Human Resources Policies for Appointed Service and Maintenance Employees

Introduction

This manual is issued to explain university human resources policies which apply to appointed Service and Maintenance employees on the IUPUI and Columbus campuses. As such, it represents only a portion of the university's human resources policies and procedures. A complete set of Trustee-approved policies is available at Human Resources Administration or at the office of the Board of Trustees for review.

This manual is issued at the request of and for the convenience of Local 1477, AFSCME. It has not been submitted to, nor approved by, the Board of Trustees in its present form. It does not change the authority or intent of policies which the Board of Trustees has approved. Instead, it is an attempt to collect in one document the policies applicable to appointed employees represented by Local 1477, AFSCME, pursuant to their exclusive representation rights under the Conditions for Cooperation.

Individual departments may have additional guidelines and operational procedures designed to assist in the day-to-day management of the departments. These department-specific procedures may vary from department to department, and they are supplemental to, but not in lieu of, the policies in this manual. In case of conflict between operating procedures and the policies in this manual, the policies in this manual shall govern, and if necessary to resolve the conflict, may be subject to all stages of the grievance procedure.

Any changes in working conditions, human resources policies, and practices which are covered in the Conditions for Cooperation will be discussed with the union as outlined in the Conditions for Cooperation.

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Human Resources Policy 1.1

Equal Employment Opportunity and Affirmative Action

Staff covered by this policy

This policy applies to all employees of Indiana University.

Policy

1. Indiana University pledges itself to continue its commitment to the achievement of equal opportunity within the university and throughout American society as a whole. In this regard, Indiana University will recruit, hire, promote, educate, and provide services to persons based upon their individual qualifications. Indiana University prohibits discrimination based on arbitrary considerations of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status.
2. Indiana University shall take affirmative action, positive and extraordinary, to overcome the discriminatory effects of traditional policies and procedures with regard to the disabled, minorities, women, and Vietnam-era veterans.

Revised October 1998

Human Resources Policy 1.2
Policy Against Sexual Harassment

Staff covered by this policy

This policy applies to all employees of Indiana University.

A. Introduction

1. Harassment on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act of 1964. Indiana University does not tolerate sexual harassment of students or employees. Indiana University will investigate every complaint, respond, and take corrective action, up to and including termination of employment, if appropriate.

B. Provisions

1. Employees and students have the right to raise the issue of harassment, and they are protected by faculty and staff personnel policies and student codes. Sexual harassment can be a grievous action having serious and far-reaching effects on the careers and lives of individuals. False accusations can have similar impact. Thus the charge of sexual harassment is not to be taken lightly by a charging party, a respondent, or any other member of the university community.
2. Education is the best tool for prevention and elimination of sexual harassment. Each dean, director, department chairperson, and/or administrative officer is responsible within his/her areas of jurisdiction for the implementation, dissemination, and explanation of this policy. It is the obligation of each faculty, staff, and student member of the university to adhere to this policy.

C. Definition

1. Unwelcome sexual advances - requests for sexual favors and other verbal or physical conduct of a sexual nature - constitute sexual harassment when:
   a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or
   b. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
   c. Such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

D. Procedure 1.2

How to file a complaint

1. Individuals who believe they have been sexually harassed should notify their supervisor, an academic or student services dean or official, and/or the Director of the Office of Equal Opportunity. Because of the sensitive and discriminatory nature of charges of sexual harassment, complaint procedures will observe the following principles:

Principles observed during the complaint procedure

a. Confidentiality of information relating to investigations of complaints of sexual harassment shall be maintained to the extent practical and appropriate under the circumstances and to the extent permitted by law. Efforts will be made to restrict access to the investigative and complaint procedures to the complainant, the accused party, and those immediate persons involved in processing the matter.

b. The Office of Equal Opportunity shall serve as a resource with regard to interpretation of sexual harassment guidelines. That office, or its designated agent, will advise and consult with either or both parties to the complaint.

c. In the event of a formal investigation of a complaint, Office of Equal Opportunity will assure that proper investigation and complaint procedures are followed.

d. Investigations will be conducted as quickly and thoroughly as possible, and the results will be reported to both parties involved.

e. Actions that constitute sexual harassment will be determined from the facts, on a case-by-case basis. The record as a whole, as well as the context in which the alleged misconduct occurred will be reviewed. In the event a complaint is found valid, corrective action, up to and including termination, will be taken through appropriate channels of the university to rectify the situation and to assure such incidents do not occur in the future.

Examples of sexual harassment

The following are a few examples of situations which could lead to allegations of sexual harassment. This does not purport to be an exhaustive list:

1. A male craft worker continually makes off-color, sexual jokes about women in front of a new female apprentice. In addition, he does not give her important training she needs to successfully complete her apprenticeship and puts her down in front of her coworkers. When she discusses the situation with her supervisor, she is told to ignore it. In addition, when the supervisor witnesses the behavior, no action is taken to stop it.

2. When an affair between a supervisor and one of his employees goes sour, he refuses to share important information with the employee and gives him poor performance reviews in retaliation for breaking off the relationship.

3. A clerical worker is promised a promotion if he agrees to date his supervisor.

4. After a doctoral student refuses the sexual advances of her dissertation director, she begins to receive extreme, negative criticism, challenging the scholarly worth of her dissertation, although previously the proposal had been given the director's full support.

5. A professor constantly asks one of his students to accompany him to a local restaurant to discuss her work. At first the professor discusses matters related to her course work, but lately he has begun talking about his recent divorce, as well as telling the student how pretty she is and how much he would like to get to know her better. Eventually the professor asks her to go out with him. The student states that she would rather they simply continue to discuss her course work, but the professor insists that they go out next weekend just to have fun.

6. Not knowing what to do, a student confides in a female faculty member, stating that she is extremely uncomfortable with the advances of one of her professors. Uneasy about discussing the matter with her colleague or the dean, the professor tells the student she can be counted on to lend a sympathetic ear, but otherwise makes no attempt to report.

7. In the hospital hallway, a male doctor and a male student health care professional once again discuss the physical attractiveness of a female patient. A female student health care professional feels embarrassed and excluded by the conversation. She suspects that she has also been the topic of a similar conversation. When she expresses her feelings of discomfort, she is told there is no harm intended and that she needs to “grow up” if she wants to be successful on this clinical rotation.

Revised July 2008

Human Resources Policy 1.3

Employment Accommodations for Persons with Disabilities Under the ADA-Title 1

Staff covered by this policy

This policy applies to all staff at IU and applicants of staff positions.

A. Policy

1. The Americans with Disabilities Act (ADA), the Indiana Civil Rights Act, and Indiana University policy prohibit discrimination in employment against qualified individuals with disabilities.
2. Indiana University is committed to ensuring equal employment opportunities for qualified persons with disabilities. The university will provide reasonable accommodations to employees and applicants for IU position protected by the ADA by making changes in the work environment or by changing certain practices and procedures—as long as these changes do not pose an undue hardship on the university or alter the essential functions of the job.
3. Employees must maintain institutional standards of performance, attendance, and conduct as specified by the department or unit.

B. Definitions

1. The Americans with Disabilities Act (ADA) defines a person with a disability as an individual who meets one of the following criteria:
   a. Has a physical or mental impairment that limits one or more major life activities (examples are walking, speaking, seeing, hearing, performing manual tasks)
   b. Has a record of such impairment
   c. Is regarded as having such an impairment
2. A qualified person with a disability is someone with a disability who meets the necessary skill, work experience, education, training, licensing or certification, or other job-related requirements of a position.

C. Areas of employment addressed by this policy

1. The performance of the essential functions of a position currently held by an employee or one being sought by a qualified employee or applicant
2. The application and selections process in which employees and applicants participate
3. Equal access to employee benefits and employment privileges such as training, facilities, and university-sponsored events

D. General provisions

1. All medical information related to an individual's request for accommodation is confidential and should be maintained in the IUPUI Health Services office.
2. Funding for accommodations will be handled in the same fashion as any other departmental expenditure. If the unit has insufficient funds, it must seek additional funding through its regular administrative resources.

E. Appeals

An individual who believes the university has not met its obligations under the ADA should contact the campus Office of Equal Opportunity.

F. Procedure

Qualified individuals with a disability should contact the IUPUI Office of Equal Opportunity to discuss their needs and the disability accommodations procedures. The Disability Accommodation Request Form is available to formally document a request for an accommodation.

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Human Resources Policy 2.1
Establishing a Position

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Criteria for establishing an appointed position

1. If a department expects a prospective employee to work at least 1,930 hours or more in a fiscal year within a responsibility center (RC), then an appointed position should be established.
   a. Hours of work are based on all expected work within an RC, even if such hours are from different funding sources or different departments within an RC, and/or multiple tasks are performed.
2. If it is expected that an employee will work less than 1,930 hours in a fiscal year, ensure that (1) the position is needed for at least nine months in a 12-month period, (2) is at least half-time, and (3) funds are available before establishing it as an appointed position.
3. Whenever a position which meets this criteria is not created because of a lack of funds and/or lack of campus approval, the position will be identified, and AFSCME, Local 1477 will be notified.

B. How to establish an appointed position

1. Complete the Job Analysis Questionnaire and an Essential Job Functions Form. These must be on file with Human Resources Administration before listing the job internally or externally.
2. Obtain approval for establishing the new position using campus procedures.
3. Human Resources Administration will assign a classification level. Policy 2.2, Position Classification/Reclassification, explains the guidelines for completing this step.
4. Contact Human Resources Administration to begin recruitment for the position. Provide an alternate format of the position announcement if an individual with a disability requests one.

C. Guidelines for employing persons on an hourly basis

1. Departments may employ persons on an hourly basis under the following conditions
   a. The need for the position is temporary (less than nine months), no matter if the position is full time or part time.
   b. The need for services or the availability of a full-time or part-time person is irregular, intermittent, or subject to work on an as-needed basis because the department cannot predicts its demands and the total number of hours worked will be less than 1,930 hours in a fiscal year within an RC.
   c. The need for the position is less than 20 hours per week (less than 50% FTE).

2. Hourly positions that normally require 1,000 or more hours of services in a calendar year shall be established as PERF-eligible positions. If the expected hours change so that an hourly position would meet this 1,000-hour threshold, the department shall change its status to a PERF-eligible position.
3. The department must follow appropriate employment policies and procedures, have budgetary approval of available funds, and establish the rates of pay.

D. How to establish an appointed position for an hourly employee

1. If continuous and regular employment would justify an appointed staff position, a department head or account manager is responsible for implementing the following procedure.
   a. Inspect the hourly employment rolls at least quarterly.
   b. Department heads should establish an appointed position when an hourly employee has worked for 1,930 hours or more in a fiscal year within a responsibility center (RC).
      i. Hours of work are based on all expected work within an RC, even if such hours are from different funding sources or different departments within an RC, and/or multiple tasks are performed.
   c. Establish the position using the procedures described above.
   d. Advertise the position or request a waiver from Human Resources Administration. (See Policy 3.1, Advertising a Position.)

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Human Resources Policy 2.2
Position Classification/Reclassification

Staff covered by this policy

This policy applies to all appointed, SM staff represented by AFSCME, Local 1477.

A. Introduction

1. Positions are classified into the most appropriate job and are identified with that job's distinguishable characteristics, including the job evaluation results and assignment to a grade level. The university reserves the right to eliminate, change, and establish classifications and levels of salary grades within classifications.
2. AFSCME, Local 1477 is notified of SM job classification changes and the reasons for the changes.

B. Availability of position descriptions

Supervisors should make a bona fide effort to have an up-to-date position description for each position they supervise. Supervisors should ensure that all incumbents have a copy of their position description.

C. All campus procedure on how to process a position reclassification

1. Document the position using the Job Analysis Questionnaire/Profile and Essential Job Functions forms.
2. Obtain required approvals of the position documentation.
3. Submitted the approved position documentation to Human Resources Administration for review.
4. When the review is complete, Human Resources will notify the department with the results.
5. The department is to notify the incumbent of the review results.
6. Disagreements over classification and level assignments are not subject to the grievance procedure.

D. All campus procedure on how to appeal a review

1. Incumbents, supervisors, deans, or administrative officers may appeal the results of a review through Human Resources Administration. Requests must be made within one month of receiving results of the review.
2. Human Resources submits appeals to an appeals committee as soon as feasibly possible.
3. Human Resources makes functional classification determinations. Appeals may only address issues of levels within a functional classification.

4. Appeal results are final. Departments cannot request an additional review for one year, *unless the duties and responsibilities of the position change significantly.*
5. Disagreements of appeal results over classification level assignments are not subject to the grievance procedure.

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Human Resources Policy 2.3

Temporary Work Assignments and Premium Pay

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Eligibility

1. When the responsibilities of a higher classified position are temporarily assigned to another employee, a temporary pay adjustment may be made if all of the following conditions are met:
   a. The position is vacated for reasons other than vacation.
   b. The position is vacant for at least a full pay period.
   c. The work is assigned in full and solely performed by the temporary incumbent.
   d. The temporary incumbent holds a lower classified position.
   e. The temporary incumbent is capable of carrying out the responsibilities of the higher classified position.

B. Temporary pay rate

If all of the above conditions are met, departments may make temporary pay adjustments. Departments may consult with Human Resources Administration or refer to the Pay Practices Guide to determine the pay adjustment. The appropriate HRMS form must be completed to identify the temporary rate of pay.

C. Temporary pay for training

Employees assigned by supervisors to train (other than orientation) an employee in a higher classification for a pay period or more shall be eligible for a temporary pay adjustment. The temporary pay adjustment must be approved in advance by the department head.

D. High Pay

1. High pay will be in effect as follows:
   a. Use of bosun chair, swing stage or rope chair
   b. Use of belts on outside windows
   c. Use of scaffold: one section (6 feet) or higher
   d. Use of a ladder: two sections or more or to the second floor height inside and outside
2. High pay does not apply to any permanent structure nor does it apply to using a permanently fixed ladder to climb to a flat, guarded surface to work. It only applies to working from temporary structures or appliances 6 feet or higher.
3. Employees are paid high pay of an additional $.75 per hour for time actually spent working from these types of structures or appliances.

E. Confined space pay

Appointed employees working in a permit-required confined space will be paid a premium of $1.50 per hour for time actually spent working in the confined space. University administration will determine the confined spaces that meet the OSHA definition and require a permit. Employees must have completed the safety training on confined spaces to be eligible for this premium.

F. Smoke hazard pay

Police Officers who are required to enter a smoke-filled building caused by a fire emergency, will be paid a premium of $1.50 per hour for time actually spent in the smoke-filled building.

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Human Resources Policy 3.1
Advertising a Position

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Request to waive advertising

Requests to waive advertisement of a position must be approved by Human Resources Administration.

B. Timing of posting/advertising

Human Resources Administration posts and/or advertises employment opportunities as they are received. Normally, biweekly positions are listed for one week.

C. How to advertise a position vacancy

1. Ensure that the campus human resources office has assigned a classification level. (See Policy 2.2, Position Classification/Reclassification.)
2. Ensure that the Job Analysis Questionnaire and Essential Job Functions forms have been completed. These must be on file with Human Resources before advertising or posting the job internally or externally. (See Policy 2.1, Establishing a Position.) Provide an alternate format of the position announcement if an individual with a disability requests one.
3. Decide the method of advertising. Such advertisement must be coordinated with Human Resources before publication.

D. Methods of advertising

1. Advertising within an occupational unit
   a. If a department anticipates filling a vacancy by promoting or transferring an employee within the same occupational unit, it may advertise the position within that occupational unit only with the approval of Human Resources. All qualified staff within the unit are to be given an opportunity to apply.
   b. Before promoting or transferring an employee within an occupational unit, departments must:
      i. Review affirmative action requirements
      ii. Consult with Human Resources before making an offer
2. Advertising on campus
   a. Human Resources is responsible for this activity. Positions will normally be posted to www.hra.iupui.edu by the end of the next business day. The deadline for requisitions to HRA is noon on Wednesday for posting in the weekly print copy of the Staff Job Openings list. This time line may be altered due to a holiday schedule. On these occasions the change is communicated in advance.
   b. In addition to being posted in all university buildings, the Staff Job Openings list is also sent to recruitment sources within the community.

3. Advertising in newspapers
    a. Human Resources must approve all newspaper ads before publication.
    b. Departments pay for additional advertising of monthly positions and advertising for all biweekly positions.
    c. All advertising for positions must carry this tag line: Indiana University is an AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER.

E. Advertising full-time hourly jobs

1. If a department expects that a full-time hourly job (40 hours per week) will lead to an appointed position, the department must contact Human Resources to discuss the need to advertise the position before making a commitment to employ.
2. During the advertising period, departments may fill the job with temporary help.

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Human Resources Policy 3.2
Filling a Position

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Equal opportunity

1. All persons who apply for a position(s) are given equal consideration regardless of their age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status.
2. No employment commitment can be made to fill a staff position until the qualifications and credentials of all candidates have been presented to Human Resources Administration.

B. Responsibilities of HR

Human Resources Administration will:

1. Work in collaboration with department representatives to recruit qualified applicants.
2. During the first week of posting give preference in referrals to employees interested in transfer or promotion.
3. Review applications and screen applicants.
4. Determine whether persons on a layoff list are qualified for the position. (See Policy 7.1, Reduction in Force.)
5. Administer exams, as required.
6. Refer qualified candidates to department representatives.
7. Approve the final candidate selected by the department.
8. Ensure compliance with affirmative action policies and procedures.

C. Procedure 3.2

How to recruit and select for a position vacancy

1. Submit a Personnel Requisition and Essential Job Functions Form to Human Resources Administration via your Employment Consultant.
2. List names of applicants referred by Human Resources Administration on the Applicant Referral List.
3. Conduct interviews, including informing applicants about the position and its conditions of employment (work hours, overtime, travel, etc.).
4. Select the final candidate.
5. Contact Human Resources Administration to discuss your selection, the starting rate of pay, and receive approval to extend an offer.
6. Make offer of employment contingent upon review of the candidate's background check. When applicable, employment will be contingent upon a Motor Vehicle Record (MVR) check and preemployment health evaluation.

   a. A standard written offer of employment is not necessary. No supervisor or administrator may make an offer contrary to the university's employment, compensation, or benefits policies, or imply or state that a contract has been created between the university and a future employee. Only the university president or vice presidents may offer actual contracts.

7. Inform other applicants interviewed that the position has been filled.
8. Route the appropriate HRMS Form to Human Resources Administration.
9. Ensure that the selected candidate completes INS Form I-9 and the authorization form for direct bank deposit.
   a. INS Form I-9 must be completed in accordance with the Immigration Reform and Control Act of 1986 to verify that the person is entitled to work in this country. Without timely and proper completion of this form, federal law requires that the employee be terminated.

Preemployment health evaluation

The satisfactory completion of a preemployment health evaluation, which may include a drug screening, is required for individuals hired for work in the dental school, laboratory, hospital, or clinical areas prior to reporting for work. Candidates cannot work until the satisfactory results of the health evaluation have been released by IUPUI Health Services.

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Human Resources Policy 3.3
Employment of Relatives, Students, and Minors

Staff covered by this policy

This policy applies to all employees of Indiana University.

A. Restrictions on employment of relatives (nepotism rule)

1. Persons who are related by blood, adoption, marriage or same sex domestic partnership to a member of the State Board of Education, or a member of the Board of Trustees of Indiana University should not be recommended for employment in an appointed position.
2. Full-time, part-time or temporary employees should not be employed in or transferred to a position that establishes an immediate supervisor/employee relationship between two individuals who are related by blood, adoption, marriage, or same sex domestic partnership.
    a. The degrees of relationship included in this restriction are as follows:
        i. By blood or adoption: Parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, and first cousin
        ii. By marriage or same sex domestic partnership: spouse as defined by Indiana law, same sex domestic partnership as qualified by the university's Affidavit of Domestic Partnership, stepparent, stepchild, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-sister, half-brother, uncle, aunt, nephew, and niece, or relations of the same degree of the same sex domestic partner.
    b. The determination of what is "immediate supervision" in each instance will be made by the appropriate chancellor or vice president, and it will take into account both of the following factors:
        i. Does the supervision involve day-to-day functions?
        ii. Is the supervisor the only one competent to judge such issues as hiring, retention, promotion, and salary?
3. If marriage or a same sex domestic partnership creates these kinds of relationships, one of the employees affected must give up that position by the end of the fiscal year or within six months from the date the relationship was established, whichever is the greater period. The employee may be re-employed elsewhere in the university. If agreement cannot be reached by the two individuals as to which one must leave, the employee with the less university seniority date will be selected to seek other employment.

B. University policy on student employment

1. It is the policy of the university to employ IU students to the fullest extent possible utilizing the services of the campus office responsible for student employment.
    a. See Policy 2.2, Employment of IU Students, in the personnel policy manual for hourly staff employees.

2. Stipends to students such as scholarships, fellowships, or assistantships will not constitute employment within the provisions of this regulation.

C. Restrictions on the employment of minors

Indiana labor laws provide for the following restrictions concerning the employment of minors. Exceptions are described in Section D. later in this policy.

1. Under age 14: No minor less than 14 years of age will be employed by or permitted to work for the university.
2. Age 14 and less than 16: No minor age 14 and less than 16 years of age can be employed by or permitted to work for the university unless specific approval is obtained from the vice president or chancellor.
    a. In addition, minors age 14 and 15:
        i. May not work more than three hours on a school day or 18 hours during the school week, more than 8 hours on a non-school day, or more than 40 hours in a non-school week
        ii. May not be employed before 7:00 a.m. or after 7:00 p.m.; however, the minor may work until 9:00 p.m. from June 1 through Labor Day
3. Age 14 and less than 18: Minors within this age group must have an employment certificate issued by the superintendent of the city or county schools. The employment certificate must be on file with the employer before a minor can work. When the minor terminates employment, the employer must give the certificate to the minor.
    a. A minor who meets one of the criteria listed below does not need an employment certificate.
        i. The minor must be a high school graduate.
        ii. The minor must have completed a vocational or special education program.
        iii. The minor must not be enrolled in a regular school program.
4. Minors age 16 and less than 18 may not:
    a. Work more than eight hours in any day
    b. Work more than 40 hours in one week
    c. Work before 6:00 a.m.
5. Except for the prohibited occupations described below, minors age 16 and less than 18 may work on the same basis as adults if they fit one of the following criteria:
    a. They are a high school graduate.
    b. They have completed a vocational or special education program.
    c. They are not enrolled in a regular school program.

D. Exceptions for singing, acting, and modeling

1. No employment certificate is required, regardless of age, for a minor who sings, acts, or models provided that the employment meets all of the following criteria:
    a. The activity is not dangerous
    b. The activity does not interfere with schooling

2. Unless engaged in singing, acting, or modeling, no minor under age 18 may work between 7:30 a.m. and 3:30 p.m. on a school day. Exceptions to this rule may be granted if the minor presents a letter issued by his or her school.

E. Prohibited occupations

1. No minor under the age of 18 will be employed or permitted to work in the following occupations:
   a. Oiling, wiping, or cleaning machinery
   b. In a place where dangerous machinery is operated
   c. Any occupation dangerous to life or limb, including construction work and work on or about a roof
   d. Any occupation injurious to the health or morals of the minor, including a billiard room
   e. In a place where explosives or articles containing explosive components are manufactured or stored
   f. Driving a university vehicle or driving on university business per Risk Management policy

F. Procedure 3.3

How to secure an employment certificate for a minor

1. Verify that the applicant is under the age of 18.
2. Answer the following questions to see if an employment certificate is needed for applicants under the age of 18:
   a. Is the applicant a high school graduate? If no, a certificate is needed.
   b. Has the applicant completed a vocational or special education program? If no, a certificate is needed.
   c. Is the applicant enrolled in a regular school program? If yes, a certificate is needed.
3. The selected applicant must present an Application for Employment Certificate (Intention to Employ) and a Parent Authorization and Consent form to the hiring supervisor.
   a. The application is available from the minor's school.
4. The applicant must then present the signed Intention to Employ form back to his or her school to secure an employment certificate.
   a. A completed Parent Authorization and Consent form is also required.
   b. Proof age (a birth certificate or other document) is required for the school to issue a certificate.
5. The applicant must present the employment certificate to the supervisor.

6. Answer the following questions to see where to file the employment certificate and consent form, after receiving it from the applicant:
   a. Are you employing the minor on a temporary hourly or hourly basis? If yes, retain the documents in the employing unit of the university.
   b. Are you employing the minor on an appointment basis? If yes, send the documents to Human Resources.
7. Ensure that the applicant completes INS Form I-9 within three days of the effective appointment date. This must be done in accordance with the Immigration Reform and Control Act of 1986 to verify that the person is entitled to work in this country. Without timely and proper completion of this form, federal law requires that the employee not be allowed to work.
8. Contact Financial Management Services (FMS) for information about other required hiring forms.

Revised July 2008

Human Resources Policy 3.4

Evaluation Period for New or Promoted Employees

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Purpose

The purpose of the evaluation period for new or promoted employees is to ensure that an employee can satisfactorily fulfill the demands of a position. It is not as part of any Corrective Action procedure.

B. Evaluation time periods

1. All service maintenance staff (except police officers) serve an evaluation period of four months at the time of appointment or promotion.
2. Probationary police officers serve a one-year evaluation period at the time of their initial appointment or promotion as a police officer.

