg University provides computing resources geared to the realization of its vision as a distinctive university community. The usage of computing resources is governed by the "Acceptable Use Policy," which can be found under the Policies section of the Information Technology (IT) departmental website. Any questions regarding interpretation or application of this policy should be directed to the Chief Information Officer.

Acceptable Use Policy

Augsburg's Information Technology organization advances the mission of the University by providing an online framework for our vibrant, modern learning community. Much like city planners who organize the resources of a physical community, Information Technology (IT) works closely with the university community to plan, build and support an online framework for Augsburg upon which we communicate, enroll, learn, teach, research, and manage.

A. **It is the policy of Augsburg University that computing resources be used in a legal, ethical and responsible manner.**

B. **Any use of computing resources that would impede teaching, learning, research or administration; or that would violate an applicable license or contract is a violation of this policy.**

Violation of this policy may result in immediate suspension of computing privileges, with referral to appropriate University or criminal authorities **for consideration of penalties which may include dismissal or other discipline.** This policy is intended to work in conjunction with existing policies within the Augsburg University Student Guide, the Student Handbook, the Augsburg University Faculty Handbook, the Augsburg University Employee Handbook, and the departmental technical policies and standards as administered by Information Technology.

The University maintains Computing Resources Usage Guidelines to help you understand and comply with this policy. Any questions regarding interpretation or application of this policy should be directed to the Chief Information Officer.

Usage Guidelines

Although most people use computing resources in a legal, ethical, and responsible manner, it is possible that willful or even accidental misuse can seriously disrupt the work of others. These guidelines are provided to increase your awareness of the issues involved.

University Use

Augsburg University computing resources are for use only by those persons with valid accounts or with the permission of the University to use computing resources.

Account Use

All accounts have a password to prevent unauthorized access of the account. Employees should not share their password with anyone or write it down in a publicly viewable location, as each employee is responsible for activity associated with their account. Passwords should be changed periodically to keep the account secure.

Unauthorized Access and Impersonation

Users may not attempt to gain access to computer systems, files, messages, communications, or documents of others unless they have a legitimate reason to do so. Accessing systems, files, messages, communications, or documents of others without a legitimate reason is inappropriate and is prohibited. Users may not impersonate other users or forge communications such as electronic mail messages.

Harassment and Discrimination Prevention

The University's Harassment and Discrimination Prevention policy prohibits all forms of harassment and discrimination, which includes activities using computing resources.

There are materials available on the internet and elsewhere that some members of the University community may find offensive. While the University cannot restrict the availability of such material, displaying, printing or sending offensive material using any electronic device or platform, including but not limited to, websites, written or audio material, emails, text messages, visual images, social media posts, or instant messaging, may be considered a violation of the policy.

The complete Harassment and Discrimination Prevention policy is located in the Employee Handbook found on the HR Moodle website.

Maliciousness

Computing resource users may not deliberately disrupt the performance of computer systems or networks, or attempt to circumvent system security. This includes reconfiguring a computer system to make it unusable for others, attempting to destroy or alter data or programs belonging to other users.

Commercial Activity or Personal Gain

The use of University computing resources for commercial purposes or for personal gain is prohibited.

Sensitive Information

Users who have access to or store sensitive information belonging to the University on their computers must take extra precautions to keep this information secure. The use of file sharing software can

inadvertently expose all of the data on a computer to public view. Employees who deal with sensitive data belonging to the University should store it in the appropriate network storage space where access rights are controlled.

Copyright

Distributing copyrighted material without approval of the copyright holder is illegal.