C. Completion of the evaluation period

1. At any time, but no later than its scheduled end date, the evaluation period may be stopped and the employee informed whether or not it has been successfully completed.
2. When it is felt that a promoted employee may not successfully complete the evaluation period, the corrective action policy provisions on documentation (such as a completed progress report) and on the opportunity to receive and present information and ask questions prior to a final determination are to be applied.

D. Termination of employment during the evaluation period

1. New or promoted employees can be terminated at any time during the evaluation period. If it is decided during the evaluation period to terminate employment, departments are to contact Human Resources Administration.
2. Human Resources Administration will help determine if a basis for the termination exists, whether the documentation and due process steps of the corrective action policy have been taken in the case of a promoted employee, whether more time should be provided, and whether other job opportunities exist that better suit the individual. These determinations will be made before an employee is terminated from employment.

E. Extending the evaluation period

1. At any time during or at the end of the evaluation period, departments may decide that an employee has not had sufficient time to satisfactorily complete the period. In these cases, departments may extend the period by informing the employee in writing with a copy to Human Resources Administration.
2. The evaluation period may be extended by no more than two additional months for a total six-month evaluation period.
3. For probationary police officers the one-year evaluation period may be extended for an additional three months for a total 15-month evaluation period.

F. Limitations during the evaluation period

Grievance procedure

1. New employees do not have access to Stage 4 of the grievance procedure during the evaluation period, including any extensions.
2. Promoted employees who are determined not to be successful and are removed from the position have access to all steps of the grievance procedure.

Seniority

1. A new employee in evaluation status has no seniority until he or she completes the evaluation period. The university seniority date reverts back to the employee's appointment date.
2. A promoted employee retains and continues to accrue university and unit seniority during the evaluation period.

G. Placement opportunities for promoted employees

1. A promoted employee who fails to meet the standards of the new job and is terminated within the evaluation period will be given preference for the next position open (provided qualifications are met) in the functional classification. A promoted employee who voluntarily requests within the evaluation period not to continue in the new position will also be given preference for the next position open (provided qualifications are met) in the functional classification. In these events, a request for reinstatement in the employee's former occupational unit will be given first preference when an opening occurs.
2. If reemployed in the previous occupational unit within one year of the date of promotion, the employee's former seniority date in that unit will be reinstated.

H. Transfers and reductions in force

SM employees who are transferred or placed in another position through a reduction in force are required to serve another four-month evaluation period, unless the evaluation period is waived by the department. This provision does not apply to transfer or placement through a reduction in force in a position with duties that are substantially the same as the former position.

I. Serving more than one evaluation period

Once an employee has satisfactorily completed the evaluation period, he or she may not be placed on another evaluation period again during a period of continuous appointed employment unless promoted or as outlined in Section H above. However, if the employee has a break in service, the employee must serve an evaluation period again if rehired.

Revised July 2010

Human Resources Policy 3.5
Seniority Date/Service Credit

Staff covered by this policy

This policy applies to all staff employees at IU.

A. University seniority date

1. Staff employees hired before January 1, 2003: The university seniority date is the date from which employment has been continuous in an appointed position including any continuous employment as an hourly employee immediately preceding the appointed position at the same or greater percentage as the appointed position. This date is obtained from the existing HRIS database.
2. Staff employees hired on or after January 1, 2003: The university seniority date is the date from which employment has been continuous in an appointed position. It excludes any employment as an hourly employee. This date is obtained from the HRMS database.

B. Occupational unit seniority date

1. Staff employees hired before January 1, 2003: The occupational unit seniority date is the date from which employment has been continuous in an appointed position in the current occupational unit, including any employment in the occupational unit as an hourly employee at the same or greater percentage as the appointed position. This date is obtained from departmental employment records.
2. Staff employees hired on or after January 1, 2003: The occupational unit seniority date is the date from which employment has been continuous in an appointed position in the current occupational unit. It excludes any employment as an hourly employee. This date is obtained from the HRMS database.
3. SM positions are in an occupational unit separate from positions in other functional classifications (PA, CL, TE, RS, NU, PN, GS).
4. Service and maintenance employees who are promoted to positions in other functional classifications and who return to service and maintenance positions will have their occupational unit seniority reinstated.

C. Uses of university seniority date and occupational unit seniority date

1. These dates are used to determine university and occupational unit seniority in the personnel policies listed below. This list is not exhaustive. See the specific policies for details.
    a. Promotions and Transfers and Filling Positions
    b. Reduction in Force
    c. Overtime (assignments)
    d. Vacation (scheduling)
    e. Shift Preference

D. University service credit

1. University service credit is the total amount of time, as defined below, that a person has been employed with the university. It is reported as either the number of years, months and days of service (e.g. 6 years, 5 months, 3 days) or as a percentage of years e.g. 6.42 years).
2. Continuing staff employees hired before January 1, 2003: The university service credit is based upon the adjusted service date (or university service date if no adjusted service date exists) contained within the HRIS database plus any employment in appointed positions and PERF hourly positions after January 1, 2003.
3. Staff employees hired on or after January 1, 2003 who had periods of employment before that date in an appointed position: The university service credit will be based upon the adjusted service date (or university service date if no adjusted service date exists) contained within the HRIS database plus any employment in appointed positions and PERF hourly positions after January 1, 2003.
4. Staff employees hired on or after January 1, 2003 with no university employment before that date: The university service credit will include all periods of employment in appointed positions plus periods of employment in PERF hourly positions.
5. Staff employees continue to accrue university service credit during unpaid leaves of absences for the following reasons:
   a. FMLA
   b. Non-FMLA medical (Such leaves are limited to one year.)
   c. Military
   d. Temporary reduction in force
6. Staff employees do not accrue university service credit during discretionary unpaid leaves of absence for reasons such as education, political leave of absence, and other voluntary leaves.

E. Uses of university service credit

1. University service credit is used to determine time off accrual rates, identify eligibility for higher time off accrual rates, and determine terminal pay limits. It is also used as a factor in determining recipients in service recognition programs.

Revised July 2006

Human Resources Policy 3.6
Reemployment of Former Employees

Staff covered by this policy

This policy applies to all staff at IU.

Introduction

Persons who previously worked for the university can be valuable candidates for university employment. Former employees are encouraged to apply for positions for which they are qualified.

A. Former employees eligible for reemployment

1. Former employees who leave the university in good standing are eligible for reemployment. Good standing means that the employee has:
    a. Successfully completed the new employee evaluation period for the former position, and
    b. Had a satisfactory employment record during employment at the university.

B. Former employees not eligible for reemployment

1. Former employees who were separated or who resigned and for whom documentation supports a separation for one or more of the following reasons are not eligible for reemployment:
    a. Workplace violence as contained in the policy “Policy Against Workplace Violence”
    b. Sexual harassment as covered in “Policy Against Sexual Harassment”
    c. Falsification—examples include falsification of time cards, applications for employment, reimbursements or ghost employment
    d. Misuse of university property—taking or using university property or the property of students, employees, or visitors without permission for personal gain or benefit; theft

C. Former employees with conditional reemployment status

1. Former employees who were separated or who resigned and documentation supports a termination for reasons other than those listed in Section B. may be eligible for reemployment subject to the campus Human Resources office review of the circumstances.
    a. In making its determination of eligibility for reemployment in such cases, factors the university will consider include but are not limited to:
        i. The nature of any prior disciplinary actions, including evidence of a serious infraction or of a series of infractions of any university rule, policy, procedure or code of conduct, including involuntary termination or resignation for such offenses.

ii. Prior university work performance including evidence of less than satisfactory performance or separation from the university due to performance deficiencies including, but not limited to attendance. The university will consider documentation provided by the former employee of a successful work record with another employer of at least one year in a position requiring competencies similar to those of the position being sought, with verification by the university.

iii. Whether there is a pattern of multiple short periods of university employment in an appointed position. The university will consider documentation provided by the former employee indicating a successful and stable work record with another employer, with verification by the university.

D. Electronic documentation

For assistance in understanding the action reason, see the PDF document, Termination/Separation Reasons.

E. Determining reemployment status

1. When a former Indiana University employee applies for a position, the campus Human Resources office will review the applicant's prior IU employment record.
   a. Departments shall contact the campus Human Resources office should they become aware that an applicant was a former university employee to obtain authorization to reemploy.
   b. Based on this review, the campus Human Resources office will determine if:
      i. The employee is eligible for reemployment
      ii. The employee is not eligible for reemployment
      iii. The employee is conditionally eligible for reemployment; for instance, to a different position, to a different location, or with evidence of a successful work record with another employer
2. If the applicant is a former Indiana University employee who is not eligible for reemployment, the campus Human Resources office will provide the applicant a statement explaining the decision not to consider the person for reemployment and a copy of this policy. Any evidence that the former employee presents within five workdays of receipt of this statement will be considered in reviewing this decision.
3. If the campus Human Resources office (or the employing department, which shall then inform the campus Human Resources office) becomes aware that an employee who has been reemployed was not eligible for reemployment because of any of the reasons set forth in Section B. above, the employee will be given a statement explaining the ineligibility for reemployment and a copy of this policy. Pursuant to the university's Corrective Action policy, the employee will then be given an opportunity to present documentation that the information supporting the original termination was false or inaccurate. In the absence of any such evidence, the employee shall be subject to separation from the position.

4. If the campus Human Resources office (or the employing department, which shall then inform the campus Human Resources office) becomes aware that an employee who has been reemployed has omitted prior IU employment on the application material, the employee will be asked for an explanation. Pursuant to the university's Corrective Action policy, the employee will then be given an opportunity to present documentation that this omission of previous IU employment did not constitute a falsification under Section B. of this policy. In the absence of such evidence, the employee will be subject to separation from the position.
5. The reemployment of a former employee is subject to all the policies and procedures specified in the university's human resources policies, including, but not limited to:
    a. Advertising a Position
    b. Filling a Position
    c. Evaluation Period for New or Promoted Employees
    d. New Hire Starting Salaries
    e. Reemployment Provisions

Adopted July 2006

Human Resources Policy 3.7
Background Checks

Staff covered by this policy

This policy applies to all staff and hourly employees of Indiana University.

A. Purpose

1. It is important that the university's academic and research missions are supported by qualified employees, with a safe and secure environment for all university constituents, including students, visitors and employees. It is also important that Indiana University take meaningful actions to protect its funds, property and other assets.
2. This policy is intended to support the verification of credentials, criminal history, credit status and other information related to employment decisions that assist the university in meeting its commitments.

B. Statement of general policy

1. It is the policy of Indiana University that all new staff and specified new hourly employees have certain credentials and criminal and other background information verified as a condition of employment.
2. It is the policy of Indiana University that specified current staff employees with fiscal management responsibility have their criminal and other background information verified as a condition of continued employment.

C. Definitions

1. **Credit history check** means checking the credit history of the selected applicant or employee. (Federal laws prohibit discrimination against an applicant or employee as a result of bankruptcy.)
2. **Criminal history check** means verifying that the selected applicant or employee does not have any undisclosed criminal history in every jurisdiction where the applicant or employee currently or has resided.
3. **Educational verification** means ensuring that the selected applicant or employee possesses all educational credentials beyond high school listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought.
4. **Employee** is defined as any person employed by Indiana University, whether full- or part-time.
5. **Employment verification** means ensuring that the selected applicant or employee actually worked in the positions listed on the application, resume, or cover letter or otherwise cited by the candidate that qualify the individual for the position sought, as well as all employment during a period of at least seven (7) years immediately preceding application at Indiana University. This verification should include dates of employment, and reasons for leaving each position.

6. **License verification** means ensuring that the selected applicant or employee possesses all the licenses listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought and verification of any license required for the position, including verification of the disposition of such licenses. This includes any motor vehicle drivers licenses required for the associated position.
7. **Limited criminal history check** means verifying that the selected applicant or employee does not have any undisclosed criminal history in the jurisdiction where the applicant or employee currently resides, or where the applicant or employee last resided, if the applicant or employee only recently moved to a location near the university.
8. **Limited sex and violent offender registry check** means verifying that the selected applicant or employee does not have undisclosed convictions of certain sex and violent crimes in the jurisdiction where the applicant or employee currently resides, or where the applicant or employee last resided, if the applicant or employee only recently moved to a location near the university.
9. **Sex and violent offender registry check** means verifying that the selected applicant or employee does not have undisclosed convictions of certain sex and violent crimes in every jurisdiction where the applicant or employee currently or has resided.
10. **Tax payment check** means verifying that the selected applicant or employee is current in payment of Indiana state taxes.

D. Policy provisions

1. **New staff employees**
   a. All new staff employees shall have the following background checks completed as a condition of employment with Indiana University. For each of the background checks identified in this paragraph, the human resources office at each campus will determine whether it or the hiring department will perform the background check.
      i. Employment verification - to be completed by the hiring department or campus human resources office
      ii. Educational verification - to be completed by the hiring department or campus human resources office
      iii. License verification - to be completed by the hiring department or campus human resources office; except for a required motor vehicle drivers license, which is to be initiated by the hiring department or campus human resources office and completed by Risk Management
      iv. Criminal history check - to be initiated by the hiring department or campus human resources office, with final completion by the campus human resources office
      v. Sex and violent offender registry check - to be initiated by the hiring department or campus human resources office, with final completion by the campus human resources office
   b. Foreign nationals who have been offered employment into appointed staff positions will be subject to the following provisions:
      i. The verification of education that the candidate has cited that qualifies the individual for the position.

ii. The verification of employment that the candidate has cited that qualifies the individual for the position.

iii. A criminal history check covering time in the United States if the period of time that the individual has been in the United States exceeds one year.

iv. A criminal history check in the individual's prior countries of residence only if the individual's visa and/or authorization to work in the United States was issued before implementation of the Patriot Act on October 24, 2001. The university will not require that a criminal history check be conducted in the individual's prior countries of residence if the visa or authorization to work was issued or renewed under the provisions of the Patriot Act.

c. All new staff employees who will be performing any of the following jobs shall also have the below listed additional background checks completed as a condition of employment with Indiana University: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, CEO IU Alumni Association, and other positions as requested by the campus human resources office and approved by University Human Resource Services. Additional background checks shall include:

i. Credit history check - to be completed by University Human Resource Services

ii. Tax payment check - to be completed by University Human Resource Services

If the university has performed any of the above verification or history checks on an individual within the past year, a new verification or history check of that specific category will not be required. The results of the previously performed verification and/or history check will be considered in any pending employment decision.

New hourly employees (including individuals with student status)

All new hourly employees who are hired to perform work indicated below and who are at least 22 years old shall have the following background check completed as a condition of employment with Indiana University:

i. Criminal history check -- to be initiated by the hiring department or campus human resources office, with final completion by the campus human resources office

ii. Sex and violent offender registry check - to be initiated by the hiring department or campus human resources office, with final completion by the campus human resources office

a. Foreign nationals who have been offered employment into hourly positions performing the type of work covered elsewhere in this policy will be subject to the following provisions:

i. A criminal history check covering time in the United States if the period of time that the individual has been in the United States exceeds one year.

ii. A criminal history check in the individual's prior countries of residence only if the individual's visa and/or authorization to work in the United States was issued before implementation of the Patriot Act on October 24, 2001. The university will not require that a criminal history check be conducted in the individual's prior countries of residence if the visa or authorization to work was issued or renewed under the provisions of the Patriot Act.

b. Hourly work assignments that require this background check include:
   i. Employment in a PERF covered position
   ii. Work that involves handling financial, student or personnel data or records
   iii. Work that involves any confidential or sensitive data or information
   iv. Work that involves handling cash, checks, or credit card transactions
   v. Work that involves responsibility for or providing services to any one under the age of 18
   vi. Work that involves possessing keys/codes or other means of entry to living spaces within university provided housing, e.g. dormitory rooms, hotel rooms, or apartments
   vii. Work that provides access to a select agent or toxin as defined by the Centers for Disease Control (CDC) or which will load, unload, prepare for transport, transport, or offer for transportation any quantity of radioactive materials or a quantity of hazardous material which requires placards.
   viii. Any other hourly positions that a campus human resources office determines should be included.

c. For the same new hourly employees in 1) who are less than 22 years old, the following background check shall be completed as a condition of employment with Indiana University:
   i. Limited Criminal history check -- to be initiated by the hiring department or campus human resources office, with final completion by the campus human resources office
   ii. Limited sex and violent offender registry check - to be initiated by the hiring department or campus human resources office, with final completion by the campus human resources office

d. All new hourly employees who are hired to perform work that requires a license, regardless of age, shall have the following background check completed as a condition of employment with Indiana University:
   i. License verification - to be completed by the hiring department; except for a required motor vehicle drivers license, which is to be initiated by the department and completed by Risk Management

e. If the university has performed any of the above verification or history checks on an individual within the past year, a new verification or history check of that specific category will not be required. The results of the previously performed verification and/or history check will be considered in any pending employment decision.

f. At the discretion of the hiring department or campus human resources office, an hourly employee may have an educational verification and/or employment verification completed.

3. **Current staff employees**

a. All current staff employees who are performing any of the following jobs or functions shall have the below listed background checks completed as a condition of continued employment with Indiana University: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, and CEO Alumni Association.

i. Criminal history check -- to be completed by University Human Resource Services

ii. Credit history check -- to be completed by University Human Resource Services

iii. Tax payment check - to be completed by University Human Resource Services

E. Responsibilities

1. Campus Human Resource Office or Hiring Department Responsibilities

a. The human resources office at each campus will determine which of the components of the background check that it or the hiring department will perform.

b. All offers of employment, oral and written, shall include the following statement: "This offer is contingent on the university's verification of credentials and other information required by state law and IU policies, including the completion of a criminal history check."

c. Employment verification: it is strongly recommended that this verification be completed before making an offer of employment to any individual; in all cases requiring such, this verification shall be completed within 30 days of making the offer of employment.

d. Educational and license verifications: it is strongly recommended that this verification be completed before making an offer of employment to any individual; in all cases requiring such, these verifications shall be completed within 30 days of making the offer of employment.

e. Criminal history check (standard or limited) and sex and violent offender registry check (standard or limited): in all cases requiring such, these background checks shall be initiated after acceptance of the conditional offer of employment.

i. The individual's official name, date of birth and social security number will be obtained from the person and provided to a third-party which the university has contracted with for associated services

f. If the criminal history check indicates that there are no convictions, the third party vendor will inform the initiator of the request who in turn will inform the applicant that the employment offer is confirmed.

g. If the criminal history check indicates that there are convictions, the third party vendor will inform the campus human resources office and University Human Resource Services. The campus human resource office will provide a copy of the report to the individual. (All related information will be treated as confidential, and protected as such.)

h. If the criminal history check reveals convictions which the individual disclosed in the application, the campus human resource office will review the report with the hiring department and jointly, they will evaluate each conviction, including any additional information that the individual provides, before the offer of employment is confirmed or withdrawn. The existence of a conviction does not automatically disqualify an individual from employment. Relevant considerations may include, but are not limited to, the nature and number of the convictions, their dates, and the relationship that a conviction has to the duties and responsibilities of the position. Any decision to accept or reject an individual with a conviction is solely at the discretion of Indiana University. (All related information will be treated as confidential, and protected as such.)

i. If unreported convictions are revealed in the criminal history check, the offer of employment will be withdrawn and, if employed, the individual will be separated from employment, unless the individual shows that the report is in error. The decision to reject or terminate an individual with an unreported conviction is solely at the discretion of Indiana University. (All related information will be treated as confidential, and protected as such.)

j. In the event that the results of the background check influences a decision to withdraw an employment offer or terminate employment, the campus human resources office will inform the hiring department and the individual.

k. For all employment, education, and license checks/verifications required, departments shall maintain records indicating the item checked/verified, the name of the department personnel completing the check/verification, the date of the check/verification, and the status of the check/verification. These records shall be retained in the department's personnel file for the associated employee.

   i. All results of criminal and sex and violent offenders convictions or issues are considered confidential and will be maintained in confidential files within the campus human resources office.

l. The hiring department will be responsible for any fees associated with any of the components of the background check process. (Schools or campuses may decide to fund the cost of associated fees.)

2. University Human Resource Services Responsibilities

a. In the event that a criminal conviction is found, the third party vendor will submit the report to the campus human resources office associated with the position and University Human Resource Services.

b. University Human Resource Services will monitor the hiring decisions made in such cases, consult with the campus human resources office in helping to resolve cases, and monitor hiring decisions in such cases for consistency.

c. University Human Resource Services will conduct criminal, credit and tax history background checks for staff employees in the following positions: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, and CEO Alumni Association. (All related information will be treated as confidential, and protected as such.)

d. University Human Resource Services will coordinate the receipt and payment of the third party vendor's fees.

F. Sanctions for violations

Violations of university policies, including providing false or misleading information used for any of the above background checks, will be handled in accordance with applicable university policies and procedures; which may include disciplinary actions up to and including termination from the university.

G. Appeals

Decisions regarding the withdrawal of an employment offer as a result of a background check may be appealed to the next higher unit head for review. An employee who is terminated as a result of a background check may appeal such decision in accordance with normal problem-grievance resolution procedures.

H. Related university policies and laws

1. IU Human Resource Policies related to Selecting and Hiring Employees
2. IU Risk Management Policies related to Motor Vehicle Drivers License

I. Office responsible for this policy

1. University Human Resources Office

Adopted July 2006

Human Resources Policy 3.8
Promotions and Transfers

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Statement of intent

1. The university supports the efforts of staff who want to acquire and improve skills that qualify them for higher level positions. Staff interested in a promotion or transfer must ensure that their official IU employment application and related materials are current. Human Resources Administration maintains each staff member's employment application.
2. Staff may obtain higher level positions through a promotion within the department or by transfer to and promotion within another department. The university seeks to create an atmosphere that allows staff to explore these options. Consequently, managers and supervisors are expected to consider employees for promotion within their own departments and to allow them opportunities to seek transfers to other departments.

B. Factors for consideration of promotion or transfer

1. The university considers the following factors when determining an employee's qualifications for promotion or transfer:
   a. Experience
   b. Past performance
   c. Educational background
   d. Ability to perform the essential functions of the job, with or without reasonable accommodation
   e. Ability and qualifications to perform the work completely, with or without reasonable accommodation
   f. Attendance record (not including extended periods of sick leave due to serious illness or injury, approved leaves of absence, or absences under the FMLA)
2. If two or more employees are relatively equal in terms of these factors, then seniority governs the promotion or transfer. In such cases, the final decision is based on *occupational unit seniority* first and *university seniority* second.

C. Service required before requesting a promotion or a transfer

1. An employee must work on a job for at least six months before requesting a change to another job in a different department. A supervisor can waive this requirement by providing the employee with a letter granting permission to seek another job.
2. Before an employee requests a change to another job within the same or different department, a hiring supervisor may require a recommendation letter supporting the transfer from the employee's current supervisor.

D. Practices governing promotions and transfers

Before promoting from within

Before promoting or transferring an employee from within an occupational unit, departments must (1) review campus affirmative action requirements and (2) consult with Human Resources Administration before making an offer.

Before making a transfer commitment

Before making a transfer commitment, the hiring department should ensure that the transferring employee has informed his or her present department head. A start date should be discussed; a two week notice is required. A notice period of less than or more than two weeks must be agreeable to the employee, the employee's current supervisor, and the employee's new supervisor. Human Resources Administration coordinates all transfers across departments.

Transferring benefits

1. Except for accrued compensatory time, paid-time-off benefits are transferred between departments and campuses.
2. Any accrued compensatory time must be granted **before** the promotion or transfer occurs. The time can be granted as time off or pay.

Salary increase (for promotions)

SM staff promoted to a position with a higher salary grade are to be given a minimum salary increase of three percent provided the new salary rate does not exceed the maximum of the new salary grade.

Salary determination (for transfers)

1. Lateral transfers will normally be made at the incumbent's current salary. An employee will not receive a salary increase for such a transfer. If an employee's salary must be reduced because of budgetary limitations, Human Resources Administration should be contacted to determine the proper rate.
2. When it is contemplated that an employee is going to be transferred to a lesser classification, Human Resources Administration must be contacted. A review of the employee's salary history and a salary determination will be made by Human Resources Administration. Consideration will be given to whether the transfer was voluntary or involuntary.

HRMS form

Consult with Human Resources Administration to determine the process for completing the appropriate HRMS form.

Disciplinary actions

Disciplinary actions which are over one year old will be removed from an employee's personnel file before the file is sent out to a department which has requested it for promotion or transfer.

Applying for a promotion

1. When a job opening occurs and an employee is away from the job because of vacation, illness, or other reasons, the employee's representative shall have the right to apply for the promotion on behalf of the absent employee.

2. Each supervisor must determine what is "reasonable" time off, keeping in mind the university's favorable attitude toward promotion and transfer. If a supervisor believes that the employee's absences are excessive, then he or she can require the employee to make up the time or charge excessive absences to accumulated time off benefits.

E. New evaluation period

1. Newly-promoted or transferred SM employees must successfully complete a four-month evaluation period before the promotion or transfer becomes final. The university will determine if the evaluation period has been satisfactorily completed, and if not, the employee may be given up to a two-week notice of termination.

   a. SM employees who transfer to a position with duties that are substantially the same as the former position do not serve a new evaluation period

2. A promoted or transferred employee who fails to meet the standards of the new job within the evaluation period will be given preference for the next position open (provided qualifications are met) in the functional classification. A promoted or transferred employee who voluntarily requests within the evaluation period not to continue in the new position will also be given preference for the next position (provided qualifications are met) open in the functional classification. In these events, a request for reinstatement in the employee's former occupational unit will be given first preference when an opening occurs.

3. If reinstated in the previous occupational unit within one year of the date of promotion or transfer, the employee's former seniority date in that unit will be reinstated.

Revised July 2010

Human Resources Policy 3.9
Reemployment Provisions

Staff covered by this policy

This policy applies to all staff employees at IU.

A. Introduction

1. An appointed employee who separates employment from the university and who is later reappointed has certain provisions restored, if eligible, upon reappointment.
2. The table below is a summary only. See the appropriate section in this policy to determine whether an employee is eligible.

Reemployment Provisions At-a-Glance

Type of provision restored	After a RIF	After a voluntary separation	After a medical-related separation	After a military separation*
Unused sick time	Yes	No	Yes	Yes
Unused vacation time	Yes	No	Yes	Yes
University seniority	Yes	No	Yes	Yes
Occupational unit seniority	Yes	No	Yes	Yes
University service credit	Yes	Yes	Yes	Yes
Retirement plan benefits	No	No	No	Yes

*Veterans are fully restored to the status that he or she would have enjoyed as an employee. See Section D for conditions and details.

B. Permanent reduction in force

1. An employee who is reappointed in any department within 18 months after being separated from the university because of a permanent reduction in force will have the provisions listed below restored.
   a. Unused sick time (income protection time)
   b. Unused accumulated vacation time (in excess of the separation vacation allowance for which the employee did not receive separation pay)
   c. University seniority date that existed at the time of separation
   d. Occupational unit seniority date that existed at the time of separation, provided the employee is reappointed in the same occupational unit
   e. University service credit plus the time away from work during the reduction in force

C. Medical-related separation

1. An employee who is appointed in any department within 12 months after a medical-related separation limited to the list below will have the provisions listed below restored.
   a. A separation for pregnancy
   b. A separation for postnatal infant care (for approximately the first year of life)
   c. A separation due to sickness or bodily injury that totally disabled the employee from fulfilling his or her former position
2. Upon reappointment, the employee will have the following provisions restored:
   a. Unused sick time (income protection time)
   b. Unused accumulated vacation time for which the employee did not receive separation pay
   c. University seniority date that existed as of the time of separation
   d. Occupational unit seniority date that existed as of the time of separation provided the employee is reemployed in the same occupational unit
   e. University service credit plus the time away from work during the medical-related separation

D. Military leave of absence or separation

1. As soon as a supervisor or department head is informed or becomes aware that an employee is requesting to return from military service, the supervisor or department head must consult with the campus Human Resources office to insure university compliance with USERRA and the regulations.
2. Staff other than those in temporary positions (defined in the regulations as positions that exist for a brief, non-recurrent period with no reasonable expectation that the employment would have continued for a significant period) who take a leave of absence or separate to enter military service are entitled to the reemployment provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA). When an employee completes military duty and meets the conditions below, the veteran is to be restored to the status that he or she would have enjoyed with reasonable certainty as an employee as if the leave or separation had not occurred. This includes:
   a. Working conditions established by one's length of university service.
   b. The position that the person would have been in had the leave or separation not occurred. This may be at the same, higher or lower classification level and includes the completion of any evaluation period that would have expired during this time.
   c. Restoration of unused income protection time and vacation time.
   d. The university seniority date that existed at the time of separation, if a separation occurred.
   e. The occupational unit seniority date provided the employee is returned to the same occupational unit.
   f. University service credit plus the time away from work during the military separation, if a separation occurred.

g. The salary or pay rate that the employee would have been at but for the absence for military service.

h. IU-funded contributions that would have been allocated to the employee's retirement plan but for the absence for military service.

i. The time in the military service will count towards fulfilling the length of employment and hours of work requirements to be eligible for a leave under the FMLA policy.

j. Accrual of vacation for the period in military service up to a limit of one year's accrual.

3. Depending on the length of military service, employees must apply (orally or in writing) to return to work within the time limits stated below.

Staff who serve for this amount of military service	Must apply (orally or in writing) to return to work this many days after release from duty
Less than 31 days	At the beginning of the first regularly scheduled work day*
31 to 180 days	No later than 14 days
Over 180 days	No later than 90 days

* Employees must be allowed, however, a "reasonable" amount of time to return home, rest, and travel to their place of employment.

4. The university's obligation under the related law covers a cumulative period of five years of military service.

5. If an employee is hospitalized or recovering from an injury incurred in or aggravated during active duty, the employee must apply to return to work at the end of the period necessary for recovery, but not more than two years from the date of completion of service. The law provides for other exceptions to the five-year limit which are to be discussed with the campus Human Resource office if a case arises.

6. The right to return to work applies even if the employee gave an explicit written statement at the start or during the military service that he or she did not intend to return to work at the university and resigned or was separated based on this statement. However, upon his or her return to work, such an employee is not entitled to the non-seniority rights and benefits of restoration of unused paid time off (paragraph D.2.c above) accrual of vacation for the period in military service (paragraph D.2.j. above) and IU-funded contributions to the employee's retirement plan (paragraph D.2.h. above).

7. An employee who meets the criteria described in this section and requests to return to work, must be returned within two weeks of receipt of his or her request.

8. An employee returned to work under the provisions of USERRA may not be terminated except for cause for 180 days after his or her date of return if the most recent period of uniformed service was less than 181 days or for one year after the date of return if the most recent period of uniformed service was more than 180 days.

9. An employee is not entitled to any USERRA rights or benefits if the employee separated from military service with a dishonorable or bad conduct discharge or under "other than honorable" conditions as defined by the regulations for the particular branch of military service.

E. Voluntary termination

1. Upon reappointment, an employee who had previously voluntarily separated from a university appointed position will receive university service credit as defined in the Seniority Dates/Service Credit policy.
2. The decision to reemploy an employee is at the sole discretion of the department. Nothing in this section will be construed to provide any preferential employment rights.
3. The provisions of this section apply for reappointments following reductions in force, medical-related separations or military separations, which occur after the time limits stipulated for each of these categories

F. Use of time off

As with new appointments, staff reemployed under conditions outlined above may use accumulated time off after receipt of their first paycheck.

Revised June 2006

Human Resources Policy 4.1
Attendance and Absences

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Introduction

Regular attendance is a condition of employment. All employees are personally responsible for reporting anticipated absences to their supervisor before they are scheduled to begin the workday.

B. Reporting absences

1. All staff are personally responsible for reporting anticipated absences to their supervisor in accordance with departmental or campus policy or practice.
   a. If an absence is due to an emergency, the employee must notify the supervisor as soon as possible explaining the reason for the absence and expected time of return to work.
   b. If the supervisor cannot be reached, the employee must follow the call-in procedure of the department.

C. Unexcused absences

1. If a staff member is absent for three consecutive workdays without properly notifying a supervisor, this may lead to termination.
2. If a staff member is absent for five consecutive workdays without properly notifying a supervisor, this will result in termination.

Revised May 2002

Human Resources Policy 4.2
Work Schedules

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Work hours

1. The workweek for all campuses and departments begins and ends at 12:00 midnight on Saturday.
2. The basic full-time work schedule normally consists of 40 hours in each workweek. Departments establish hours of operation and reporting and departing times and may allow alternate or flexible work schedules that support operational needs. Any change in work schedules requires supervisory approval.
3. Departments should not schedule employees to work on a regular basis for more than six days of the week or more than 12 hours a day except in 24-hour, 7-day departments where extended schedules may be necessary.
4. If an appointed employee's scheduled day off is changed, he or she receives compensation at time and one-half for hours worked that day. However, if the employee receives notice of the change in scheduled days off at least five calendar days in advance, the employee is compensated at the regular rate.

B. Recordkeeping responsibilities

1. Weekly work schedules should be documented and maintained with other payroll-related records within the department.
2. It is each employee's responsibility to accurately record all hours worked on the university-provided timekeeping device or form.
3. It is each department's responsibility to maintain a record of all hours worked.
   a. Each employee must submit the recorded time to his or her supervisor for approval. The supervisor is responsible for verifying the accuracy of the time submitted.

C. Rest periods

1. Departments and supervisors will make efforts to permit employees to take rest periods. Reasonable rest periods normally consist of a 15-minute break during each half-day of work. Supervisors can ensure the efficiency of a work unit by scheduling rest periods at staggered times. Supervisors may use discretion in scheduling additional breaks for employees who work in adverse conditions, for example, in extreme cold or noxious fumes.
2. Employees may not skip a rest period to:
   a. Compensate for a late arrival to work
   b. Compensate for an early departure from work
   c. Accumulate time to use at a later point

D. Lunch breaks

Employees receive one hour off for lunch each day, unless a department has established a different schedule. Employees should not be required to work more than six consecutive hours without a minimum of a one-half hour lunch period free from the job. By mutual agreement between the employee and the supervisor, an employee can work more than six consecutive hours without an unpaid lunch break of 30 minutes or more, either as an occasional adjustment to the work schedule or on a regular basis as an alternative or flexible work schedule.

E. Uniform change time

Some employees are required to wear uniforms but are not permitted to wear the uniforms to and from work. In these cases, they are allowed ten minutes in a scheduled work period to change into and out of uniforms.

F. Call back/call in

1. An appointed employee who is called back, called in, or scheduled to work at his or her regular position outside the scheduled workday—and who must make an additional trip to and from work outside the normal workday—is compensated for a minimum of three hours at time and one-half.
   a. An employee will receive this compensation only once for the same block of three hours for work required on the same project regardless of the number of trips back to work during that three-hour period.
2. Police officers who are required to appear in court outside their scheduled workday will be compensated for a minimum of three hours at time and one-half.

G. On call or "stand by" pay*

1. Appointed, biweekly employees are eligible for on-call pay for designated on-call hours when they are required to be available (on stand by) to work *on off-duty hours over and above their normal scheduled hours of work*. During the designated on-call hours, employees assigned to on-call status are unrestricted in movements or location but must remain accessible by phone or pager and in a fit condition to work. On-call employees must be available when called to report to work within the time period established by the supervisor or be available to respond by telephone to answer questions or make decisions.
2. Employees assigned to on-call status are paid $1.50 or $2.00 per hour (as determined by the department) for the designated on-call hours. If called in, on-call pay is discontinued during the hours the employee is called in. If called in or called back requiring an additional trip to and from work outside the normal workday, the employee will be compensated for a minimum of three hours at time and one-half plus any other applicable premiums.
3. Employees assigned to on-call status who cannot be located, who do not respond in a timely manner, or who fail to report to work when called in will forfeit on-call pay and may be subject to disciplinary action.

   **On call or standby pay does not normally apply to employees in Maintenance (except Building Automation and Key Shop) within Campus Facility Services*.

H. Shift preference

Shift preference for job openings that have identical duties and responsibilities is given in order of occupational unit seniority. This practice does not apply to units that rotate shift assignments on a regular basis.

I. Shift differential for appointed staff

1. Shift differential is paid for hours worked between 3:00 p.m. and 8:00 a.m. provided a minimum of four consecutive hours is worked during the designated shift differential period.
2. Shift differential is not paid if the scheduled shift is less than six hours.
3. An employee who is scheduled, called back, or called in to work **outside the normal daily work schedule** (and requires an additional trip to and from work outside the normal workday) is eligible for shift differential for time worked between 3:00 p.m. and 8:00 a.m. regardless of the length of time worked.
4. An employee who is absent and charges time to accumulated paid-time-off benefits, will be paid shift differential if it would have been paid for the time worked. Shift differential is not paid on paid-time-off benefits received as terminal pay.
5. Shift differential is factored into the calculation of overtime for employees who work overtime during the designated shift differential hours. Total earnings (including shift differential) are divided by total hours in pay status to determine the hourly rate for overtime.
6. The shift differential rate is $.50 per hour.

J. Sunday premium for appointed staff

Time worked between 12:00 a.m. Sunday and 12:00 a.m. Monday is paid at a rate of pay equal to one and one-quarter the hourly rate.

K. Campus coverage differential

1. Employees assigned to campus coverage within Campus Facility Services will receive an additional $1.25 per hour for hours worked between 3:00 p.m. Friday and 8:00 a.m. Monday and for hours worked between 3:00 p.m. and 8:00 a.m. Monday through Thursday.
2. An employee who is absent and charges time to accumulated paid-time-off benefits, will be paid the campus coverage differential if it would have been paid for the time worked. Campus coverage differential is not paid on paid-time-off benefits received as terminal pay.
3. Campus coverage differential is factored into the calculation of overtime for employees who work overtime during the designated campus coverage differential hours. Total earnings (including campus coverage differential) are divided by total hours in pay status to determine the hourly rate for overtime.

L. Off-campus work

1. When departments require employees who are eligible for overtime to perform a work assignment, attend class, etc., at a location away from the campus of their normal work assignment, they are eligible for pay for the time spent on the activity.

2. Lectures, meetings and training programs. Approved attendance at lectures, meetings, training programs and similar activities is work time if one or more of the following occur:
   a. Attendance is during normal work hours.
   b. Attendance is required by the university.
   c. The event is work related.
   d. University work is performed.
3. Conferences. When attending a conference, once daily conference activities are completed and the employee's time is his/her own; the time is not work time. Time spent on meal breaks, sleeping, and attending voluntary social events presented as part of the conference is not considered work time.
4. Travel time. The principles which apply in determining whether time spent in travel is work time depends upon the kind of travel involved.
   a. Travel time during normal work hours is work time.
   b. Home to work travel: An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary commuting, which is not work time.
   c. Home to work on a special one-day assignment in another city: An employee who regularly works in one city is given a special one day assignment in another city and returns home the same day. The time spent in traveling to and returning from the other city in excess of the time the employee would normally spend commuting to the regular work site is work time.
   d. Overnight travel away from home community: The following provisions apply to travel time that keeps an employee away from home overnight:
      i. Driving that the employee is required to perform is work time.
      ii. Time when work is performed while traveling is work time.
      iii. Travel time during normal work hours is work time.
      iv. Travel time on a day off during hours that are normal work hours during the week is also work time.
      v. Travel time not covered above is not work time.
      vi. A break in travel for meals is not work time.
      vii. Time at the when the employee is free to come and go as he or she wishes is not work time.

Human Resources Policy 4.3

Overtime

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Eligibility

1. All staff must have supervisory permission to work overtime.
2. Eligibility for overtime compensation is the greater of:
   a. Hours in pay status in excess of 40 hours per week
      i. Pay status means all time worked plus paid time off such as vacation, sick, holiday, and other forms of paid time off.
   b. Hours worked in excess of the daily scheduled shift
      i. For example: On a particular day, if the employee's daily scheduled shift is eight hours, he/she would not be eligible for overtime until eight hours are worked. Hours worked in excess of eight would then be paid at an overtime rate.

B. Finishing up time at the end of the workday

At the end of a workday, employees occasionally need less than 15 minutes to complete their duties. It is not necessary for supervisors to recognize this "finishing up" time as overtime unless it results in more than 40 hours worked in the workweek. Employees may be compensated for this time by allowing them to arrive late or leave early on another day of the same workweek. The late arrival or early departure time must not exceed the finishing up time. When finishing up time results in more than 40 hours being worked in the workweek, the excess is recorded as overtime at the end of the workweek.

C. Assigning overtime to employees

1. When overtime can be scheduled in advance, it is assigned on a rotating basis by occupational unit seniority. The employee in rotation must have the ability to satisfactorily perform the required work. Overtime necessary to complete or continue work on a project is excluded from assignment by rotation.
2. If the department passes over an employee on the overtime rotation schedule, the employee will be offered an opportunity for an equal number of overtime hours that were lost as a result of the overtime assignments when requested, except where cases of personal emergency exist.

D. Managerial or supervisory overtime

Employees whose responsibility is primarily managerial or supervisory should not be called back to work overtime or assign themselves to work overtime, unless the supervisory function is required for the overtime work and would be required during regular work hours.

E. When work has to be completed after the shift

If, because of operating requirements, work is scheduled to be performed within three hours of the end of an employee's regularly scheduled shift and the employee is assigned to perform such work, he/she shall not be required to check out and return at a later time but shall be provided with up to three hours of work within his/her classification at a rate of pay equal to one and one half the hourly rate.

F. Compensation for appointed employees

Two methods of compensation

1. Appointed employees must receive compensation for overtime worked at a rate equal to one and one-half times the hourly rate for the work performed. There are two methods of compensation:
   a. Payment at a rate of pay equal to one and one-half the hourly rate for the work performed.
   b. Time off without loss of pay at one and one-half times the overtime hours worked.
      i. If the unit determines this method of compensation is to be used, it shall be discussed with the employee and agreed to prior to scheduling the overtime work. If the employee does not agree, the supervisor has the option of paying for the overtime or not scheduling the work.
      ii. Employees should not accumulate more than 40 hours of compensatory time unless approved by Human Resources Administration. Requests for increased accumulations for designated units with the rationale must be made in writing to HRA for approval.
      iii. Compensatory time off may be taken at a mutually acceptable date within one year of the date worked.

G. Secondary employment

1. Secondary employment of a 100 percent FTE appointed employee by another department that results in overtime must be compensated at an overtime rate by the secondary department. The amount is one and one-half times the rate of the overtime work performed. This requires the advance agreement between the employee and the secondary department and must be based on a bona fide rate.
2. If a less than 100 percent FTE appointed employee has multiple university jobs, the rate of compensation for time worked in excess of 40 hours in a work week will be the weighted average of the rates for all university jobs for which time was recorded for the employee during the workweek.
3. There are occasional and sporadic hourly jobs such as ticket takers and special event ushers, which an appointed employee may be hired to perform. With advance authorization, these jobs are paid at the regular rate of pay for the job. Contact Human Resources Administration if questions arise.

H. Promotions and transfers

When an employee is promoted or transferred to another department or to a position in the same department not eligible for overtime compensation, any accumulated compensatory time is to be granted *before* the move. The time can be granted as time off or pay.

I. Trading hours

When two employees working in the same capacity voluntarily agree to trade hours and receive supervisory approval, the traded hours worked shall be excluded in the calculation of hours for which the employees are entitled to overtime compensation.

J. Departmental responsibilities

1. Departments are responsible for the following:
   a. Maintaining internal records of overtime worked and compensatory time earned and used.
   b. Reporting overtime worked and compensatory time earned and used on the university-provided records.
2. It is the responsibility of supervisors to plan and schedule work so that it can be performed within the regularly scheduled hours. Supervisors may adjust the work schedule subject to the notice provisions of Policy 4.2, Work Schedules.

K. Employee responsibilities

1. Employees are responsible for the following:
   a. Obtaining supervisory authorization before working any overtime.
   b. Keeping an accurate record of actual time worked. Time is to be recorded daily or weekly as provided for on the department's recordkeeping system.

Revised July 2008

Human Resources Policy 5.1
Consensual Relationships

Staff covered by this policy

This policy applies to all staff employees at Indiana University.

A. Consensual Romantic Relationships

1. The university's mission is promoted by professionalism in all relationships between supervisors and employees. IU recognizes the potential for a conflict of interest when a consensual romantic and/or sexual relationship occurs between a supervisor and his or her employee.
2. Such relationships can interfere with a supervisor's ability to evaluate an employee or may at least give rise to the perception that the supervisor's evaluation is biased. In addition, those who engage in such relationships should be cautioned that questions may later arise regarding whether the relationship was consensual.

B. Provisions

1. Policy 3.3, Employment of Relatives, Students and Minors, already precludes employees from evaluating the work of others with whom they are related, or from making hiring, promotional, transfer, or similar decisions concerning such persons.
2. The same concepts within the Employment of Relatives provision apply to consensual romantic and/or sexual relationships and require, at a minimum, that appropriate arrangements be made for objective decision making.

C. Disclosure

1. When a consensual romantic and/or sexual relationship exists between a supervisor and his or her employee, the supervisor has the responsibility to disclose the relationship to his or her supervisor.
   a. The employee may disclose the relationship to the supervisor's supervisor.
2. At this time, arrangements will be made to eliminate or mitigate a conflict whose consequences might prove detrimental to the university.

Adopted July 2006

Human Resources Policy 5.2

Prohibition of Fiscal Misconduct/Ghost Employment

Staff covered by this policy

This policy applies to all employees of Indiana University.

A. Introduction

Internal Audit investigates reported incidences of fraud, embezzlement, and ghost employment. It is authorized by the Board of Trustees to audit all parts of the university. When doing so, Internal Audit has full and complete access to any of the university's records, physical properties, and personnel.

B. Ghost employment

1. Indiana law makes it a criminal and civil law offense for IU to employ and pay an employee when that employee is not performing duties related to the operation of the employer.
    a. No employee is to receive salary or wages for work not performed in the exercise of duties for the institution.
    b. It is also unlawful for the employee to accept salary or wages in this situation.
    c. Both the employer and the employee are subject to civil and criminal penalties for violation.

C. Employee responsibilities

1. IU financial institutional policy states, "If any employee knows or suspects that other university employees are engaged in theft, fraud, embezzlement, fiscal misconduct or violation of university financial policies, it is their responsibility to immediately notify the Internal Audit department or the appropriate campus police department."
2. All investigations will be conducted in the strictest of confidence. The names of those communicating information will only be revealed if legal action requires disclosure of names.

Related law and policy

This policy is based on Indiana Code 35-44-2, "Perjury, False Reporting, Impersonation, and Ghost Employment" and IU Financial Policy I-30 - Fiscal Misconduct.

Revised January 2003

Human Resources Policy 5.3

Political Activity

Staff covered by this policy

This policy applies to all staff at IU.

A. Political activity

1. The university recognizes the right of employees to engage in political activities and to participate in community, state, and national programs provided that the employee can still fully perform his or her university responsibilities.
2. The employee who proposes to engage in political activity, which may affect the fulfillment of job duties, will be required to inform the departmental head, who, in turn, should notify the dean or director and the campus human resources office in writing for placement in the employee's personnel file.
    a. Should a disagreement arise between the employee and any of the above administrative officers regarding the employee's ability to discharge university obligations, the employee is entitled to resort to the established Problem-Grievance Procedure for his or her functional group.
3. In any such activities the employee must make clear that he/she is acting as a private citizen and is in no way representing the university and must use his/her own time or accumulated paid time off benefits.
4. If participation does prevent full discharge of responsibilities, the individual will be required to request a leave of absence for political activity for the period of such activity.

Revised July 2008

Human Resources Policy 5.4
Substance-Free Workplace

Staff covered by this policy

This policy applies to all employees who work on campuses and in workplaces controlled by Indiana University.

A. Objectives

1. To promote a safe, healthy working environment for all employees
2. To provide assistance toward rehabilitation for any employee who seeks help in overcoming an addiction or dependence on alcohol or drugs
3. To reduce the incidence in injury to person or property and to reduce absenteeism, tardiness, and poor job performance

B. Prohibitions

1. The university absolutely prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol on university premises or while conducting university business off university premises. Violation of this policy may result in immediate termination of employment.
    a. Controlled substances are those usually referred to as illegal drugs listed under the federal Controlled Substances Act.
    b. Lawful dispensation, possession or use of alcoholic beverages on university property is limited to specifically authorized events
2. In compliance with the Drug-Free Workplace Act of 1988 and the federal Drug-Free Schools and Communities Act Amendments of 1989, and as a condition of employment with Indiana University, all staff must:
    a. Abide by the prohibition in point 1. (See above.)
    b. Notify the campus chancellor, provost, or office designated for the campus of any conviction under a criminal drug statute for violations occurring on or off university premises while conducting university business, within 5 days after conviction.
        i. When the campus chancellor's or provost's office receives notice of such a conviction, it will coordinate efforts to comply with the reporting requirements of the Drug-Free Workplace Act of 1988.
3. An employee who is (1) found to be under the influence of alcohol or a controlled substance while on university property or in the course of a university activity, or (2) convicted of a criminal alcohol or drug statute violation occurring on university property, is subject to disciplinary action, up to and including termination.
    a. An employee is determined to be under the influence according to the standard set by the applicable standard (e.g., Department of Transportation, Indiana law).
    b. It is lawful for an individual to be under the influence of a controlled substance in a public place if the individual can present positive proof of the following:

i. The individual is under the care of the Bureau of Addiction Services, a community mental health center, a managed care provider, or a licensed physician.

ii. The controlled substance constitutes medical treatment authorized by state and federal law.

C. Supervisors' guidelines

1. When it is reasonably believed that an employee is under the influence of drugs or alcohol while on the job, contact the campus human resources office to implement the following guidelines—all of which must be applied in accordance with the applicable Corrective Action policy:

   a. The employee may be removed from the workplace until the employee is no longer under the influence and during the time an investigation is underway. In such circumstances, the supervisor will arrange to have the employee transported home.

   b. The employee may be required to undergo drug or alcohol testing. This could occur both at the time the employee is suspected of being under the influence and/or before the employee is allowed to return to work as evidence the employee is no longer under the influence.

      i. The campus human resources office should coordinate with Risk Management the development of a confidential testing program for the campus and inform the campus of the program.

      ii. The department director or designee should use the program to arrange for confidential testing of the employee.

      iii. An employee's refusal to participate in requested drug and/or alcohol testing is a separate offense subject to corrective action.

   c. An employee found to be under the influence is subject to discipline as provided in the Corrective Action policy.

   d. The supervisor may counsel the employee to seek assistance.

2. An employee whose off-work use of alcohol or drugs can reasonably be established to be the cause of excessive absenteeism or tardiness, or the cause of accidents or poor work performance will be counseled to seek assistance.

   a. Job performance problems are subject to the steps of the Corrective Action policy.

D. Assistance and rehabilitation

1. Employees requiring assistance in dealing with the use of alcohol or a controlled substance can receive such assistance in two ways: self-referral and university referral.

   a. Employees are encouraged to seek confidential information and referral assistance from the following:

      i. Physician and/or Employee Assistance Program (EAP). EAP counselors are available by toll-free call at 888-234-8327. (Available to full-time appointed employees and their household members only.)

      ii. List of local social service agencies. Employees are advised to check with their medical plan administrator for coverage information.

2. An employee's off-work use of alcohol or drugs can cause excessive absenteeism or tardiness, or cause accidents or poor work performance. If this can reasonably be established, the employee will be counseled to seek assistance.
    a. An employee's need for assistance or rehabilitation will be treated as confidential by the supervisor receiving it and only those persons "needing to know" will be made aware of the request.
    b. Rehabilitation is an acceptable purpose for a leave of absence subject to consideration of the other conditions listed in the Family Medical Leave Act (FMLA) Rights policy.

E. Criminal penalties

1. All employees are reminded that conviction under state and federal laws that prohibit alcohol and drug-related conduct can result in fines, confiscation of automobiles and other property, and imprisonment. A conviction can also result in the loss of a license to drive or to practice in certain professions, and barred opportunities from employment.
2. A person who exhibits alcohol-related behavior such as the following is at risk of arrest:
    a. A person under 21 who possesses alcohol
    b. A person who provides alcohol to a person under 21
    c. A person who is intoxicated in public
    d. A person who sells alcohol beverages without a license

F. Health risks associated with alcohol

All persons should be aware of the following health risks caused by alcohol.

1. Consumption of more than two average servings of alcohol in several hours can impair coordination and reasoning and make driving an unsafe activity.
2. Consumption of alcohol by a pregnant woman can damage the unborn child. A pregnant woman should consult her physician about this risk.
3. Regular and heavy alcohol consumption can cause serious health problems such as damage to the liver and to the nervous and circulatory systems.
4. Drinking large amounts of alcohol in a short time may quickly produce unconsciousness, coma, and even death.

G. Health risks associated with drugs

1. The health risks associated with controlled substances are numerous and varied depending on the drug. Nonetheless, the use of drugs not prescribed by a physician are harmful to the health. For example, drug use can cause the following conditions.
    a. Impaired short-term memory or comprehension
    b. Anxiety, delusions, and hallucinations
    c. Loss of appetite resulting in damage to one's long-term health

d. A drug-dependent newborn, if the mother uses drugs during pregnancy
    i. Pregnant women who use alcohol or drugs, or who smoke should consult their physician.
e. AIDS, as a result of drug users who share needles
f. Death from overdose

Revised July 2006

Human Resources Policy 5.5
Firearms and Weapons Prohibitions

Staff covered by this policy

This policy applies to all staff at Indiana University

A. Introduction

A safe and secure environment is a fundamental prerequisite for fulfilling the university mission of teaching, research, and public service. IU is committed to maintaining a workplace that is free of violence. This obligation includes eliminating recognized hazards from campus communities that contribute to violence or serious harm.

B. Policy

While on university-controlled sites and at university-directed activities, employees are prohibited from introducing, possessing, using, buying, or selling unauthorized weapons, firearms, ammunition, explosives, or items deemed by campus police to be dangerous.

C. Violation of this policy

1. Any employee who becomes aware of a violation of this policy is required to immediately notify the campus police department or his or her supervisor.
2. Violation of this policy is considered a serious offense that endangers the safety of the university communities. Therefore, this offense may result in immediate termination of employment.

D. Definitions

1. An ***employee*** is any IU employee, (regardless of employment status) excluding academic employees.
2. An ***unauthorized firearm*** is any firearm, regardless of whether the owner has a valid state permit to carry the firearm. The following firearms are excluded from this definition:
   a. A firearm in the possession of a law enforcement officer who is authorized to possess the firearm, either on or off duty, by the employing law enforcement agency.
   b. A firearm in the possession of a person who has received prior written authorization from the campus police chief to possess a firearm on campus.
   c. A firearm that is legally permitted and is being transported directly to or from an off-campus location and university firing ranges located on university campuses.
3. ***University premises*** refers to all Indiana University properties.
4. A ***university-controlled site*** refers to all permanent Indiana University facilities on all campuses or other locations. It includes any temporary facilities that the university uses to conduct an activity intended primarily for faculty, staff, students, or invited guests of the university, rather than for the general public.

5. A ***university-directed activity*** is an event intended solely for IU faculty, staff, students, or invited guests of the university; it is not intended for the general public. These activities include, but are not limited to, graduation events, receptions, meetings, and conferences.
6. A ***campus police chief*** is one who has been assigned administrative responsibility for campus law enforcement or security activities.

Revised November 1995

Human Resources Policy 5.6
Policy Against Workplace Violence

Staff covered by this policy

This policy applies to all nonacademic employees on the IUPUI campus.

A. Introduction

1. To accomplish its missions of teaching, research, patient care and public service, IUPUI strives to maintain a safe environment. Accordingly, threatening behavior and violence will not be tolerated.
2. Each department head, manager, supervisor, and employee is responsible for keeping the workplace free of threats and violence. This includes intimidating, hostile, threatening, or violent behavior by employees or non-employees (vendors, job applicants, visitors, spouses, etc.) against self, others, university property, or property on university premises belonging to others.
3. This policy covers all university premises and university-sponsored events as well as off-campus sites should an incident occur that is shown to have an adverse impact on the university.

B. Threatening behavior

1. Threatening behavior is defined as an express or implied threat to interfere with an individual's health or safety, or with the property of the university, which causes a reasonable apprehension that such harm is about to occur.
2. Any staff member who engages in threatening behavior will be subject to serious disciplinary action, which may include termination of employment. Examples of threatening behavior include, but are not limited to:
   a. Direct or indirect threats of harm
   b. Words or gestures which intimidate others
   c. Prolonged or frequent shouting
   d. Stalking or following an individual
   e. Conduct which causes others to fear for their safety

C. Violent behavior

1. Violent behavior is defined as the use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person or the property of the university.
2. Violent behavior is so serious that individuals who engage in it can expect termination of their employment. Examples of violent behavior include, but are not limited to:
   a. Unwelcome physical contact
   b. Slapping, punching, striking, pushing, or otherwise physically attacking a person
   c. Throwing, punching, or otherwise handling objects in an aggressive manner

D. Procedure 5.6

Reporting and investigating workplace violence

1. Any person who experiences, witnesses, or has knowledge of threatening or violent behavior has a responsibility to report the situation as soon as possible.
   a. In the case of an actual or imminent act or threat of violent behavior, call the IUPUI Police Department at 4-7911.
   b. In all other cases, the report should be made to the employee's supervisor or department head and to Employee Relations in Human Resources Administration.
2. All reports of workplace threats or violence will be investigated promptly and impartially and as confidentially as possible.
3. Employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as soon as possible.

   Any form of retaliation against employees for making a bona fide report concerning workplace threats or violence is prohibited; therefore, such retaliation must also be reported.

Reporting nonwork-related violence

Employees who are victims of domestic or nonwork-related violence, or who believe they are potential victims of such violence, and fear it may enter the workplace, are encouraged to promptly notify their supervisor, department head, IUPUI Police Department, or Employee Relations in Human Resources Administration. Such reports will be investigated as described above.

Non-disciplinary and disciplinary action

1. Upon a completed investigation, incidents will be reviewed before proceeding with non-disciplinary or disciplinary action according to the principles of just cause.
2. Examples of actions that will be taken when a person has been found to have violated this policy include, but are not limited to, the following:
   a. Mandatory participation in counseling
   b. Corrective/disciplinary action up to and including termination
   c. Criminal arrest and prosecution
   d. Special procedures such as job relocation or initiation of a court order
3. If, upon investigation, it is determined that a report was falsified or made maliciously, the employee who provided the false information will be subject to disciplinary action up to and including termination, as well as possible criminal arrest and prosecution.
4. Those who believe they are a victim of threats or violence, whether work related or not, may also contact the Employee Assistance Program (EAP) to obtain advice in dealing with the situation.

Revised March 2002

Human Resources Policy 5.7

Confidentiality of Student, Medical, and Personnel Records

Staff covered by this policy

This policy applies to all staff employees at Indiana University.

A. Definition

Confidential information refers to nonpublic information about students, faculty, and employees. Some examples of confidential information include grades, financial aid, performance evaluations, family data, and medical records.

B. Policy and related laws

1. Employees cannot use confidential information for personal reasons. For example, employees cannot use someone's address to seek political contributions or to present information about a sales campaign.
2. A federal law, Family Educational Rights and Privacy Act (FERPA), classifies most student record information as private. This information cannot be released to third parties (including parents) without signed consent from the student.
3. Personal health information created or used by employee-sponsored health plans also has special protection under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
4. Employees are to follow any additional policies and procedures specific to their position and any work applications used in the position.

C. Procedure

1. Employees who receive requests for confidential information must follow the specific policy that applies to that request.
   a. For policy clarification and details, employees are to consult departmental procedures and an expert in the respective area of information.

Proper handling of confidential information includes not releasing such information to anyone unless that person has authorization.

The consequences of mishandling confidential information (intentionally or unintentionally) range from receiving instruction on proper handling of such information to corrective action or discipline.

D. Employee access to files

1. Upon request, a university employee or his/her designated representative will have timely access to all information found in the employee's personnel and medical files.
   a. The designated representative must present a written authorization signed by the employee that clearly and specifically describes the information the representative may inspect or copy.
2. At no time during the access of an employee's file will the file be out of the direct supervision of the university record keeper.

Adopted July 2006

Human Resources Policy 5.8
Conflicts of Commitment

Staff covered by this policy

This policy applies to all staff and hourly employees of Indiana University, whether part time or full time.

Preamble

1. The participation of employees in external activities that enhance their professional skills or constitute public service can be beneficial to Indiana University as well as the individual employee. External activities provide an opportunity to discover and pass on new knowledge, with the formation of alliances that enhance the university's academic and research missions.
2. Employees are encouraged to participate and provide leadership in professional organizations, panels, committees, and other broadly defined public and professional service opportunities. These interactions can enhance relationships with a wide variety of governmental, business and not-for-profit entities that enhance the university's academic and research missions.
3. External activities can lead to conflicts of commitment with regard to an employee's university responsibilities along with misuses of university responsibilities. . As such, this policy is intended to provide a framework for recognizing and managing employee conflicts of commitment, and whenever possible, to prevent even the appearance of conflicts of commitment.
4. This policy references an Indiana Code (IC 35-44-2-4), which makes it a criminal offense to assign non-university work to another employee or for a university employee to accept compensation for the performance of non-university work. It also is a criminal offense not to assign an employee any duties for any period of work time.

A. Statement of the general policy

1. It is the policy of Indiana University that its employees conduct the affairs of the university in accordance with the highest legal, ethical and moral standards.
2. It is the policy of Indiana University that employees are expected to devote their university work activities to official functions of the university, and to use university resources only in the interest of the university. An employee may not commit university resources to activities not in the interest of the university.
3. It is the policy of Indiana University that employees should not allow external activities to impede the fulfillment of university responsibilities.
4. Nothing in this policy shall be construed to permit, even with disclosure, any activity that is prohibited by law.

B. Definitions

1. **Conflicts of commitment** occur when the time or effort that an employee devotes to external activities interferes with the employee's fulfillment of assigned university responsibilities, or when an employee makes unauthorized use of university resources in the course of an external activity.

2. **External activity** means involvement with any person, trust, organization, enterprise, government agency, or other entity that is not an entity associated with or under the control of Indiana University. (Associated entities include the IU Foundation, ARTI, and physician practice plans.) University appointment or assignment of an employee to an external board or committee does not constitute an “external activity” for the employee. External activity for the purpose of this policy also does not mean to reference family activities or authorized professional development activities.
3. **Unit head** means the applicable dean, vice chancellor, chancellor, associate or assistant vice president, vice president, or president, who has executive management responsibilities for supervising the employee.
4. **University** means Indiana University.
5. **University responsibilities** are defined as the responsibilities of a university employee to perform university activities as defined by university management, contract, or collective bargaining agreement.

C. Policy provisions

1. University employees are expected to devote their university work activities to official functions of the university. Employees may engage in external activities provided that such activities do not detract from the performance of their university duties and responsibilities; for nonexempt Staff this also means that external activities must be performed outside of the employee’s work time. With supervisory approval and in accordance with university policies, employees may take paid time off or a leave without pay to engage in external activities.
2. External activities not related to university responsibilities shall take place outside of the employee’s designated work activities or during periods of authorized leave. External activities for which paid or unpaid leave should be used include, but are not limited to:
   a. Providing non-university related services to another entity, including a corporation, business, association, government agency or not-for-profit organization, as an officer, director, owner, agent, consultant, or employee
   b. Providing services as a voluntary or paid expert witness in any civil or criminal case
   c. Providing private lessons in art, music or any field of study
   d. Providing private counseling for financial aid, career development, and academic considerations
   e. Providing services as an editor or reviewer for professional journals, unless authorized by the employee’s supervisor
3. Employees shall not accept any compensation from another agency or entity or individual for work performed in the course of their employment at the university, except under very limited circumstances such as payments from government or not-for-profit entities for participation on advisory committees or review panels.
4. Employees shall not use any resource (facilities, supplies, equipment or other resources) for external activities that has a material cost to the university.
5. Except as approved in advance by the employee’s unit head and the Advanced Research and Technology Institute’s Office of Licensing and Trademarks, employees shall not use the university’s name or trademark in such a manner to suggest institutional endorsement or support of an outside activity or non-university product or

service, nor use university business cards or stationery in such a manner to suggest institutional endorsement or support of an outside activity or non-university product or service.

6. Employees shall make clear, when engaging in external activities, that they are acting and speaking in their individual capacity and not as representatives or agents of the university.
7. Employees shall not disclose any non-public or confidential information concerning the university's operations, employees, or students, except that this provision shall not affect any person's right to report suspected illegal activity under applicable law.

D. Employee responsibility

1. Employees shall comply with the provisions of this policy.
2. Employees shall report any known or suspected violation of this policy to the associated unit head.
3. If there is any question whatsoever about an external activity representing a conflict of commitment or interfering with the fulfillment of university responsibilities, then the employee should consult with his or her supervisor for directions. If the employee's supervisor is not available within a reasonable period of time, then the employee should contact the associated unit head for directions

E. Unit head responsibilities

1. Unit heads shall ensure that all new employees are informed of this policy.
2. Unit heads shall ensure that all current employees are reminded of this policy on a periodic basis, but no less frequently than every two years.
3. Unit heads and supervisors shall ensure there is appropriate monitoring and oversight to ensure that an employee's university responsibilities are fulfilled and that university resources are used only in the interests of the university.
4. Supervisors shall monitor employee work activities for compliance with this policy and related Indiana state laws; Unit heads shall ensure that this supervisory responsibility is an expectation assigned to supervisors.
5. Unit heads and supervisors shall take diligent efforts to maintain confidentiality of reports, remedies and sanctions, to the extent allowed by university policies and state laws.
6. Unit heads and supervisors shall establish and maintain a work environment that encourages employees to ask questions about real or potential conflicts of commitment.
7. If the unit head has any question whatsoever about an external activity representing a conflict of commitment or interfering with the fulfillment of university responsibilities, then he or she should consult with the next higher level of university management.

F. Sanctions for violations

1. Violations of university policies, including the failure to avoid a prohibited activity or disclose a conflict of interest in a timely manner, will be dealt with in accordance with applicable university policies and procedures for Staff and Hourly employees, which may include disciplinary actions up to and including termination from the university.

2. Unit head decisions regarding a reported conflict of interest may be appealed to the next higher unit head, in accordance with the university's normal problem-grievance resolution procedures.
3. Refer to the personnel policies for the associated employee group.

G. Related university policies

1. **IU Policy on Financial Conflicts of Interest in Research**
   Employees engaged in research programs may also be subject to the university's policy regarding financial conflicts of interest. Employees should consult the campus Sponsored Research office or campus Academic Affairs office with any questions.
2. **Policy on Conflicts of Interest**
   Employees should avoid potential conflicts of interest, or otherwise disclose them for review and resolution by their unit head in accordance with the university's policy on Conflicts of Interest for Staff and Hourly employees. See the following web site: www.indiana.edu/~uhrs/policies/uwide/coi.htm.
3. **IU Purchasing Policies**
   Employees shall not use their purchasing authority for personal gain. See the Indiana University Institutional Policies at www.indiana.edu/~purchase/policies/polindex.shtml.
4. There are federal and state laws regarding the reporting of suspected illegal activity, including federal whistleblower laws.

H. Indiana state law

1. Indiana Code (IC 35-44-2-4, Ghost Employment) indicates that host employment can result in civil and criminal action against the supervisor and employee, as a Class D felony. Examples of when ghost employment occurs under state law:
   a. A supervisor fails to assign an employee duties or assigns to an employee any duties not related to the operation of the university.
   b. An employee knows that he or she has not been assigned any duties or assigned duties not related to the operation of the university and accepts compensation or property from the university.
2. Any person who permits the payment of compensation or property in violation of this law is jointly liable.
3. See the following Web site: www.ai.org/legislative and enter the keyword "IC 35-44-2." Select "Indiana Code 35-44-2" from the return results.

I. Office responsible for this policy

University Human Resources Office

Adopted July 2006

Human Resources Policy 5.9
Conflicts of Interest

Staff covered by this policy

This policy applies to all staff and hourly employees of Indiana University, whether part time or full time.

Preamble

1. The participation of employees in external activities that enhance their professional skills or constitute public service can be beneficial to Indiana University as well as the individual employee. External activities provide an opportunity to discover and pass on new knowledge, with the formation of alliances that enhance the university's academic and research missions.
2. External activities can lead to conflicts of interest with regard to an employee's university responsibilities. As such, this policy is intended to provide a framework for recognizing and managing employee conflicts of interest, and whenever possible, to prevent even the appearance of conflicts of interest. While the primary goal of this policy is to prevent an employee's external activities from adversely influencing Indiana University operations, this policy is also intended to protect employees from undue suspicion that their external activities may improperly influence university operations.
3. This policy references an Indiana Code (IC 35-44-1-3), which makes it a criminal offense for Indiana University employees to have a financial interest in most any contract or purchase connected with the university, unless certain exceptions apply.
4. This policy references an Indiana University policy on conflicts of interests related to research programs, which requires the disclosure of certain financial interests for employees who are engaged in the design, conduct or reporting of research, and the IU Purchasing Department policy for employees with purchasing authority.

A. Statement of the general policy

1. It is the policy of Indiana University that its employees conduct the affairs of the university in accordance with the highest legal, ethical and moral standards.
2. It is the policy of Indiana University that conflicts of interest should be avoided where possible, or otherwise disclosed and managed.
3. It is the policy of Indiana University that employees shall not use their university position to secure personal financial benefits for themselves or any member of their immediate family. A conflict of interest arises whenever the employee has the opportunity to influence university operations or business decisions in ways that could result in a personal financial benefit to the employee or a member of an employee's immediate family. Although certain specific examples of conflicts of interest are provided in this policy, they are meant only as illustrations, and supervisors and employees are expected to use good judgment to identify possible conflicts of interest and to manage such so as not to adversely influence Indiana University operations.
4. Nothing in this policy shall be construed to permit, even with disclosure, any activity that is prohibited by law.

B. Definitions

1. **Conflicts of interest** occur when an employee or immediate family member receives personal financial benefit from the employee's university position in a manner which may inappropriately influence the employee's judgment or compromise the employee's ability to carry out university responsibilities or could be a detriment to the university's integrity.
2. **External activity** means involvement with any person, trust, organization, enterprise, government agency, or other entity that is not an entity associated with or under the control of Indiana University. (Associated entities include the IU Foundation, ARTI, and physician practice plans.)
3. **Immediate family** includes the employee's spouse, domestic partner, and dependent children and stepchildren.
4. **Manage and managing** means an affirmative action by supervisors and managers to monitor and direct an employee with regards to specific expectations.
5. **Personal financial benefit** is defined as anything of monetary value, including salary, commissions, fees, honoraria, equity interests, interests in real or personal property, dividends, royalty, rent, capital gains, intellectual property rights, and forgiveness of debt. "Personal financial benefit" does not include:
   a. compensation received from Indiana University
   b. payments from not-for-profit entities for participation in seminars, lectures or other educational activities
   c. payments from government or not-for-profit entities for participation on advisory committees or review panels
   d. any financial interest arising solely by means of investment in a mutual, pension, or other institutional investment fund over the management and investments of which the employee or an associated immediate family member does not exercise control.
6. **Unit head** means the applicable dean, vice chancellor, chancellor, associate or assistant vice president, vice president, or president, who has executive management responsibilities for supervising the employee.
7. **University** means Indiana University.
8. **University responsibilities** are defined as the responsibilities of a university employee to perform university activities as defined by university management, contract, or collective bargaining agreement.

C. Policy provisions

1. An employee shall disclose to his or her unit head any situation in which the employee has a real or potential conflict of interest. The unit head shall determine an appropriate way to manage the conflict of interest and ensure that university business is not improperly influenced or adversely affected. In the event that the unit head concludes that there is no reasonable way to manage a conflict of interest, then the employee may be prohibited from participating in related university affairs. In other words, employees have a responsibility to immediately disclose any real or potential conflicts of interest, and unit heads have a duty to manage the conflicts in the best interests of the university.
   a. An employee shall disclose conflicts of interest in writing on the university's Conflicts of Interest Disclosure Form, including a brief statement of the nature and extent of the conflict, which shall be submitted for review by the associated unit head. This

disclosure should be completed at least annually, on a form designated by the university for such purposes. A new disclosure form should also be completed whenever there is a significant change. See the following Web site for this disclosure form: www.indiana.edu/~uhrs/pubs/forms/coi-disclose.pdf.

b. If a unit head becomes aware of a conflict of interest that an employee has not disclosed, the unit head shall discuss the situation with the employee, require that a written disclosure be made as provided in this policy, and manage the conflict. The unit head may also take appropriate action under Section F of this policy.

c. Unit heads shall carefully evaluate all circumstances relating to a potential conflict of interest before acting to approve or disapprove the associated activities.

2. The following are examples of conflicts of interest requiring employee disclosure. These examples are illustrations only and are not meant to be exclusive. (Also see reference to the Indiana Code regarding conflict of interest.)

   a. Employee or immediate family member owns, in whole or in part, a business entity with which the university does or proposes to do business, and the employee is in a decision-making role or otherwise is in a position to influence the university's business decisions regarding the business entity. Business entity examples for which an employee disclosure is required:

      i. Finance or accounting services
      ii. Athletic equipment services
      iii. Consulting
      iv. Counseling
      v. Catering
      vi. PC or other hardware services
      vii. Programming
      viii. Architectural services
      ix. Legal services
      x. Grant preparation
      xi. Temporary personnel services
      xii. Office or lab supplies
      xiii. Painting services
      xiv. Lawn and grounds services

   b. Employee holds or assumes an executive, officer or director position in a for-profit or not-for-profit business or entity engaged in commercial, educational, or research activities similar to those in which the university engages.

   c. Employee participants in consultation activities for a for-profit or not-for-profit business or entity engaged in commercial, educational or research activities similar to those of the university.

3. The activities listed below are prohibited. (This section does not apply to activities determined by the employee's unit head to be within the employee's university responsibilities.)

4. Using university property, facilities, equipment or other resources in any manner that results in personal financial benefit to an employee or a member of an employee's immediate family.
5. Using university property, facilities, equipment or other resources in any manner to support a not-for-profit entity unless special permission is provided by the associated unit head.
6. Using university stationery or letterhead in connection with outside activities, other than activities having a legitimate relationship to the performance of university business.
7. Using university facilities or the employee's position at the university for the purpose of advocating, endorsing, or marketing the sale of any goods or services, other than as part of the employee's university responsibilities, without the prior approval of the associated unit head.
8. Using the university's name, trademark or trade name for personal business or economic gain to the employee or a member of the employee's immediate family.
9. Using any university data or information for personal financial benefit to the employee or a member of the employee's immediate family.
10. Using any university employee for any outside activity during normal work time for which he or she is receiving compensation from the university (not applicable when employees are on a paid or unpaid leave).
11. Participating in the selection or awarding of a contract between the university and any entity with which an employee is seeking employment or has been offered employment.
12. Other activities may be prohibited if a unit head concludes that there is no reasonable way to manage an associated conflict of interest.

D. Employee responsibility

1. Employees shall not engage in the prohibited activities listed above or in any other activity that the employee's unit head has prohibited following review of an employee's conflict of interest disclosure.
2. Employees shall disclose a conflict of interest as described above:
   a. As soon as the employee knows of the conflict, and then annually thereafter for as long as the conflict continues to exist
   b. In writing on the university's Conflict of Interest Disclosure Form
   c. To the associated unit head
3. Employees shall avoid any involvement with all related university activities and decisions until the associated unit head has evaluated and approved the reported conflict of interest.
4. If there is any question whatsoever about an external activity representing a conflict of interest, then the employee should consult with his or her supervisor for directions. If the employee's supervisor is not available within a reasonable period of time, then the employee should contact the associated unit head for directions.

E. Unit head responsibilities

1. Unit heads shall ensure that all new employees are informed of this policy.

2. Unit heads shall ensure that all current employees are reminded of this policy on a periodic basis, but no less frequently than every two years.
3. Unit heads shall evaluate and manage reported conflicts of interest.
4. In the event that a reported conflict of interest is approved, the unit head shall ensure there is an appropriate management strategy in place to monitor and manage the situation so that university resources are used in an appropriate manner and that there is no improper influence on university decisions.
5. Unit heads shall ensure that Conflicts of Interest Disclosure forms are retained for future reference. Upon an employee's transfer from the unit or termination from the university, associated Conflict of Interest forms shall be forwarded to the campus HR office, for inclusion in the employee's official personnel file. All information disclosed regarding conflicts of interest shall be considered part of the employee's personnel file and shall be deemed confidential. To the extent allowed by Indiana statutes, any information disclosed by an employee as required by this policy shall be used solely for the purpose of administering this policy and shall not be used for any other purpose unless required by law.
6. Unit heads shall establish and maintain a work environment that encourages employees to ask questions about real or potential conflicts of interest.
7. If the unit head has any question whatsoever about an external activity representing a conflict of interest, then he or she should consult with the next higher level of university management.

F. Sanctions for violations

1. Violations of university policies, including the failure to avoid a prohibited activity or disclose a conflict of interest in a timely manner, will be dealt with in accordance with applicable university policies and procedures for staff and hourly employees, which may include disciplinary actions up to and including termination from the university.
2. Unit head decisions regarding a reported conflict of interest may be appealed to the next higher unit head, in accordance with the university's normal problem-grievance resolution procedures.
3. Refer to the personnel policies for the associated employee group.

G. Indiana state law

1. Indiana Code (IC 35-44-1-3, Conflict of Interest) indicates that it is a criminal offense for Indiana University employees to have an aggregated financial interest of $250 or more per year, or deriving an aggregate profit of $250 per year from any contract(s) or purchase(s) connected with the university, unless certain exceptions apply. This Indiana state code indicates that a university employee who knowingly or intentionally has an economic interest in or derives a profit from a contract or purchase connected with the university, as indicated above, commits a conflict of interest, a Class D felony. (Indiana state law applies regardless of whether or not employees are in a position to influence or make decisions regarding the contract or purchase at issue.) In order to avoid violating the state law, employees must disclose the conflict of interest to the Board of Trustees of Indiana University in writing before the contracts or purchases are finalized, and obtain the Board's approval for the transaction to go forward. This disclosure process is separate from the disclosure process discussed in this policy. See the following web site: www.ai.org/legislative, and enter the keyword "IC 35-44-1." Select "Indiana Code 35-44-1" from the return results.

2. Contact the University Purchasing Department in Bloomington to obtain the additional disclosure form required by Indiana State Law.

H. Related university policies

1. **IU Policy on Conflicts of Commitment**

   Employees are expected to devote their university work activities to official functions of the university and to use university resources only in the interest of the university. See the Policy on Conflicts of Commitment for Staff and Hourly employees. See the following Web site: www.indiana.edu/~uhrs/policies/uwide/coc.htm.

2. **IU Purchasing Department Policies**

   Employees shall not use their purchasing authority for personal gain. See the subject Purchasing Department policy. See the Indiana University Institutional Policies at http://www.indiana.edu/~purchase/policies/polindex.shtml

I. Office responsible for this policy

University Human Resources Office

Adopted July 2006

Human Resources Policy 5.10
Whistleblower Policy

Staff covered by this policy

This policy applies to all employees of Indiana University.

A. Purpose

1. The general purpose of this policy is to protect any Indiana University employee or other member of the Indiana University community (hereinafter “individuals”) who makes a good faith disclosure of suspected wrongful conduct. More specifically it:
   a. encourages an atmosphere that allows individuals to meet their obligations to disclose violations of law and serious breaches of conduct covered by university policies,
   b. informs individuals how allegations of wrongful conduct may be disclosed,
   c. protects individuals from reprisal by adverse academic or employment action taken within Indiana University as a result of having disclosed wrongful conduct, and
   d. provides individuals who believe they have been subject to reprisal a process to seek relief from retaliatory acts that fall within the authority of Indiana University

B. Statement of the policy

1. Individuals are expected to abide by state and federal laws and regulations as well as university policies. Furthermore, an Indiana University employee cannot be compelled by a supervisor or university official to violate a law or university policy. In the interest of the university, individuals who have knowledge of specific acts which he or she reasonably believes violates the law or university policy must disclose those acts to an appropriate university official.
2. This policy supplements the existing Indiana state statute (IC 20-12-1-8) and protects reporting individuals who make a good faith report (as defined below) from retaliatory academic or employment action including discharge, reassignment, demotion, suspension, harassment, or other discrimination.
3. The university shall devise procedures for handling a good faith report of wrongful conduct and for responding to complaints of reprisal or retaliation against individuals making such reports. Such procedures shall conform to the guidelines detailed below. These procedures should be published in university and campus handbooks, as well as on applicable websites.

C. Wrongful conduct/good faith report

1. *Wrongful Conduc*t is defined in this policy to be:
   a. a violation of applicable state and/or federal laws and regulations
   b. a serious violation of university policy
   c. the use of university property, resources, or authority for personal gain or other non university-related purpose except as provided under university policy

2. *Good Faith Report* is defined in this policy to be an allegation of wrongful conduct made by individual who believes that wrongful conduct may have occurred. However, an allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

D. Making disclosures

1. If the university has existing policies and procedures for maintaining standards of conduct and disclosing wrongful conduct, those policies should be followed to disclose such wrongful conduct. Relevant policies include but may not be limited to:
   a. Indiana University Policy on Research Integrity
   b. Indiana University Financial Management Services Policy on Fiscal Misconduct (I-30)
   c. Indiana University Financial Management Services Policy on Fraud (I-35)
2. The above policies should be used to report any wrongful conduct covered by those policies. Unless the complainant believes the responsible office may be involved, other instances of wrongful conduct should be reported to the university or campus office responsible for the policy area (e.g., NCAA violations should be reported to the campus athletics compliance officials and sexual harassment should be reported to the Office of Affirmative Action).

E. Complaints of reprisal

1. Individuals who have been subjected to an adverse academic or employment action based on his or her good faith report of alleged wrongful conduct may contest the action by filing a written complaint of reprisal with the Office of University Counsel, Human Resources, or the Dean of Faculties office.
2. Nothing in this policy is intended to interfere with legitimate employment decisions.

F. State statute reference

Indiana University employees enjoy whistleblower protection under Indiana Code 20-12-1-8. Nothing in this policy shall be construed in such a way as to conflict with other reporting obligations under state or federal law, or the provisions and protection of the Indiana Code, as set forth below.

IC 20-12-1-8 Protection of employees reporting violations of federal, state, or local laws; disciplinary actions; procedures

a. An employee of a state educational institution (as defined in IC 20-12-0.5-1) may report in writing the existence of:
   (1) a violation of a federal law or regulation;
   (2) a violation of a state law or rule;
   (3 a violation of an ordinance of a political subdivision (as defined in IC 36-1-2-13); or
   (4) the misuse of public resources; first to a supervisor or appointing authority, unless the supervisor or appointing authority is the person whom the employee believes is committing the violation or misuse of public resources. In that case, the employee may report the violation or misuse of public resources in writing to either the supervisor or the appointing authority or to any official or agency entitled to receive a report from the state ethics commission under IC 4-2-6-4(b)(2)(G) or IC 4-2-6-4(b)(2)(H). If a good faith effort is not made to correct the problem within a

reasonable time, the employee may submit a written report of the incident to any person, agency, or organization.

b. For having made a report under subsection (a), an employee may not:

(1) be dismissed from employment;

(2) have salary increases or employment related benefits withheld;

(3) be transferred or reassigned;

(4) be denied a promotion that the employee otherwise would have received; or

(5) be demoted.

c. Notwithstanding subsections (a) and (b), an employee must make a reasonable attempt to ascertain the correctness of any information to be furnished and may be subject to disciplinary actions for knowingly furnishing false information, including suspension or dismissal, as determined by the employee's appointing authority or the appointing authority's designee. However, any employee disciplined under this subsection is entitled to process an appeal of the disciplinary action under the procedure set forth in any personnel policy or collective bargaining agreement adopted by the state educational institution.

d. An employer who violates this section commits a Class A infraction.

Issued April 2007

Human Resources Policy 6.1
Training and Education

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Purpose

The university supports staff development and continuous learning opportunities for all employees. The staff member and the department should jointly identify the basic training requirements for the current job. Once these basic training needs are met, the staff member and department should identify professional development opportunities which augment the current job and/or prepare the staff member for advancement opportunities.

B. Training provisions

Resources

Staff are encouraged to cultivate their job skills through continuous learning. Examples include training offered by Human Resources Administration, in-service classes, and other course offerings on and off campus.

Attendance

1. The immediate supervisor must approve attendance at training and development programs that occur during normal work hours. Staff who take time away from the job to attend approved job-related training programs do not have to charge the time to accrued paid-time-off benefits.
2. Managers and supervisors are urged to grant release time for class attendance and not withhold permission unreasonably; however, it must remain their responsibility to manage the workflow and accomplish the mission of their individual units.

C. University class attendance

Staff who wish to enroll in university classes can usually do so by enrolling in sessions held outside the workday. For classes held during work hours, supervisory approval must be obtained in advance.

Mandatory university class attendance

Supervisors may require employees to enroll in certain university classes to acquire needed job-related training. In this event, the employee does not have to make up or cover the time with paid-time-off benefits. If such class attendance causes the employee to go into overtime, the employee will be compensated according to Policy 4.3, Overtime.

D. Coverage of time away from the job to attend university classes

Voluntary university class attendance

1. Time voluntarily attending university classes is not counted as time worked. To attend a university class during work hours, biweekly staff must do one of the following:
   a. Charge the time to accrued compensatory time or accrued paid-time-off benefits.
   b. Make up the hours missed (as scheduled by the supervisor) on an hour-for-hour basis within the same workweek.
2. Submit the missed work time to Payroll as absent without pay and without benefit accruals.

Revised May 2002

Human Resources Policy 6.2
Corrective Action

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477 *who have completed the evaluation period*.

A. Definition

Discipline, in its literal sense, is action that corrects or improves. Its purpose in the workplace is to correct or improve job-related performance or behavior, not punish.

B. Policy

1. It is the university's policy and practice that discipline be progressive in nature, beginning with the least severe action necessary to correct the undesirable situation, and increasing in severity if the condition is not corrected.
2. In addition to being progressive in nature, it is important that the degree of discipline be directly related to the seriousness of the offense and the employee's record; therefore, it is possible for steps to be skipped or repeated.

C. Steps of Corrective Action

1. Prior to initiating Corrective Action, the supervisor has the option to address performance problems with an informal counseling discussion. When more formal action is required, the steps of Corrective Action may include:
   a. Initial written warning
   b. Written warning
   c. Suspension without pay, or for attendance infractions, a final written warning
   d. Termination—supervisors must consult with HRA Employee Relations before terminating an employee
2. It is generally recommended that all steps be taken; however, some problems may be so serious that early steps may be eliminated. The primary objective of the steps is to correct, not punish the employee.

D. Right to representation

1. When a meeting with an employee may lead to discipline, he/she has the right to request union representation before or during the meeting. After an employee makes this request, the supervisor can:
   a. Grant the request and wait a reasonable period of time for the union representative to arrive
   b. Deny the request and end the meeting immediately
   c. Give the employee the choice to end the meeting or continue without representation

E. Disciplinary reports

Disciplinary reports 12 months old or more are not used to impose additional discipline on an employee, *provided that the employee has not received a disciplinary report for a similar or related offense in the interim.* The 12-month time limit does not apply to any Corrective Action taken for the following offenses: theft, falsification of university records, sexual harassment, workplace violence, or other serious misconduct of a similar nature.

F. Policy guidelines

1. It is essential to document all employment actions, especially those designed to change the status of an employee. Departments are to create and maintain disciplinary action records and share these records with the employee and Human Resources Administration.
2. In cases where discipline could result in a loss of employee pay or benefits (suspension or termination), departments must give the employee an opportunity to receive and present information and ask questions before making a decision to discipline.

G. Opportunity to receive and present information and ask questions

1. The elements of the opportunity are:
   a. An opportunity for the employee to be provided information by the supervisor relating to the nature and manner of the infraction or deficiency.
   b. An opportunity to ask questions, to explain, to respond, and to give information about the allegations to an individual in the department who will make the decision to change the employee's status.
   c. An opportunity to have the employee's information considered by the decision maker prior to a final determination of discipline being issued.
   d. An opportunity to receive written notification of the final decision.

Revised July 2008

Human Resources Policy 6.3
Problem or Grievance Resolution

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Introduction

1. In working together day-to-day, it is normal for employees to have occasional problems or complaints affecting their work-related activities. It is important to resolve these problems as quickly as possible. It is the university's view that most problems can be resolved through informal discussions between the employee and supervisor. However, in some instances this may not be possible, and it is appropriate to turn to the formal grievance resolution process contained in this policy.
2. The following establishes a procedure for the fair, orderly, and timely resolution of such problems or complaints using a review process having up to four steps: Stage 1 is to the immediate supervisor, Stage 2 is to the dean or director of the unit, Stage 3 is to the campus human resources office, and Stage 4 is an advisory arbitration hearing for eligible issues.
3. Staff shall not be discriminated or retaliated against for exercising rights under this problem or grievance resolution policy. All staff have the right to use the procedure contained in this policy and the right to obtain representation, if desired as outlined in the remainder of this policy.

B. Eligibility

1. New employees who have not completed their initial evaluation period, including any extensions, are excluded from Stage 4 of the grievance procedure.
2. Employees who have not completed their promotion or transfer evaluation period have access to all steps of the grievance procedure.

C. Covered and excluded issues

1. Complaints that are subject to the grievance procedure are those in which an employee alleges:
   a. That his or her employment has been or is being adversely affected by an improper application or interpretation of an employment related rule, regulation, policy, or procedure other than those listed below.
   b. That discipline he or she has received is not warranted.
2. Excluded from the grievance procedure are:
   a. Complaints involving judgments such as salary increases, salary range, classification assignment, work standards, performance appraisals, performance improvement plans, organizational structures, work assignments, and staffing levels.
   b. Complaints that attempt to change the language of a policy or procedure.

c. Complaints that are subject to other university procedures, such as, equal opportunity and affirmative action policies, research misconduct policies, intellectual property determinations, environmental health and safety concerns, parking violations, or workers compensation claims.

d. Such complaints should be handled through procedures established for the specific topic. These are not exhaustive lists.

3. Grievances that may be appealed to Stage 4, arbitration, are limited to complaints alleging a violation of an employment related rule, regulation, or policy; or a grievance alleging that an employee has been terminated without just cause. Grievances over disciplinary actions below the level of termination are excluded from appeal to Stage 4.

D. Complaints involving affirmative action policies

1. Complaints involving a violation of the university's affirmative action policies (Americans with Disabilities Act, Equal Opportunity/Affirmative Action, and Policy Against Sexual Harassment) must be reported to the campus Office of Equal Opportunity for processing through that office's procedures. Before, during, or following any stage described in this policy, a staff member, supervisor, dean, or director may consult the affirmative action officer.

2. If an employee initiates a complaint of alleged violation of these policies within his or her department or with the campus human resources office, the department head or campus human resources office must report the complaint to the campus or university Office of Equal Opportunity.

3. A complaint alleging violation of both human resource and affirmative action policies must be filed with both the campus human resources office and Office of Equal Opportunity. The two offices will coordinate their efforts to address and attempt to resolve the issues. Possible steps include placing the efforts of one office on hold while the other investigates its issues; proceeding forward with both cases simultaneously; or any other arrangement which is determined best for the particular case.

4. Parties accused of violating the affirmative action policies must take special caution to avoid the appearance of retaliation against an individual who files a complaint.

E. The presentation of grievances

1. At all stages, matters must be presented in one of the following ways:

   a. Solely by the employee. If the grievance is on behalf of two or more employees, no more than two employees can be designated as the spokesperson or group representatives to present the grievance.

   b. Solely by a representative of AFSCME or a representative of the employee's choice.

   c. By the employee in the company of a representative of AFSCME or a representative of the employee's choice.

2. The university's problem-grievance procedure is an administrative procedure; therefore, the employee's representative or witness cannot be an attorney prior to Stage 4.

F. Determination of appropriate stage for filing a grievance

1. It is the intent of this policy that grievances be resolved at the earliest step of the grievance procedure as possible. Grievances are to be filed at Stage 1 except as provided below.

2. When the problem involves a termination, the notice of termination is regarded as a final decision of Stage 1. If the employee initiates a grievance, he or she must do so within ten working days of receipt of the notice of termination. The grievance goes directly to Stage 2.
3. The campus human resources office may elevate the initial filing of any grievance to Stage 2 or Stage 3 if it deems it appropriate to do so.

G. Time limits

1. Regardless of which stage the grievance is initiated, an employee must file a grievance within ten working days of the incident or problem or knowledge of it.
2. If an employee fails to observe the time limits established for any stage, the grievance will be considered resolved. If the university fails to observe the time limits established for any stage, the employee may submit the grievance to the next stage within the designated time limits for appeal.
3. Time limits identified in the four stages may be extended if the employee, the department and the campus human resources office agree. In addition, the campus human resources office has the authority to extend the time limits at its discretion and inform the parties.

H. Procedure for filling and processing formal grievances

1. **Stage 1**
   a. Employees are to submit the grievance in writing to their immediate supervisor or department designee with a copy to the campus human resources office. The grievance form must be used.
   b. The supervisor or department designee has five working days to reply in writing to the employee. During this period, the supervisor or department designee and employee will meet, informally discuss the problem, and attempt to resolve the matter. The supervisor or department designee is encouraged to consult with the campus human resources office prior to issuing his or her response.
   c. The supervisor or department designee must forward a copy of his or her written Stage 1 response to the campus human resources office at the time that it is given to the employee.
2. **Stage 2**
   a. If the employee regards the outcome of Stage 1 as unsatisfactory, or if the supervisor fails to respond within five working days, the employee is entitled to appeal to Stage 2.
   b. The employee must appeal in writing within five working days of receipt of the Stage 1 response—or its due date—to the supervisor's dean or director or designee with a copy submitted to the campus human resources office.
   c. The dean or director or designee has five working days of receipt of the Stage 2 grievance to respond in writing and during this period will meet with the grievant to discuss and attempt to resolve the matter.
   d. The dean or director or designee is encouraged to consult with the campus human resources office prior to issuing the Stage 2 response. A copy of the written Stage 2 response must be forwarded to the campus human resources office at the time it is given to the employee.

3. **Stage 3**
   a. If the employee regards the outcome of Stage 2 as unsatisfactory, or the dean or director fails to respond within five working days, the employee is entitled to appeal to Stage 3.
   b. The employee must appeal in writing to the campus human resources office within five working days of receipt of the Stage 2 response or its due date.
   c. The campus human resources office has ten working days from receipt of the Stage 3 grievance to provide the university's response in writing and during this period will meet with the grievant to discuss and attempt to resolve the grievance.
   d. If the employee regards the outcome of Stage 3 as unsatisfactory, the campus human resources office, in consultation with AFSCME, will inform the employee if the grievance is eligible for Stage 4.
4. **Stage 3 ½**
   a. If the employee regards the outcome of Stage 3 as unsatisfactory, and the grievance is eligible for Stage 4 as outlined in Sections B and C of this policy, the employee may request a committee hearing.
   b. Stage 3 ½ hearing procedures
      1. The employee must submit a written request for a committee hearing to the campus human resources office within ten working days of receipt of the Stage 3 response or its due date. The grievance review committee will convene within 30 calendar days after the receipt of the request.
      2. The grievance review committee will be composed of three management representatives and three union representatives.
         a. The management representatives will include the Assistant Vice Chancellor of Human Resources, an Employee Relations Representative, and the Department Head of the grievant.
         b. The union representatives will include two AFSCME staff members (not stewards) and the President of Local 1477.
         c. At least one representative of each team must have the authority to settle the grievance.
      3. The grievance review committee will conduct a hearing, reach a consensus, and issue an oral decision. A written decision prepared and issued to both parties within two weeks following the hearing.
      4. Both parties must abide by the committee's decision. If the committee is unable to reach a decision, the grievant may request a Stage 4 hearing.
5. **Stage 4**
   a. If the employee regards the outcome of Stage 3 ½ as unsatisfactory, and the grievance is eligible for Stage 4 as provided in Sections B and C of this policy, the employee may request a Stage 4 hearing which will be conducted by an outside arbitrator. The employee and the university will pay in equal shares all fees and expenses of the arbitrator and the American Arbitration Association if their services are used.

b. Stage 4 hearing procedures

1. The employee must submit a written request for a Stage 4 hearing to the campus human resources office within 10 working days of receipt the Stage 3 ½ response or its due date.
2. An arbitrator shall be selected by the parties as follows:
   a. The employee and the university may agree upon a local arbitrator.
   b. If the parties cannot agree upon a local arbitrator within ten working days of the request for a Stage 4 hearing, the employee may either accept the Stage 3 ½ response as the final resolution of the grievance or may choose to have the hearing conducted by a single arbitrator selected through the American Arbitration Association (AAA).
   c. If the employee requests an AAA arbitrator, the campus human resources office shall submit a written request to the AAA to provide the parties with a list of five arbitrators. The parties shall alternately strike names from the list, with the employee (or the employee's representative) going first, until one arbitrator's name remains.
3. The arbitrator will conduct a hearing, write a report of the findings, and make a recommendation to the president, chancellor, provost, or appropriate vice president. A copy of the written report of findings and recommendation will be provided to the employee.
4. The president, chancellor, provost, or appropriate vice president will accept, modify, or reject the arbitrator's recommendation and will communicate in writing the final decision to the parties. This concludes the problem or grievance procedure, and there are no further internal reviews or procedures.

Revised July 2010

Human Resources Policy 7.1
Reduction in Force

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Definition and background

1. A reduction in force (RIF) is a curtailment of the workforce ordered by university administration. A reduction may arise for reasons of budget, lack of work, or reorganization. When a reduction occurs, the university follows a course of action to ensure appropriate treatment of affected staff. This course of action ensures fairness and consistency. For example, the university (1) orders layoffs based on seniority, (2) notifies staff in advance, (3) fills vacancies with qualified staff on a layoff list, and (4) recalls staff on layoff based on seniority.

B. Administrators of the RIF policy

1. The following individuals and departments have specific responsibilities regarding this RIF policy.
   a. Deans, department heads, or designees determine (1) the need for a reduction, (2) the positions that are affected, and (3) the eligibility levels of employees affected by a reduction. These administrators must contact Human Resources Administration before notifying staff of a RIF.
   b. Human Resources Administration (1) reviews occupational unit seniority lists with department heads, (2) determines suitable positions for staff on layoff based on their qualifications, and (3) consults with staff on layoff to identify skills and training necessary to qualify for future positions.
   c. Human Resources Administration audits and monitors the process to ensure that departments are following this policy.

C. Guidelines for a short layoff or temporary reduction

Short layoff

A short layoff is a RIF of 30 calendar days or less and is reported as such on the payroll voucher. While on a short layoff, employees are recorded as absent without pay and with benefit accruals as explained in Policy 10.1, Time Off Accruals During Absences.

Temporary reduction

A temporary reduction is a RIF of more than 30 calendar days and no more than 120 days. It is treated as a leave of absence. While on a temporary reduction in force, employees are recorded as absent without pay and without benefit accruals as explained in Policy 10.1, Time Off Accruals During Absences.

Advance notice

Departments must contact Human Resources Administration before notifying a staff member of a pending reduction. When circumstances permit, departments are to give biweekly staff at least two weeks advance notice.

Determining the order of layoff

1. The department head determines which employees will be laid off according to one of the following approaches:
   a. Equal distribution of lost time
   b. Occupational unit seniority
   c. Any other method as long as it is the method favored in an open meeting of the employee group to be affected
2. This policy applies to employees on appointment and assures that employees with seniority will receive at least equal or better consideration. All hourly employees, except those on positions reserved for student employment, will be laid off before any appointed employee.

D. Guidelines for a permanent RIF

Permanent reduction

A permanent reduction is a RIF anticipated to exceed more than four months. Staff who are on a permanent reduction are terminated on the date of the reduction and remain on a RIF recall list for 12 months unless reemployed sooner.

Advance notice

Departments must contact Human Resources Administration before notifying a staff member of a pending reduction. When circumstances permit, departments are to give biweekly staff at least two weeks advance notice.

Provisions

When preparing for a permanent RIF, university administration determines the work and positions that are affected. Individuals laid off will be determined by occupational unit seniority, and the proposed layoff list is to be prepared and released as far in advance as possible. (This is known as the release date.) Employees are laid off as follows:

1. All temporary, hourly, or casual employees are laid off first.
2. In order of least occupational unit seniority, appointed staff members are laid off second.
3. If a department cannot eliminate all hourly positions, it must give first preference for these positions to appointed staff who are designated for layoff.

   Accepting or rejecting this offer does not affect one's placement or recall rights described later in this procedure.

Seniority consideration may be waived for the retention of special skills or knowledge necessary to the welfare of the university.

E. Filling vacancies in *any* SM occupational unit

Prior to the effective date of the layoff

1. Vacancies in any SM occupational unit are filled as described below:
   a. Existing, qualified appointed employees (who work in the occupational unit that has the vacancy) are considered for promotion first.
   b. Qualified persons on the layoff list of the same functional classification, in order of greatest university seniority, are considered second.

2. In this order, the first person found qualified by Human Resources Administration and the occupational unit management should be accepted without further consideration of candidates. Additional applicants are not referred until it has been determined that persons on the layoff list are not qualified for the position.

On the effective date of the layoff

In addition to the provisions above, any employees remaining on the layoff list on the effective date of the reduction in force are entitled to bump the last new employee who was hired prior to the release date. University seniority of the employees on the layoff list determines the order of bumping, and the employee who bumps must be qualified to perform the job of the person to be bumped.

After the effective date of the layoff

No person will be hired or transferred into the occupational unit affected by the reduction in force until all remaining persons on the layoff list have been recalled in the order of their occupational unit seniority.

F. Recall after termination

Failure to accept a suitable position

Upon recall, a qualified employee who refuses to accept a position at the same or higher classification will lose his/her seniority rights to recall. If an employee is recalled to a shift other than the shift the employee was on at the time of layoff, he/she will have the opportunity (based on seniority) to fill the next available position on the former shift before anyone is hired from the outside to fill the open position. The employee must be qualified to perform the job.

Failure to respond to recall

Any employee who fails to return or give a written notice of intent to return within five days after delivery or attempted delivery of a recall notice will lose the right to recall. The recall notice will be addressed to the employee and sent by certified mail to the last known address on file with Human Resources Administration. An employee who provides a written notice of intent to return must return to work within five days of the university's receipt of this notice. Employees may be excused from the provisions of this paragraph for just cause.

G. New evaluation period

Any employee who is placed in another position through a reduction in force will serve a minimum 30-day evaluation period to assure that the employee can satisfactorily fulfill the demands of the position. Determination of whether or not an employee successfully completes the 30-day evaluation period is entirely at the discretion of the university. The employee may be given a two-week notice if the employee does not successfully complete the evaluation period. This provision does not apply if the duties of the new position are substantially the same as the former position.

H. Continuation of insurance

1. Full-time, appointed staff affected by a temporary RIF are considered to be on a leave of absence for up to four months. These staff must contact Human Resources Administration to arrange for payment of their insurance premiums.
2. Policies 9.1, Medical and Dental Coverage and 9.2, Basic Life Insurance contain additional information about continuation of insurance plans for those on a permanent RIF.

Revised July 2010

Human Resources Policy 7.2
Separation from the University

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Guidelines for voluntary separation

1. Employees are expected to give advance notice of at least two weeks when leaving the university.
2. During the notice period, staff may be required to take accrued vacation.
3. See Policy 7.3, Separation Pay, for a description of terminal pay benefits for an employee who separates from university employment.

B. Guidelines for involuntary separation

1. Prior to deciding whether or not to separate an employee, the department head must grant the employee an opportunity to receive and present information about the issues and ask questions. (See Policy 6.2, Corrective Action.)
2. Departments *must* clear the final written notice of separation with Human Resources Administration *before* sending the notice to the employee.
3. When the university separates an employee from employment for just cause, a notice period is not required.
4. See Policy 7.3, Separation Pay, for a description of terminal pay benefits for an employee who separates from university employment.

C. Continuation of health care coverage

Under certain circumstances, staff who separate may continue health care coverage and should contact the campus human resources office for details. See Policy 9.1, Medical and Dental Coverage, for further information.

D. Procedure 7.2

How to process separations

1. When the separation date is determined, a department head must initiate the appropriate HRMS document. The action reason must be indicated on the edoc with an explanation of the reason for the separation added to the “notes” section of the edoc.
   a. For assistance in determining the action reason, see the PDF document, “Termination/Separation Reasons”
2. The effective date of separation is the day after the last day on the job. In the following cases, the effective date of separation is the day after:
   a. The end of a leave of absence or family and medical leave of absence preceding separation
   b. The end of an absence caused by an injury on the job preceding separation
   c. The last day of using income protection time preceding separation

   d. The date of death
   e. The final day of a suspension from work with or without pay, pending a decision to separate for just cause and is subsequently separated

3. Payroll determines the terminal payment for accrued time off for which an employee is eligible. Final payment is made on the next regular payday following the separation date. (See the exception below.)
   a. Employees who have been involuntarily separated or separated due to a reduction in force shall have unpaid wages become due within three work days upon request of the employee. A special voucher must be sent to Payroll within one work day of the employee's request, and Payroll must make payment to the employee within two workdays of receipt of the voucher.
4. Departments are to obtain a permanent forwarding address.
5. Departments are to instruct the employee to contact the campus human resources department concerning the status of benefit programs.
6. The supervisor should ensure that (1) the employee returns all university property (keys, uniforms, tools, information, etc.) and (2) the employee's email account, long distance authorization, university credit cards, and other similar items are cancelled as appropriate.

Revised July 2006

Human Resources Policy 7.3
Separation Pay

Staff covered by this policy

This policy applies to all appointed Support and Service Staff at IU.

A. Introduction

1. Appointed support and service employees receive separation pay at their regular rate of pay for certain time off accruals, if eligible, when separating employment from the university.
2. Amounts are prorated by FTE for part-time staff.
3. The table below is a summary only. See Section B or C in this policy to determine whether an employee is eligible and to what extent.

Separation Pay At-a-Glance

Type of Pay	Voluntary or Involuntary Separation	Retirement or Death
Holidays	Yes	Yes
Accrued compensatory time off	Yes	Yes
Vacation time	Yes (after 6 months)	Yes
Sick Time	No	Yes

B. Voluntary or involuntary separation

1. Non-retiring employees who terminate employment receive separation pay for the unused time-off items listed below whether or not the employee gives or receives notice of separation.
2. Holidays. An employee receives pay for the following:
   a. Unused holidays that are still available for use within the specific time allowed
3. Accrued compensatory time off
4. Vacation time. To be eligible to receive separation pay for unused vacation, an employee must have six months of service.
   a. The following table shows the maximum amount for which an employee receives separation pay for unused vacation time.

Years of University Service Credit	Maximum Separation Pay (hours)
6 months through 6 years	312
Start of 7 through 13 years	352
Start of 14 years	392
Start of 15 years	432
Start of 16 years	472
Start of 17 years	512
Start of 18 years	552
Start of 19 years	592
Start of 20 years	632
Start of 21 years	672
Start of 22 years	712
Start of 23 years	752
Start of 24 years	792
Start of 25 years to end of 29 years	832
Start of 30 years and beyond	872

C. IU Retiree status or death

1. Refer to the policy for the Base Retirement Plan for Support and Service Staff for information about qualifying for IU Retiree status.
2. Employees who separate with IU Retiree status or who die receive pay for the time off accruals described below:
   a. Holidays. Same as in Section B above.
   b. Accrued compensatory time off.
   c. Vacation time. Same as in section B above.
   d. Income protection (sick time) accruals. Employees enrolled in PERF who separate with IU Retiree status or die are entitled to receive separation pay for unused income protection accruals in excess of 152 hours. The death of an employee at any age and with any years of service entitles the beneficiary to receive this benefit.
      i. The benefit is 25 percent of pay for hours in excess of 152.0 through 312.0 and 50 percent of pay for hours in excess of 312.0
      ii. It is possible for employees to be covered under university service for both vested rights in PERF and the IU Retirement 12.0 Plan. In such cases the benefit is applicable if the years of employment under PERF equal 50 percent or more of the total service, but the benefit will be a multiple of the percentage of total employment under PERF.

Human Resources Policy 8.1

Injury on the Job

Staff covered by this policy

The supplemental payments part of this policy applies to all *full-time*, appointed employees. Procedure 8.1, How to report on-the-job injuries, applies to *all* IU employees

A. Introduction

When full-time, appointed employees incur injury or occupational disease while performing their duties, they receive supplemental benefits—in addition to those provided by state law—*provided they follow the procedure for reporting an injury in this policy.*

B. Supplemental payments and work status

1. For the first 40 regularly scheduled work hours of disability:
   a. Absences as a result of an on-the-job injury will be paid at the employee's regular pay rate. The absence is coded as "INJ" on the payroll voucher, and the time is not charged to the employee's accrued paid-time-off benefits.
   b. INJ absence hours are limited to 40 in a calendar year unless an absence due to injury exceeds 21 days. In such cases, the 40-hour supplemental benefit will be restored and available for use the remainder of the calendar year.
   c. Department heads may require a physician's statement before approving payment for absences during the first 40 regularly scheduled work hours of disability.
   d. Campuses must report all lost time to Risk Management in Bloomington.
2. Staff who meet eligibility requirements receive worker's compensation beginning on the eighth day of disability. Such compensation pays a portion of the employee's salary. State legislation (which changes from time to time) determines the exact portion paid by worker's compensation.

   For information about payment amounts and claims procedures, contact Risk Management in Bloomington.

Payment options

Staff may choose one of the payment options listed below. In either case, worker's compensation payments start on the eighth day of disability.

1. **Option 1:** Employees receive a portion of their salary as paid by worker's compensation and do not use paid-time-off benefits. Such employees are recorded as absent without pay and without benefit accrual.
2. **Option 2:** Employees receive their full salary by using accrued paid-time-off benefits plus worker's compensation. As long as staff remain in pay status by using paid-time-off benefits in addition to worker's compensation, they continue to accrue paid-time-off earnings as usual.
   a. Staff may charge a maximum of four hours per day to accrued paid-time-off benefits and accrued compensatory time.
   b. Charges to vacation earnings do not count against the amount of vacation time staff can use in a calendar year.

c. When an employee has depleted all accrued benefits, he or she is recorded as absent without pay and without benefit accrual.

When leave of absence status begins

When all accrued benefits are depleted or if staff choose not to use paid-time-off benefits, and staff do not return to work by the 30th calendar day, they are placed on a leave of absence and will still receive worker's compensation payments as long as eligible under the provisions of the law.

Return to work with physician's restrictions

If the university can provide work for an employee within the restrictions of the attending physician, the employee is not entitled to receive temporary total disability benefits.

C. Eyewear coverage

The university will pay the cost of replacing or repairing eyeglasses or contact lenses damaged or broken as a result of an on-the-job injury or accident. If replacement is required, eyeglasses or lenses of an equivalent cost will be provided.

D. Procedure 8.1

How to report on-the-job injuries

1. Employees must report all on-the-job injuries to their supervisor immediately.

   Failure to report the injury the same day of occurrence may result in denial of a claim by Risk Management.

2. Supervisors must report an injury on the Occupational Injury-Illness Report form and send it to IUPUI Health Services within 24 hours, regardless of whether the injury required professional medical attention or resulted in lost time.

3. The university chooses the attending physician for treatment of on-the-job injuries. Staff must go to IUPUI Health Services, Coleman Hall, for treatment of on-the-job injuries. If the health center is closed or the injury is an emergency, staff should go to the University Hospital Emergency Room. Contact Risk Management for answers to questions concerning this procedure.

For accidents involving exposure to human tissue, blood, or fluid

For accidents involving exposure to human tissue, blood or fluid, staff must take (in person) one copy of the Occupational Injury-Illness Report form to IUPUI Health Services within 24 hours of exposure.

If the health center is closed, staff must report to the University Hospital Emergency Room within 24 hours of exposure. If staff can obtain a sample of the source of contamination, they should take the sample to the health center or hospital for testing.

Revised July 2002

Human Resources Policy 8.2
Adverse or Unsafe Work Conditions

Staff covered by this policy

This policy applies to all support and service staff and professional staff.

A. Adverse or unsafe working conditions

1. Adverse or unsafe working conditions covered by this policy are physical conditions of a workplace that make it impossible or impractical for employees to work in their usual work location. Examples of adverse or unsafe conditions are loss of heat or electricity, damaged building, restricted access to an area of campus due to flooding or tornado damage, or situations that implicate personal safety.
2. Adverse or unsafe conditions could affect a specific building or part of a building, an area of a campus, or an entire campus.

B. Reassignment or release from work due to adverse or unsafe working conditions

1. Based on an assessment of adverse or unsafe working conditions, the chancellor, provost, or appropriate vice president may direct employees to work in another location or may close the workplace by directing employees not to report to work and/or by releasing those affected employees who are already at work. To the extent that unsafe or adverse working conditions can be anticipated, employees will be given advance notice not to report to work. Pay and leave issues will be addressed in all cases in accordance with Paragraphs C. and D. of this policy.
2. The chancellor, provost, or appropriate vice president has the authority to close a specific building or part of a building, an area of a campus, or an entire campus.
3. During the period that a workplace is closed, the university will attempt to resolve the adverse or unsafe working condition or identify alternative work locations and arrangements so that employees are able to return to work as soon as possible. The university retains the right to assign a person to a different work location at its discretion.
4. If the adverse or unsafe working condition is limited to a specific building or part of a building or to a specific area of a campus and other portions of the campus remain open, employees who do work during such periods will receive their regular rate of pay. This includes employees assigned to rectify, repair, or otherwise perform work related to the situation.
5. If the situation is widespread and severe such that the entire campus is closed, emergency Service and Maintenance staff who are required to work will receive their regular rate of pay plus time and one-half additional time or pay, as determined by the department head.
    a. It is the responsibility of the department head to designate which jobs, if any, are subject to emergency work requirements.

C. Closing of a workplace for up to five working days

1. If a workplace is closed pursuant to this policy, the affected employees who were scheduled to work and were not at work solely because of the adverse working conditions will incur no loss of pay and will not be required to cover any absence due to the closing for up to five working days. The absence is to be coded as Adverse Working Conditions (ADW). Employees who were not scheduled to work or were not at work because of such reasons as vacation, holiday, sick time, funeral, or leave of any type whether paid or unpaid, will continue in that status, and their absence will be coded according to the particular reason for the absence.
2. Any portion of an employee's regular workday counts as one day for the purposes of this policy.

D. Closings that extend beyond five working days

1. Whenever a workplace is closed pursuant to this policy for more than five working days, employees must cover any additional time away from work using one or more of the following:
   a. Accrued vacation, holiday, or income protection time
   b. Accrued compensatory time
   c. Absence without pay and with benefit accrual (AWB)
   d. With department head approval, work at a different campus location on or off campus
   e. With department head approval, make up the time on an hour-for-hour basis within the same workweek of the absence
2. The use of any type of paid time off to cover time away due to adverse or unsafe working conditions does not count against the maximum amount that can be used in a calendar year.

Revised July 2008

Human Resources Policy 8.3

Adverse Weather

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Introduction

The university will generally not close because of adverse weather. It is the university's policy to operate at all times, and staff are expected to report for duty unless notified otherwise.

B. Options for covering an absence due to adverse weather when a campus remains open

1. Employees are expected to use their best judgment if adverse weather creates extreme travel hazards when traveling to or from the workplace. They should not endanger themselves nor ignore the statements of local officials about traveling during adverse weather. The employee should make every effort to notify the departmental supervisor. The advance notice requirements for use of time off will be waived.
2. The department may authorize use of the following options so that staff do not suffer loss of pay:
   a. Accrued paid-time-off benefits
   b. Accrued compensatory time
   c. Make up the work on an hour-for-hour basis during the same workweek
   d. Instead of charging an absence against the items listed above, staff may use an absence without pay and with benefit accrual.
3. When the campus remains open, one of the above options must be used in adverse weather situations such as, but not limited to:
   a. The employee chooses not to travel to work.
   b. The employee cannot travel to work due to unplowed roads, declared county road emergencies, or other reasons preventing the employee from coming to work.
   c. The employee chooses to leave work early.
   d. A department head releases employees early or elects to suspend operations for all or part of a day.

C. Guidelines for when a campus is closed

1. If adverse weather conditions are widespread and extremely severe, a campus chancellor or vice president may close the campus. Local radio stations announce such a closure.
2. When a campus is closed, pay continues for all staff for whom the closing occurs on a scheduled workday. Staff do not have to charge the absence to an allowance or make up the time. An absence charged to weather should be coded on the payroll voucher. Employees who were not scheduled to work or were not at work because of such reasons as vacation, holiday, sick time, funeral, or leave of any type whether paid or

unpaid, will continue in that status, and their absence will be coded according to the particular reason for the absence.

D. Compensation for work performed when a campus is closed

1. There are some jobs which require employees to work during such circumstances. Supervisors are to notify employees in such jobs of this requirement and to contact Risk Management to have Emergency ID cards issued to these employees in advance.
2. Service and Maintenance employees who are required to work when the campus is closed due to adverse weather on their scheduled workday receive pay for the hours worked plus one of the types of premium compensation listed below. The department head determines which type of additional compensation the employee receives.
   a. Pay at the rate of one and one-half times the hourly rate
   b. Time off at the rate of one and one-half times the hours worked

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Revised July 2010

Human Resources Policy 8.4
Workplace Safety

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Philosophy

1. Indiana University recognizes its responsibility to provide a safe and healthy working environment, including making reasonable efforts to promptly investigate and address health and safety issues, ensuring that employees are not required to perform tasks that are dangerous to their health and safety without first providing adequate training and safety equipment as required by law, and by making information on hazardous materials readily accessible.
2. AFSCME Local 1477 recognizes its responsibility to cooperate with the university in maintaining and improving a safe and healthy working environment.

B. Dangerous conditions requiring immediate attention

1. Employees who observe a dangerous working condition that requires immediate corrective action should notify their supervisor at once.
2. Once informed, the supervisor should take immediate action, including notifying the department head, to determine the corrective action to be taken. If an employee observes that the department has taken no action, Environmental Health and Safety should be notified immediately.
3. Environmental Health and Safety will determine if a dangerous condition exists which requires immediate attention and if it does, make the final determination on the corrective action necessary to alleviate the dangerous condition.

C. Refusal of unsafe or dangerous work assignments

1. An employee or group of employees who refuse a work assignment due to a reasonable belief that the work constitutes a danger to physical safety beyond the normal hazards of the occupation or a violation of governmental safety standards, should use the complaint procedure set forth in Section B. above.
2. No employee should be required to resume the disputed work until the alleged hazard is corrected, the complaint process is completed or a determination has been made by a qualified person stating the work is not unsafe or dangerous.
3. No employee who refuses to perform work in accordance with this section shall be disciplined or retaliated against or lose the right to perform the work once the alleged hazardous condition has been corrected.
4. Pending the decision by the university concerning the work in question or the removal of the hazardous condition, employees may be assigned to any other work available without loss of pay or benefits.

D. Campus-wide safety committee

1. A campus-wide safety committee will be established by Environmental Health and Safety. A representative from AFSCME is to be included on this committee.
2. The committee will be chaired by a representative of Environmental Health and Safety and will be convened as necessary to address health and safety issues.
3. The committee's objectives will be determined by its members; however, in general the committee will be responsible for:
   a. Overseeing OSHA compliance
   b. Making policy recommendations on safety issues
   c. Establishing a process to handle non-emergency safety complaints
   d. Reviewing specific non-emergency situations
   e. Conducting after-action reviews to evaluate responses to emergency situations
   f. Providing input on specific safety programs

E. Unsafe conditions not requiring immediate attention

1. Employees who observe an unsafe working condition which does not appear to require immediate corrective action, should complete an Unsafe Working Conditions report being as detailed as possible. The form is to be given to the immediate supervisor.
2. The supervisor has three working days to investigate the matter and take appropriate corrective action as needed.
3. If the employees disagree with the action taken, or if the supervisor takes no action, they will then have two working days to appeal to the dean or director.
4. The dean or director has five working days to investigate the matter and take whatever corrective action is needed.
5. If the employees disagree with the action taken by the dean or director, or if no action is taken, they have two working days to appeal to the campus-wide safety committee by notifying the committee chairperson.
6. The campus-wide safety committee will have five working days to meet, investigate the matter and take appropriate corrective action as needed. The committee will issue a written response to all complaints brought to its attention.

Adopted July 2006

Human Resources Policy 8.5
Tobacco-Free Policy

Staff covered by this policy

This policy applies to all faculty, staff, students, on the IUPUI campus.

Policy

1. Tobacco use or sale, including, but not limited to smoking, is prohibited on university-owned, operated, or leased property.
2. Exceptions may be granted for specific auxiliary enterprises, as approved by the chancellor.
3. Tobacco use, including, but not limited to smoking, is not permitted in university-owned, leased, or operated vehicles.
4. Enforcement of this policy will depend upon the cooperation of all faculty, staff, and students not only to comply with this policy, but also to encourage others to comply with the policy, in order to promote a healthy environment in which to work, study, and live.
5. Violations of this policy should be referred to the appropriate administrative office for review and appropriate administrative action: for faculty, the Office of Faculty Appointments and Advancement; for staff, Human Resources Administration; or for students, the Office of The Dean of Students.

Revised August 2006

Human Resources Policy 8.6

Provisions for Lactating Mothers

Staff covered by this policy

This policy applies to all staff and hourly employees at Indiana University.

A. Introduction

Indiana University promotes a respectful and healthy work environment for all employees. The following policy provisions are to support mothers who want to express breast milk at work. This policy is also intended to comply with a related Indiana Code.

B. Department responsibilities

1. Departments are to provide a location, to the extent reasonably possible, where an employee can express breast milk in private. The location can be a room designated just for this purpose, the employee's private office, a private office not in use, or any area other than a toilet stall where the employee can have privacy from others.
2. Departments are to ensure, to the extent reasonably possible, the availability of cold storage space. The employee may provide her own portable cold storage device or have access to a refrigerator located in the department or building.

C. Time needed to express milk

The time needed to express milk is paid time if it occurs during work hours. The expectation is that the employee can express milk during rest periods and lunch breaks. If additional time is needed, supervisors are encouraged to grant reasonable flexible scheduling to accommodate the need.

Related law

Indiana Code 22-2-14, Employee breaks for lactating mothers.

Adopted October 14, 2008

Human Resources Policy 8.7
Pandemic Emergency Policy

Staff covered by this policy

This policy applies to all staff and hourly employees at Indiana University.

A. Introduction

1. Indiana University has developed plans for a potential influenza pandemic crisis, including the development of this University Personnel Policy for Staff and Hourly employees. This policy is designed for various scenarios that are likely to involve combinations of the following elements:
    a. High rates of absenteeism affecting the ability of university departments to function.
    b. The cancellation of either all or a significant number of classes on a campus which otherwise remains open.
    c. The closing of university housing on a campus which otherwise remains open.
    d. The closing of a campus for a period of time.
2. The literature on influenza pandemics indicates that an influenza pandemic may last within the world for up to two years, with two to three waves and each wave lasting up to two months. It is likely that not all parts of the world would be affected at the same time. If a wave were to hit Indiana, all of the scenarios could occur, with high rates of absenteeism (20 percent to 60 percent) lasting for periods of two to four weeks at the height of each wave, with possible campus closings in the last half of a wave.
3. During a pandemic, the university could experience increased absences due to illness, caring for ill family members, fear, public school closings, quarantines, and campus closings. **This University Personnel Policy for Staff and Hourly employees is applicable when the Indiana University President or his designee declares a pandemic emergency for the university on one or more of its campuses.** Provisions of these policies may be implemented on a full or partial campus or university-wide basis.

B. When a Campus Remains Open During High Rates of Absenteeism

1. When a campus remains open during a pandemic emergency, employees will continue to cover absences in accordance with the existing policies for the use of Income Protection (Sick) or Vacation for Support and Service Staff and PTO or PTO Sick Leave for Professional Staff, with the following exceptions.
    a. The annual limits on the usage of vacation and PTO are waived for the period covered under the declared pandemic emergency. There are no annual limits on the use of income protection and PTO sick leave.
    b. The advance approval requirements for the use of vacation and PTO are waived for the period covered under the declared pandemic emergency.
2. Employees are expected to notify their supervisor prior to any absence in accordance with university personnel policy and departmental procedures.

3. If paid time-off benefits have been exhausted, then the time away from work is recorded as absent-without-pay and without accrual of time-off benefits (ABS).
4. Attendance program provisions or disciplinary actions due to absences without pay are waived for the period covered under the declared pandemic emergency.

C. When Part of a Campus Is Closed or Some or All Classes Are Cancelled

1. When specific buildings on a campus are closed or some or all classes are cancelled but part of the campus remains open during a pandemic emergency, staff and hourly employees in units that are affected by the closing or cancellation of classes will be assigned an alternative work assignment or location to the extent the university determines feasible.
2. If an alternative work assignment or location is available and the staff employee chooses not to accept it, the employee is to cover the time away from work with accrued time-off benefits or be absent-without-pay and without accrual of time-off benefits (ABS) if time-off accumulations are exhausted.
3. If no alternative work assignment or location is available, the employee is to cover the time away from work with accrued time-off benefits or be absent-without-pay and with accrual of time-off benefits (AWB) if time-off accumulations are exhausted.
4. The Discretionary Leave Policy, the Military Leave Policy, and the Family and Medical Leave Act (FMLA) Rights Policy will continue to apply to leaves covered by these policies.
    a. This applies whether an employee is on a leave when the pandemic emergency is declared of if a leave begins after the pandemic emergency is declared.
    b. If an employee's work unit is closed due to the pandemic emergency when the employee's leave ends, the provisions of Paragraphs C.2 and C.3 apply.
5. These paid time off provisions will not apply to hourly employees. Hourly employees are not paid for time away from work.
6. The provisions in Section B., "Policies when a campus remains open during high rates of absenteeism," apply to those parts of the campus that remain open.

D. When an Entire Campus Is Closed

1. When an entire campus is closed due to a declared pandemic emergency, all staff employees who would otherwise be working if not for the closing will be paid and will not be required to use accumulated time-off benefits for the duration of the emergency closing up to 15 calendar days. Following the initial 15 calendar days, the President will evaluate the situation and make a determination if this provision is to be continued and if so, for how long. This provision does not apply to hourly employees.
2. The Discretionary Leave Policy, the Military Leave Policy, and the Family and Medical Leave Act (FMLA) Rights Policy will continue to apply to leaves covered by these policies.
    a. This applies whether the employee is on the leave when the pandemic emergency is declared or if the leave begins after the pandemic emergency is declared.
    b. If the campus is closed due to the pandemic emergency when the employee's leave ends, the employee will be placed on active pay status under the conditions of Paragraph D.1.

3. For employees officially designated as essential and required to work on campus during a campus closing:
    a. Support, Service, PAO Professional, and PAU Professional Staff, and Hourly employees will receive their base rate plus an additional half time for hours actually worked.
    b. PAE Professional Staff will receive their base salary. In the event of extraordinary work activities, PAE Staff may receive a lump-sum bonus payment, if requested by a Campus Provost or Chancellor or Vice President, with approval of the President.
    c. “Essential” means the same as “critical” as referenced in the Indiana University Pandemic Plan.
4. When the campus reopens, the regular polices and base rates and use of time-off benefits will be reinstated for absences occurring thereafter.

E. Telecommuting Guidelines

1. The existing Telecommuting Guidelines have been modified to provide an abbreviated set of guidelines to use when implementing the full guidelines is not practical. The new Telecommuting Guidelines during Emergencies or Adverse Situations provide procedures for departments to approve the performance of work away from the campus when all or part of the campus is closed for temporary periods of time.
2. Staff and hourly employees who are telecommuting during a declared pandemic emergency will receive their normal base rate or salary for the time worked.

F. Impact of a Declared Pandemic Emergency on the FMLA Policy

1. Time during which a unit or campus is closed due to a declared pandemic emergency does not count against the 12 week annual limit of FMLA leave.

Adopted September 2009

Human Resources Policy 9.1
Medical and Dental Coverage

Staff covered by this policy

This policy applies to all staff at IU on full-time appointment.

A. Effective date of coverage

1. Employees who enroll in a medical or dental plan within 30 days of their appointment are covered from the date of their eligible appointment.
2. Employees who do not enroll in a medical or dental plan within 30 days of their eligible appointment, and who wish to participate in such plans, must wait to enroll during the open enrollment period. In this case, coverage begins on January 1 of the next calendar year.

B. Dental care

1. Dental coverage is offered as a separate program from the medical plan enrollment. Employees may enroll for dental coverage at two times: at initial enrollment (within 30 days of eligible appointment) or during open enrollment.
2. If the dental option is not elected at the time of eligibility for initial enrollment, the option may not be elected again until the next open enrollment date following a 12-month waiting period.

C. Midyear changes in plans and coverage

1. Employees may generally change medical or dental plans during open enrollment only. An employee can only change medical or dental plans midyear when a change in residence causes the employee to lose eligibility, for example, enrollment in a regional HMO. In the case of a change in status, an employee may change the level of coverage only. Such changes are retroactive to the date of event, *provided that the employee requests a change within 30 days of the event*.
   a. Examples of a change in status include marriage, divorce, death, birth, adoption, the starting or ending of a spouse's employment, and establishment or end of a same sex domestic partnership as qualified by the university's Affidavit of Domestic Partnership.
   b. After 30 days, changes cannot be made until the following open enrollment with an effective date the following January 1.
2. These limitations in enrollment changes are in compliance with Internal Revenue regulations which allow employee premium contributions to be made on a pre-tax basis.

D. Coverage during a leave of absence

Staff who are on a leave of absence may continue participating in a medical and dental plan. However, they must continue paying their monthly share of the required premium.

E. Termination of coverage and continuation of coverage

1. Medical and dental coverage terminates at the end of the day on which the employee no longer meets the criteria for eligibility.

2. Under certain circumstances, the university continues to make its contribution to medical and dental benefit premiums for an additional four months. These circumstances include termination due to:
   a. A permanent reduction in force; or
   b. Medical reasons related to an employee's illness, injury, or pregnancy that prevent the employee from performing the functions of his or her job.
3. Under the circumstances in 2.a. and 2.b. above, the university will continue to contribute its share of the premiums for four months and arrange for the employee to pay his or her portion. *To be eligible, an employee must elect continuation of coverage under COBRA provisions.*
4. At the end of the four-month period, the employee may choose whether to continue coverage for the remainder of the COBRA eligibility period. To do so, the employee pays the entire premiums.

F. COBRA provisions

1. Public Law 99-272, Title X (COBRA), provides employees and their dependents the right to *continuation coverage* after their eligibility ends. The following section explains general guidelines of COBRA provisions. It is the policy of Indiana University to voluntarily apply COBRA provisions to same sex domestic partners as qualified by the university's Affidavit of Domestic Partnership.
2. Enrolled employees, their spouse as defined by Indiana law, or the same sex domestic partner as qualified by the university's Affidavit of Domestic Partnership, and qualified dependents—who lose health and dental coverage for reasons other than gross misconduct—may choose to continue their coverage in a group plan. To continue, the member must pay 102% of the full monthly premium for one of the following time periods.
   a. Up to 18 months. Staff and eligible dependents may continue participation for up to 18 months after loss of their coverage, if the loss is due to termination of employment, a reduction of FTE appointment, or a layoff.
   b. Up to 29 months. If an employee or a covered dependent becomes disabled under the Social Security Act within 60 days after the date of termination, then staff may extend COBRA coverage to a total of 29 months. To do so, staff must notify the University Human Resource Services Office within 60 days.
   c. Up to 36 months. Staff and eligible dependents may continue participation for up to 36 months after loss of their coverage, if the loss is due to the employee's death, enrollment in Medicare, divorce, legal separation, end of the same sex domestic partnership, or a dependent ceases to be a dependent under a plan.
3. Staff or a covered dependent must notify the University Human Resource Services Office within 60 days of an event that causes a loss of coverage. The plan administrator will then notify the covered individuals of their rights to continuation coverage. Individuals have at least 60 days from the date when coverage ends to inform the plan administrator of their decision to continue coverage.

G. Termination of COBRA continuation coverage

1. Continuation of COBRA coverage may be cut short for any of the following reasons:
   a. IU no longer provides group health or dental coverage to any of its employees.
   b. An employee does not pay monthly premiums on time.
   c. An employee is covered under another group health or dental plan that does not contain a limitation for preexisting conditions.
   d. An employee becomes entitled to Medicare.
   e. An employee extends coverage for up to 29 months due to a disability under Social Security, and it is determined that the employee is no longer disabled.

Revised January 2009

Human Resources Policy 9.2

Basic Life Insurance

Staff covered by this policy

This policy applies to all staff at IU on full-time appointment.

A. Highlights of the plan

1. The university pays for basic life insurance coverage for all eligible employees. Staff are responsible for the premiums of any supplemental life insurance coverage they may select. Highlights of the basic life insurance plan are listed below.
   a. Provides a death benefit to the designated beneficiary equal to two times the base salary, up to a maximum of $50,000
      i. At age 65, the death benefit is reduced to 1.3 times the base salary, up to a maximum of $50,000.
   b. Provides an accidental death and dismemberment benefit
      i. In the event of an employee's accidental death, an amount equal to the coverage is paid in addition to the basic life payment.
   c. Provides a permanent and total disability benefit
      i. In the event of a total and permanent disability prior to age 60, staff are eligible for a monthly benefit paid out over 60 monthly installments on the first $20,000 of the total coverage.
   d. Provides life insurance for eligible dependents
      i. A covered legal spouse or same sex domestic partner as qualified by the university's Affidavit of Domestic Partnership is eligible for $3,000 of life insurance, and each covered dependent child is eligible for $1,000 of insurance.
   e. Offers an accelerated death benefit which allows terminally ill employees and their dependents the opportunity to collect all or part of their life insurance prior to death
   f. Allows covered staff to convert group life coverage to an individual policy without proof of good health, *provided that the conversion is requested within 31 days of termination*

B. Retiree benefit

The university pays for $6,000 of life insurance for individuals who separate from employment with IU Retiree status effective January 1, 2003 or later.

C. Continuation of coverage during a leave of absence

Coverage will continue for the first three months of a leave of absence. After three months, employees may extend coverage for up to 12 months by making advance premium payments. Employees on leave due to medical purposes will be covered without premium payments. See the policy, Family and Medical Leave of Absence.

D. Optional employee benefit plans

See the policy, Other Employee Benefit Plans, for information on how to supplement IU's Basic Life Insurance plan.

Revised July 2005

Human Resources Policy 9.3

Base Retirement Plan for Support and Service Staff

Staff covered by this policy

This policy applies to appointed support and service staff at 50 percent or more FTE as identified in the Introduction of this manual. Under federal law, there is no mandatory retirement age.

A. Social Security

All employees are included under FICA (Social Security) and OASI (Old Age and Survivors Insurance).

B. PERF for support and service staff

1. The Public Employees' Retirement Fund (PERF) consists of two distinct components: a pension benefit and an annuity savings account benefit. Indiana legislation controls these provisions. IU pays for the PERF retirement plan pension and annuity savings account benefits.
2. Support and service staff appointed for at least 50% FTE will be enrolled in PERF at the time of appointment.
3. Participants of PERF can begin their pension retirement income—without reductions for early retirement—at age 55 with 30 years of PERF service (time during which an employee is enrolled in PERF). Reduced PERF income is available as early as age 50 with 15 years of PERF service. The following table lists the age and service required to begin retirement income without reductions:

Age at termination	Years of PERF service	Age at termination	Years of PERF service
55	30	61	15
56	29	62	15
57	28	63	15
58	27	64	15
59	26	65	10
60	15	66 and over	10

C. IU Retiree status

1. A Retiree of Indiana University will be entitled to the following IU benefits, which are separate from retirement income benefits:
   a. Life insurance (paid by IU); see Basic Life Insurance policy.
   b. Fee courtesy; see Fee Courtesy.
   c. Medical and dental coverage; see Medical and Dental Coverage policy.
2. In order to qualify as a Retiree, an IU employee must have Retiree status according to the following age and service requirements:

Age at termination	Years of IU service*	Age at termination	Years of IU service*
55	30	61	15
56	28	62	15
57	26	63	14
58	24	64	12
59	22	65 or over	10
60	15		

**Years of IU Service* means the years of full-time appointed service at Indiana University.

D. Classification changes

Support and service staff who are promoted or reclassified to a professional position must switch to the plan for the new position.

Revised January 2003

Human Resources Policy 10.1

Time Off Accruals During Absences

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Absences with pay and time off accruals

Staff accrue benefits and receive pay for absences that are allowed under the following policies: 4.3, Overtime (specifically, compensatory time off for overtime worked); 8.2, Adverse or Unsafe Work Conditions; 8.3, Adverse Weather; 10.2, Holidays; 10.3, Income Protection (Sick Time); 10.4, Vacation; 10.5, Funeral Leave; 10.8, Leaves for Military Duty and Leaves for Military Families; 10.9, Voting and Court Duty.

B. Absences without pay and without time off accruals

1. Staff do not receive pay or earn benefits during the following situations: a temporary reduction of force, a leave of absence, or time away from work not covered by a paid-time-off benefits policy.
2. If an employee does not return to the job after 160 continuous work hours without pay (30 calendar days), the department must initiate a discretionary leave of absence or a termination. The amount of work hours is prorated by FTE for part-time staff.

C. Absences without pay and with time off accruals

1. Staff who are absent without pay earn benefits under the following conditions:
   a. An employee cannot work due to a short layoff of 30 calendar days or less or at the request of a supervisor or department head.
   b. An employee cannot travel to work due to adverse weather (even though the campus is open) or cannot work because of adverse working conditions or facilities.
   c. An employee is receiving Worker's Compensation payment supplemented by paid-time-off benefits.
   d. An employee is serving military duty. This additional accrual is limited to vacation and is equal to the amount that the person would have earned had the military leave of absence not occurred, up to a maximum of one year's additional accruals. The rules on the maximum usage of vacation in a year will continue to apply.

Revised July 2007

Human Resources Policy 10.2
Holidays

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Official university holidays

1. The university observes the following nine holidays and closes all offices except where continuous service is essential.

New Year's Day	**Memorial Day**	**Thanksgiving Day**
Martin Luther King, Jr. Day	**Independence Day**	**Friday after Thanksgiving**
Campus Holiday	**Labor Day**	**Christmas Day**

2. The Campus Holiday accrues on March 1 of each year.
3. Only the Board of Trustees or the president of the university may grant special holidays other than the nine listed above.

B. Campus Holiday

Campus Holiday is either a "floating" holiday or a day designated by the president at the Bloomington campus and the chancellors at the other campuses. On campuses that treat the holiday as a "floating" holiday, Campus Holiday is available to use on or after March 1.

C. Religious holidays

1. Departments should consider making reasonable accommodations in the work schedules of staff who want time off to observe a bona fide religious holiday that is not in the above list. Supervisors may allow employees to take time off without pay or rearrange their schedule to make up for missed work time.
2. Employees can use accrued vacation, compensatory time, or income protection time to cover the absence from work.

D. When IU observes holidays

1. If a legal holiday falls on a Sunday, the holiday is observed on the Monday immediately following.
2. If a legal holiday falls on a Saturday, the holiday is observed on the Friday immediately preceding the holiday.
3. Staff who work in a seven-day operation observe the holiday on the nationally recognized day, if they are required to work that day

E. Eligibility for paid holidays

1. To receive holiday pay, employees must meet both of the following criteria:
   a. Be on appointment (50% FTE or greater) on or prior to a holiday (on or prior to March 1 for the Campus Holiday)
   b. Be in Active Status (Employee Status "A" in HRMS) or on a Partial Leave of Absence with a reduced FTE (Employee Status "P" in HRMS) on the day on which the university observes the holiday (March 1 for the Campus Holiday).

2. Staff in the following Employee Status categories in HRMS on the day that the university observes the holiday do not receive pay for the holiday:
   a. Leave of Absence (L); a 30 day or more absence without pay under the LOA policy
   b. Temporary Reduction in Force (W); called a Short Work Break in HRMS
   c. Terminated (T), Retired (R), or Deceased (D)
3. Staff who are appointed on a day following a holiday do not receive pay for the holiday.
4. Staff who return from a leave of absence on a day following a holiday do not receive pay for the holiday.
5. All holidays are defined as 8 hours in length. The amount of holiday time that an employee will receive is prorated by their FTE (100% FTE receives 8 hours, 50% FTE receives 4 hours, etc.).
   a. Employees who work alternative work schedules, such as four ten-hour days, will receive 8 hours of pay for a holiday. In this example, Support and Service Staff are required to cover the other 2 hours missed with time off benefits, make up the time within the same work week with supervisory approval, or take the time off without pay.
6. If an employee does not work on the holiday, the current holiday must be used for that day. A previously accrued holiday or other paid time off cannot be used in lieu of the current holiday.

F. Pay when staff work on observed holidays

1. Staff who work on the Friday after Thanksgiving or Martin Luther King, Jr. Day receive regular pay *plus* equivalent time off up to 8 hours. Staff do not receive Holiday Incentive Pay (HIP) for working on these holidays.
2. Staff who work on any of the other university-observed holidays, receive pay at a rate equal to one and one-half times the regular rate (Holiday Incentive Pay) *plus* equivalent time off up to 8 hours.
3. Time off accrued for working on a holiday should be taken on a date mutually agreeable between the employee and supervisor.
4. Departments cannot grant time off for a holiday in advance of the date on which the holiday falls.
5. Staff must take time off by the end of the last full pay period in December of the next year or they lose it.
6. In a seven-day operation, when the holiday falls on a Sunday, staff receive Holiday Incentive Pay *plus* Sunday premium.

Revised October, 2009

Human Resources Policy 10.3
Income Protection (Sick Time)

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Introduction

1. Regular attendance is a condition of employment.
2. Income protection is provided to protect income and prevent loss of pay during personal and family illness, injury, or medical/dental appointments, personal emergencies that are not health related, and other special situations.
3. Income protection earnings accumulate from year to year without limit.

B. Schedule of accruals

1. **Full-time appointed staff:** Full-time, appointed staff accrue 3.7 hours per eligible 80-hour period. This results in a maximum earning of 96.2 hours in a calendar year.
2. **Part-time appointed staff:** Part-time, appointed staff of 75% FTE or greater accrue a prorated amount of hours based on their specific FTE.
3. **Transfers from academic appointments:** Transfers from academic appointments to biweekly positions receive, at the time of transfer, four hours for each month of academic appointment.
4. **When staff do not earn hours:** Staff do not earn hours under the following circumstances:
   a. Leave of absence
   b. Absence without pay
   c. Temporary reduction in force
   d. Appointment of less than 75% FTE

C. Use of income protection earnings

1. Staff may use accumulated income protection time after receipt of their first paycheck.
2. Income protection time may be used to prevent loss of pay during personal illness or injury or medical/dental appointments.
3. Income protection time may be used to prevent loss of pay during a family member's illness or injury or medical/dental appointments.
4. Members of the family include the following:
   a. Spouse as defined by Indiana law or same-sex domestic partner as qualified by the university's Affidavit of Domestic Partnership
   b. An unmarried child at home including the child of the same-sex domestic partner
   c. Relatives of the employee, spouse or the same-sex domestic partner who are living with the employee

d. Parents, children, grandparents, grandchildren, brothers, sisters, and relatives of the spouse or the same-sex domestic partner of the same degree who are solely dependent on the employee for emergency care

5. The amount of income protection time that may be used for any period of personal or family illness or injury is limited only by the amount of time accrued and the medical need to be away from work.
6. Supervisors may require confirmation of illness or injury through a licensed physician's statement whenever any of the following apply:
   a. The employee has been absent three or more consecutive work days.
   b. There is a pattern of absenteeism.
   c. There has been disciplinary action for absenteeism during the prior twelve months.
   d. The supervisor has cause to believe that the absence is for a reason other than illness.
7. In determining whether there is a pattern of absenteeism, absences approved by the university as a reasonable accommodation under the Americans with Disabilities Act or taken under the provision of the Family Medical Leave Act cannot be considered. This paragraph does not limit the university's right to require a physician's statement or other medical documentation to support a long-term absence, including FMLA, fitness to return to work, or continued ability to perform the assigned tasks, or to determine eligibility for other benefits or comply with any state or federal requirement.
8. Staff cannot "borrow" against future income protection earnings.
9. The exact number of hours, including tenths of hours, are reported and subtracted from the accrued balance.

D. Other uses of accruals

1. Staff may also use accruals to cover the following:
   a. Personal emergencies that are not health related. These events will typically be unforeseen, will require immediate action, and are beyond the employee's control. Employees must notify the supervisor as soon as possible as to the reason and the expected time of return.

      The employee may be required to provide documentation on the nature and circumstances of the absence.
   b. Special situations that cannot be handled during the normal hours away from the job. Examples are: religious holidays not provided for in the university's holiday plan, funeral arrangements, marriage arrangements, legal matters, real estate transactions, university class attendance, etc.
      i. Requests must be made and approved in advance of usage.
      ii. Departments are authorized to deny employees' requests when the request is inconsistent with this policy and/or there is evidence the absence would cause an undue hardship upon the university in relation to the employees' convenience or needs.
   c. A Selective Service physical (staff may use a maximum of eight hours when orders require a physical exam).

d. In conjunction with Worker's Compensation. Contact the Risk Management Department, 855-9758, for information about using sick time in conjunction with Workers' Compensation. Also, see Policy 8.1, Injury on the Job.

E. Terminal pay for accruals at the time of retirement or death

See Policy 7.3, Separation Pay

Revised November 2002

Human Resources Policy 10.4

Vacation

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Introduction

1. Full-time, appointed staff earn vacation hours as outlined in the schedule of earnings below. Staff earn these hours when they are in pay status or absent with benefits accrual. (See Policy 10.1, Time Off Accruals During Absences for details.)
2. Part-time, appointed employees (50% or greater) earn a prorated amount, according to their FTE, of the hours indicated below.
3. Employees do not earn vacation time while on leave of absence, absent without pay, or on a temporary reduction in force.
4. In this policy, the appointment anniversary date refers to the date of continuous university service or the date computed under Policy 3.9, Reemployment Provisions.

B. Schedule of Earnings

Staff who have worked for this amount of time	Earn this amount of vacation for every 80 hrs. in pay status	For a total of this amount each year
Hire date to end of 6th year	4.31 hours	112 hours (14 days)
Start of 7th year to end of 13th year	5.85 hours	152 hours (19 days)
Start of 14th year to end of 29th year	7.39 hours	192 hours (24 days)
Start of 30th year and beyond	8.92 hours	232 hours (29 days)

C. Guidelines for using vacation

1. **Approving requests:** A supervisor must approve all vacation in advance before staff can use it. If staff within a department make requests for the same vacation period, preference will be given according to occupational unit seniority.
2. **Recording vacation taken:** When vacation time is taken, the exact number of hours, including tenths of hours, are reported and subtracted from accumulated earnings.
3. **Maximum vacation allowed:** The maximum number of vacation hours that may be used annually during the 26 consecutive pay periods beginning with the pay period in which January 1 falls and continuing through the last full pay period in December, are as follows:
   a. 304 hours in years of service 0 through 13
   b. 784 hours in years of service 14 and beyond

This limit does not apply to use of vacation during a family and medical leave of absence. Part-time, appointed staff use a prorated amount according to their FTE.

4. **Eligibility requirements:** New appointed employees may use vacation time after receipt of their first paycheck and the time is reflected on their pay stub.
5. **Accrued hours:** Accrued vacation hours carry over from year to year. Staff can receive pay for unused vacation up to a specified maximum when they terminate. (See Policy 7.3, Separation Pay, for details.)
6. No employee may expect extra pay in lieu of vacation.
7. **Lengthy absence from work:** Employees who wish to use accumulated vacation when it causes a lengthy absence from work should inform their supervisor of their plans six months before the vacation period. Supervisors are obligated to honor these requests unless 1) the request is for time off in the unit's established and known peak work period in which non-emergency time off is routinely restricted or 2) more than one request is received for the same time period. If more than one request is received, occupational unit seniority prevails in determining which employee's request will be honored.

D. Vacation Scheduling

1. Employees may request vacation time throughout the calendar year. If multiple employees within a department request the same vacation period, preference will be given according to occupational unit seniority. However, if a supervisor has given prior permission to a less senior employee for the same time period, the prior permission is honored.
2. Departments will identify the maximum number of employees under each supervisor's area of responsibility that can be off at any one time. Departments will also identify any peak periods of time that no one can be off due to departmental needs.

E. Converting Income Protection Time to vacation

1. Eligible employees may, if they choose, convert 80 hours of their accrued income protection time to 40 vacation hours subject to the following limitations and conditions.
2. Eligibility is limited to employees who meet all of the following criteria:
   a. Have 560 or more hours of accumulated income protection (sick) time as of the first full pay period in either March or September of any qualifying year
   b. Have at least ten consecutive years in an appointed position
   c. Work in an appointed position and be in pay status when they submit the application for conversion and when it is implemented
   d. Have not converted any income protection time to vacation time during the previous four years under this policy
3. During a specified period in either March or September, eligible employees have the option of converting 80 hours of income protection time to 40 hours of vacation time.
4. Staff must submit conversion requests according to the procedures and deadline established by Financial Management Services (FMS). Requests that are submitted are irrevocable.

5. This section does not modify the following:
   a. The maximum amount of vacation hours staff can use in a year as provided in this policy.
   b. The limitations of terminal pay as provided in the Separation Pay policy.

Revised July 2010

Human Resources Policy 10.5

Funeral Leave

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Provisions

1. An appointed employee will be granted up to three working days (24 hours for 100% FTE and prorated for part-time FTE of 50% or greater) with pay within one week from the date of death of the following relatives; however, if the funeral is held outside of the one week period, the employee may use any of the unused 24 hours of Funeral/Bereavement time to attend the funeral service.
   a. Spouse as defined by Indiana law, same sex domestic partner as qualified by the university's Affidavit of Domestic Partnership, child, grandchild
   b. Parent (or an individual who stood in loco parentis to an employee when the employee was under the age of 18), sibling, grandparent, or in-law relative, step relatives, and same sex domestic partner relatives of the same degree
   c. Other relative of whom the employee is the sole survivor
2. The number of hours absent and charged to funeral/bereavement time should be reported on the payroll voucher.
3. When an employee is on an FMLA leave to care for a family member and the leave is terminated by the death of the family member, the employee will be granted the normal time off for funerals/bereavement as described above.

B. Additional time off

1. Additional time beyond the three days may be granted and charged to accrued vacation time, income protection time, compensatory time off, or taken without pay.
2. It is acceptable to use income protection time if an employee's health prevents him or her from working following the death of an immediate family member.
   a. Such use is subject to the provision of Policy 10.3 Income Protection (Sick Time).
   b. The supervisor has authority to require a doctor's notice in this situation.

C. Other relatives or close friends

1. Time off with pay to attend the funeral service of other relatives or close friends may be granted at the discretion of the department head.
2. Employees must cover this time by using accrued vacation, income protection time, compensatory time off or taken without pay.
   a. The employee must request this time off—and the supervisor must approve or disapprove such time off—as soon as practical under the circumstances.

Revised July 2006

Human Resources Policy 10.6

Family and Medical Leave Act (FMLA) Rights

Staff covered by this policy

This policy applies to all staff at Indiana University.

A. Introduction

1. It is the policy of Indiana University to provide a leave of absence in accordance with the Family and Medical Leave Act (FMLA) of 1993. Before designating an FMLA leave, administrators should consult the FMLA Procedures. It is the policy of Indiana University to voluntarily apply the FMLA provisions to same-sex domestic partners as qualified by the university's Affidavit of Domestic Partnership.
    a. This policy information is only a general summary of the steps to follow when considering a request or need for family or medical leave. Refer to the complete FMLA Procedures and required forms for necessary details.
2. An employee may request a leave, or may provide a department with sufficient information to make the department aware of an absence that may be eligible for FMLA protection. In either case, follow the FMLA Procedures to see if and how the FMLA applies to the employee. The department may seek additional information from the employee to determine whether FMLA applies.
    a. If a department is aware that the reason for an absence from work qualifies under FMLA, the absence must be designated as FMLA leave, even if the employee does not request it. Complete the required forms and provide copies as noted.
3. An FMLA leave may be initiated by the employee or the department at any point in a calendar year when the need for the leave arises. However, if an employee is on FMLA leave that extends from one calendar year to the next, new FMLA forms must be processed at the beginning of the new calendar year in order to keep the leave in effect.
4. For information regarding forms and FMLA processing, contact the campus human resources office.

B. FMLA coverage and benefit coverage during FMLA

1. In accordance with the FMLA, eligible employees may receive up to a total of 12 weeks of leave in a 12-month period, defined as a calendar year. Employees will be entitled to return to the same or an equivalent position at the conclusion of the leave, if they are able to perform the essential functions of the position.
2. Medical and dental benefits will be maintained during the leave so long as the employee intends to return and does actually return to work.
    a. Employees on an FMLA leave continue to be responsible for paying their share of premiums for benefit plans. Contact the campus human resources office for more information.

C. Eligibility

1. To be eligible to take an FMLA leave, an employee must meet *all* of these criteria:

a. The employee must have been employed by IU for at least 12 months. Any portion of a week that the employee is on the payroll counts as a full week for FMLA eligibility. Employment does not have to have been continuous. Hourly employment with IU counts toward fulfilling this requirement.

   i. Separate periods of employment in which the break in service exceeds seven (7) years will not be used to determine FMLA eligibility.

b. For the 12 months immediately preceding the first day of the FMLA leave, the employee must have worked at least 1,250 hours. *These hours must be actual work hours, not compensated hours*. Hours using any type of paid time off benefits or holiday time do not count.

c. The 1,250 work hours requirement also exists when an employee is reapplying for an FMLA for a new calendar year. When the need for an FMLA extends past December 31st, the employee must have worked at least 1,250 actual work hours in the 12 months immediately preceding the request for the leave in the new calendar year.

d. The employee must not have already received 12 weeks of FMLA leave in the current calendar year.

2. Time in the military service covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA) will count towards fulfilling the length of employment and hours of work requirements to be eligible for an FMLA leave.

D. Qualifying reasons

1. The following reasons qualify an employee for FMLA:

   a. Birth of a child and to care for a newborn child of the employee, spouse as defined by Indiana law, or same-sex domestic partner as qualified by the university's Affidavit of Domestic Partnership.

   b. Placement with the employee of a child through adoption or foster care of a child

   c. Care for any of the following who has a serious health condition: the employee's spouse or same-sex domestic partner, the employee’s child under 18, the same-sex domestic partner’s child under 18, or the employee’s parent

   d. Care for the employee's or same-sex domestic partner's child 18 or older who has a serious health condition and is incapable of self-care because of a mental or physical disability

   e. A serious health condition that renders the employee unable to perform the functions of his or her job

   f. A qualifying exigency which occurs while the employee’s spouse, domestic partner, child, child of the domestic partner, or parent is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces. The term covered active duty means duty during deployment to a foreign country. Qualifying exigencies to manage the servicemember’s affairs are described on the DOL form Certification of Qualifying Exigency for Military Family Leave.

2. A serious health condition for purposes of the FMLA means

   a. An illness or injury that involves an overnight stay in a health care facility and any subsequent treatment in connection with such stay; or,

b. Continuing treatment by a health care provider including any one or more of the following

i. a period of incapacity of more than 3 consecutive, full calendar days and subsequent treatment by a health care provider in-person two or more times within 30 days of the first day of incapacity

ii. treatment by a health care provider in-person on at least one occasion which results in a regimen of continuing treatment

iii. pregnancy and prenatal care

iv. chronic condition which requires visits at least twice a year for treatment by a health care provider over an extended period of time and may cause episodic rather than a continuing period of incapacity

v. permanent or long-term conditions

vi. conditions requiring multiple treatments by a health care provider including recovery time

3. Time taken to care for a covered servicemember injured in the line of active duty may qualify for FMLA. The provisions governing these situations are covered in Section P (Military Caregiver Leave) of this policy.

E. Leave period

1. An eligible employee may take up to 12 workweeks of leave during a 12-month period defined as a calendar year. Eligible employees are entitled to a new 12-week FMLA leave each calendar year. Unused portions of the 12-week FMLA leave may not be carried over between calendar years.
2. If the purpose of the leave is to care for a sick family member or one's own serious health condition, the employee may take the leave intermittently or by means of a reduced work schedule.

   a. Such leaves are subject to the qualifications and limitations set forth in the FMLA federal regulations.

   b. Under certain circumstances, departments may place employees who are on an intermittent leave or a reduced work schedule in another position with equivalent pay and benefits. This placement is considered to be a temporary transfer and should be discussed with the campus human resources office. Such employees must make a reasonable effort to schedule the intermittent leave so it does not disrupt operations.
3. For the purposes of determining the amount of leave taken by an employee on FMLA, the following days will be counted: (1) the employees scheduled shift; (2) holidays that occur within a week, if that entire week has been taken by an employee for FMLA; and (3) holidays that the employee was scheduled or expected to work.
4. When an employee is on an FMLA leave to care for a family member and the leave is terminated by the death of the family member, the employee will be granted the normal time off for funerals/bereavement as described in the respective policy.

F. Call in and time off procedures–for Staff employees

1. Employees must follow department’s procedures for requesting leave and calling in absences. Failure to do so may result in the time not being approved. In addition, if an

employee simply calls in sick, does not follow the department's call-in procedure, or does not provide sufficient information, the time off may not be designated as FMLA.

2. Beginning on the first day of the leave, staff must use all time off accruals as part of the 12-week FMLA leave.
   a. An employee's compensatory time must be used prior to the use of any other time off accruals.
   b. After all compensatory time is used, the employee may choose the order in which their remaining time-off accruals are expended. Time off accruals that must be used during FMLA leave include holidays, income protection time (sick time), vacation, and PTO for Professional Staff.
   c. The requirement that an employee must use time off accruals to cover FMLA leave applies to any FMLA leave, including a leave that is taken either intermittently or through a reduced work schedule.
   d. All time missed in a work day due to an FMLA must be charged to time off accruals, including charges to PTO for partial day absences for Professional Staff.
3. Prior to the start of an FMLA or as soon as it is feasible to do so, the employee must decide and notify the supervisor on which time off accruals he or she wants to use after compensatory time is exhausted.
4. When the time off accruals are exhausted, the remainder of the FMLA leave is without pay. This time and the time charged to accrued time off benefits--are to be recorded on the attendance record as FMLA leave.
5. When it is known that the period without pay will exceed 30 days, the department is to process the appropriate HRMS documentation to place the employee on a leave of absence for the balance of the FMLA leave.
6. University service credit continues to accrue during a FMLA leave.

G. Call in and time off procedures–for Hourly employees

1. Employee must follow department's procedures for requesting leave and calling in absences. Failure to do so may result in the time off not being approved. In addition, if an employee simply calls in sick, does not follow the department's call-in procedure, or does not provide sufficient information, the time off may not be designated as FMLA.
2. An FMLA leave is unpaid for eligible Hourly employees.

H. Reinstatement

1. If a department requires a fitness for duty to be completed prior to an employee's reinstatement, the department must provide FMLA Form #3 Intent to Return and Fitness for Duty/Medical Release and a list of the essential functions when the leave is requested.
2. At the conclusion of the leave, the employee will be returned to the same position held at the time the leave began or to an equivalent position with equivalent pay, benefits, and working conditions, e.g., the same shift or the same or an equivalent work schedule.
   a. Employees on an FMLA leave are still subject to a reduction in force or reassignment that would have occurred otherwise had the employee been working.
3. Infrequently, the reinstatement of a Key Employee would result in "substantial and grievous economic injury" to the university. In such cases, the campus human resources

office must approve an exception to the reinstatement rule. With the approval of the campus human resources office, the department is to inform the Key Employee--before the leave begins--that reinstatement might not be available when he or she returns to work.

a. Key Employees are professional and academic employees who are among the highest ten percent-compensated employees at IU.

I. Proper notice of FMLA by employee

1. Employees must provide at least 30 days advance notice of an anticipated FMLA leave. It is understood that under some circumstances it is not practical to provide 30 days notice. In these cases, employees must provide notice as soon as practicable. In all cases, employees must provide the department with sufficient information and must cooperate fully with the department or risk having the FMLA delayed or denied.
2. Form #1 FMLA Leave Notice of Designation, Request, and Approval is available for this purpose; however, employees may submit a request for an FMLA leave by other means (memo, e-mail, etc.). If employees do not give proper notice of a clearly foreseeable leave or does not cooperate fully with the department, the department can delay the leave for up to thirty (30) days after receiving notice of the need for an FMLA leave.

J. Certification for Leaves for Serious Health Conditions or qualifying exigencies

1. Serious Health Conditions

   a. In cases where an FMLA leave is to care for the serious health condition of the employee, or a spouse, the same-sex domestic partner, child as identified in Paragraph D.1., or parent of the employee, the employee must provide medical certification on the applicable Medical Certification form #2E for Employee or #2F for Family. The department should request the certification at the time employee gives notice of leave or within five (5) business days thereafter. Once requested, it is the employee's responsibility to provide the department with the medical certification within 15 calendar days.

   b. If the certification is incomplete or unclear, the employee is to be given 7 additional calendar days to provide more complete information.

   c. If the certification is still insufficient, the campus human resources office or a person designated by the campus human resources office may contact the employee's health care provider for clarification and/or authentication of the employee's medical certification.

   d. The campus human resources office may require a second opinion from a health care provider designated by the campus human resources office. The employee's department will pay the cost of the second opinion, if required.

   e. If there is a difference between the medical certification and the second opinion, the campus human resources office may require a third opinion from a mutually agreeable provider. Again, the employee's department will pay the cost of the third opinion.

   f. Employees may be asked to recertify the need for the FMLA after 30 days from receipt of past medical certification, in less than 30 days in certain circumstances such as a change in the employee's condition, or every six (6) months.

   g. All medical certifications and related information that describe the health or medical history or condition of the employee or family members must be handled as

confidential medical information. Such information must be stored in a locked file separate from the personnel file.

h. When certification is requested, it is the employee's responsibility to provide the employer with timely, complete, and sufficient certification and failure to do so may result in delay or denial of FMLA leave.

2. Qualifying exigencies

a. In cases where an FMLA leave is for a qualifying exigency, the department should provide the employee with a copy of the DOL form Certification of Qualifying Exigency for Military Family Leave to be completed by the employee. The completed form along with the documentation that the employee provides will be used to determine if the leave request qualifies and the length of the leave.

i. The campus human resources office is responsible for coordinating all requests for leaves taken under this provision for a qualifying exigency.

b. When certification is requested, it is the employee's responsibility to provide the employer with timely, complete, and sufficient certification and failure to do so may result in delay or denial of FMLA leave.

K. Fraudulence

An employee who fraudulently obtains an FMLA leave is subject to disciplinary action, up to and including termination.

L. Resolution of problems

Employees have the right to a prompt investigation and response to a question or problem concerning the application of this policy and the Family and Medical Leave Act of 1993. If a department head does not satisfactorily resolve the employee's concerns, he or she may take the inquiry or problem to the campus human resources office for immediate attention. The campus human resources office is to respond within two weeks.

M. Posting of FMLA

1. Information about the FMLA will be provided to all employees by posting notices in conspicuous places within the department.

a. Information is available from the campus human resources office.

2. Also, information concerning the Family and Medical Leave Act of 1993 will be included in any new editions of handbooks or other publications that describe employee benefits or contain policies and practices that are of general interest to employees.

N. Department's designation and approval of FMLA

1. It is the department's responsibility to designate any absence that meets the eligibility requirements of the FMLA as family/medical leave. The designation of FMLA will occur either as a result of an employee request for FMLA leave or when the department becomes aware that the employee's absence qualifies as FMLA leave, even though the employee may not have requested FMLA leave.

2. Within five business days of receipt or initiation of Form #1 FMLA Leave Notice of Designation, Request, and Approval, the department head or designee is to notify the employee whether the leave qualifies and will be counted as FMLA leave. The department will complete the applicable section of the bottom of this form. Copies will be retained in departmental FMLA files and sent to the campus human resources office.

3. An employee's rights to FMLA may be denied or delayed only for the following reasons:
   a. timely advance notice of foreseeable leave is not given;
   b. timely submission of required and sufficient medical certification is not made by the employee;
   c. the employee fails to provide required fitness to return to work certification;
   d. the employee expresses an intention not to return to work;
   e. the employee fraudulently requests or obtains FMLA;
   f. the employee is employed elsewhere while on FMLA leave without the written approval of the department head
4. An FMLA leave should start immediately if an FMLA-eligible employee who is under Worker's Compensation for a work-related injury declines a modified position assignment offered under Worker's Compensation.

O. Retroactive designation

1. If the department fails to designate an employee's eligible absence as FMLA, it may retroactively designate the absence as FMLA leave if: 1) the employee has been given notice and; 2) either the retroactive designation does not harm the employee, or the department and employee have mutually agreed to retroactively designate the absence as FMLA.
2. The ability to retroactively designate an employee's absence as FMLA, does not apply to absences in which the employee did not give the appropriate amount of notice or did not follow the unit's call-in procedure.

P. Military caregiver leave

1. Military Caregiver Leave is FMLA leave to care for a covered servicemember who has suffered serious injury or illness in the line of active duty. The term covered active duty means duty during deployment to a foreign country.
2. A covered servicemember means a current member of the Armed Forces, National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is otherwise on the temporary disabled list for a serious injury or illness or is a veteran undergoing treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, National Guard, or Reserves, at any time during a period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
3. For purposes of this section, the term "serious injury or illness" means:
   a. In the case of a member of the armed Forces, National Guard, or Reserves, an injury or illness that was incurred in line of duty on active duty in the Armed Forces (or existed before the beginning of active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
   b. In the case of a veteran who was a member of the Armed Forces, National Guard, or Reserves at any time during a period described in Paragraph P.2. above, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred in line of duty on active duty in the Armed Forces (or existed before the beginning of active

duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

4. An employee who has a qualified family relationship with a covered servicemember may take up to 26 weeks of leave during a single 12-month period. A qualified family relationship is a spouse, domestic partner, parent, child or next of kin. Contact the campus human resources office to determine if a qualified family relationship exists.
   a. The leave entitlement described in this paragraph applies on a per-covered servicemember, per-injury basis, such that an eligible employee may be entitled to take more than one leave if the leave is to care for a different covered servicemember or to care for the same servicemember with a subsequent serious illness or injury.
   b. An employee may have an FMLA leave for up to 12 weeks for one of the qualifying reasons covered in paragraph D. above in the same 12-month period in which an FMLA leave is taken to care for a covered servicemember.
   c. No more than 26 weeks total of FMLA leave may be take within any single 12-month period.
5. The department should provide the employee with a copy of the DOL Form Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave to be completed by the employee and an authorized military health care provider of the covered servicemember. The employee may present certain military certifications such as “Invitational Travel Orders” or “Invitational Travel Authorizations” for purposes of certification that must be accepted by the department.
   a. Recertifications and second or third opinions are not permitted.
   b. If the certification is incomplete or unclear, the employee is to be given 7 additional calendar days to provide more complete information.
   c. The campus human resources office or a person designated by the campus human resources office may contact the covered servicemember’s health care provider for clarification and/or authentication of the medical certification.
6. In all instances when certification is requested, it is the employee’s responsibility to provide the employer with complete and sufficient certification and failure to do so may result in delay or denial of FMLA leave.
7. The campus human resource office is responsible for coordinating all requests for leaves taken to care for a covered servicemember.

Q. Discretionary leave

1. Leaves will not be granted for any of the reasons that qualify for a leave under the FMLA unless the employee has obtained a FMLA leave and has depleted the 12-week entitlements. Additional time may then be requested under Discretionary Leave of Absence policy for the same reason as the FMLA leave; however, all the rights and entitlement provided under the FMLA are not applicable.
2. If an employee or an absence does not meet FMLA eligibility or qualification criteria, the employee may request to use accrued time off or request a discretionary leave of absence under the provisions of the applicable personnel policy.

Human Resources Policy 10.7

Leave of Absence: Discretionary

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Definition

A discretionary leave of absence is absence without pay, authorized in advance, for 30 or more calendar days.

A discretionary leave of absence is not related to a leave that qualifies under the Family and Medical Leave Act (FMLA). Any leave that qualifies under FMLA cannot be granted until FMLA leave is exhausted.

B. Applying for a leave of absence

Staff must apply for a leave of absence with the academic dean, department head, or designated authority. The individual who approves the leave is responsible for the availability of a position when the employee returns to work based on the conditions under which the leave was approved.

C. Maternity, paternity, and adoption leave

Using a leave of absence for pregnancy-related problems and postnatal infant care beyond the benefits of the FMLA is acceptable. However, just as in all requests for a leave of absence, the department head will consider several factors. The intent of this provision is to be supportive and accommodating about circumstances surrounding maternity, paternity, and adoption leave.

D. Conditions considered when approving a leave of absence

1. The department head approves a leave of absence. Approval depends on consideration of the conditions listed below.
   a. The purpose of the leave of absence
   b. The length of the leave of absence requested
   c. The employee's length of service
   d. The expected or potential length of service once the employee returns
   e. The problems incurred in hiring a temporary replacement, if the department needs a replacement

E. Benefits during a leave of absence

1. **Insurance plans:** An employee on leave of absence may continue participation in the group life insurance plan and the health care plans. However, the employee must continue paying the required premium amount. Staff who are on leave for medical reasons receive basic life insurance, at no charge, for the duration of the absence. Staff who are on leave for other reasons receive basic life insurance for three months.

2. **Worker's Compensation cases:** In Worker's Compensation cases, if staff have used all benefit accruals, or if they choose not to use them, they can receive only the payment from Worker's Compensation for 29 calendar days. Staff do not earn paid-time-off benefits in these circumstances. Starting with the 30th calendar day, unless an employee has returned to work, he or she is then placed on leave of absence while still receiving the Worker's Compensation benefits.
3. **Paid-time-off benefits:** Staff do not earn paid-time-off benefits during a leave of absence.

F. Benefits during a partial leave of absence

1. A partial leave of absence is a formal leave in which the employee's FTE is temporarily reduced to an amount less than 100% but more than 0%. The provisions "Definition," "Applying for a leave of absence" and "Conditions considered when approving a leave of absence" apply to a partial leave of absence.
2. A full-time, appointed employee who is granted a partial leave of absence without pay may continue coverage in the university's insurance programs during the leave. Medical insurance premiums, unless terminated by the employee, will continue to be deducted from the partial pay. University Human Resource Services will bill life insurance premiums to those with a reduced FTE.
3. Biweekly staff accumulate income protection credits based on their FTE during the leave if their FTE is 75% or more, and they accumulate vacation credits based on their FTE during the leave if their FTE is 50% or more.

G. General rules covering all leaves

1. All medical certificates and health-related information that describe the condition of the employee (or family member) must be handled as confidential information. The employing department must maintain such information in a locked file separate from the personnel file.
2. Any employee who fails to return to work at the specified time is considered to have resigned from employment in the absence of extenuating circumstances.
3. The intent of all leaves is to provide employees with an opportunity to take care of uncontrollable events that interfere with university employment. Employment elsewhere while on leave without the written approval of the Chancellor is prohibited and subject to immediate discharge.

H. Procedure 10.7

How to process a leave of absence

1. Consider the conditions surrounding the employee's request for a leave of absence, e.g., purpose, length of service, length of absence. (A complete list of conditions begins on the first page of this policy.)
2. Verify that the leave is for 30 or more calendar days.

   The Assistant Vice Chancellor for Human Resources must approve the following:

   - A leave that is more than one year in duration.
   - An extension to a leave that causes the total absence to be more than one year.
3. Verify that the leave does not cause an undue hardship on the department.

4. Complete appropriate HRMS form to initiate the leave of absence. The leave of absence must be for a specified period of time.
5. Route the edoc to the appropriate authority for approval.
6. Instruct the person being granted the leave to contact the Human Resources' Benefits Office concerning the status of retirement and group insurance plans.

Revised April 2008

Human Resources Policy 10.8

Leaves for Military Duty and Leaves for Military Families

Staff covered by this policy

This policy applies to all appointed staff employees at Indiana University.

A. 15-day paid leave

1. Eligible employees are entitled to a paid leave of absence for military training. The employee receives pay for all scheduled workdays during the training period.
   a. This paid leave will start on the first date shown on the military order and will continue until 15 consecutive workdays have elapsed—or until the employee returns to work—whichever occurs first.
   b. Paid leave will not exceed 15 paid days in any military year (October 1 through September 30).
2. Employees are entitled to this 15-day paid leave for active duty, training duties, or reserve call-ups for which the employee has military orders.

B. Weekend training

1. Normally, the paid military leave of absence does not apply to training drills regularly scheduled on the weekend. To receive pay for weekend drills, an employee must meet all three criteria listed below. Any such paid time will be deducted from the 15-day paid leave annual allotment in Section A. above.
   a. The employee's regular work schedule must include Saturdays or Sundays.
   b. The employee must be scheduled to work the weekend of the training.
   c. The employee must be ordered for military training.

C. Training in excess of 15 days

1. If an employee incurs absences for more than 15 days training, he or she may do the following:
   a. Charge the absence to accrued time off (vacation, income protection time, compensatory time, or holidays)
   b. Be absent without pay and with time off accrual
2. Using accrued time off will not count against the maximum amount of PTO or vacation allowed in a year.

D. Submitting military training orders with the payroll voucher

1. Employees should submit written military orders to their department in advance of the absence or as soon as they are available.
2. Departments must indicate the number of hours charged to military training.

E. Extended active military duty

1. The Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Code of Federal Regulations (CFR), Part 1002 of Chapter 11 of Title 20, establish rights for employees who serve or have served in the uniformed services of the United States.

2. As soon as a supervisor or department head is informed or becomes aware that an employee is going to leave or has left for military service, the supervisor or department head must consult with the campus Human Resources office to insure University compliance with USERRA and the regulations.
3. A military leave of absence without pay shall be granted for employees in positions other than those that are temporary. The regulations define temporary positions as those that exist for a brief, non-recurrent period with no reasonable expectation that the employment would have continued for a significant period.
4. To be eligible, an employee must meet one of the following criteria:
   a. The employee is inducted through Selective Service.
   b. The employee enlists voluntarily.
   c. The employee is called through membership in the uniformed services, defined as the Armed Forces; the Army National Guard; the Air National Guard; the commissioned corps of the Public Health Service; and, for USERRA coverage only, service as an intermittent disaster response appointee upon federal activation of the National Disaster Medical System (NDMS) or attending NDMS authorized training in support of its federal mission.
5. The limit on the cumulative time away from work at the university for military service and still retain the USERRA rights is five years.
6. The military leave of absence covers the dates that the employee is actively performing service. The five-year limit may also extend to a later date when the employee is able to obtain a release from active duty. Time between completing the uniformed service and reporting back to work or requesting to return does not count against the five year limit. The law provides for other exceptions which are to be discussed with the campus Human Resources Office if a case arises.
7. An employee who completes uniformed service and requests (orally or in writing) to return to work is to be returned within two weeks of the request if he or she meets the following criteria:
   a. The employee was discharged from military service under honorable conditions.
   b. The employee requests to return to work within the time limits specified in the Reemployment Provisions policy.
   c. The cumulative period of time away from the university in military service does not exceed five years, or if it does, the exceptions provided for in USERRA apply.
8. The employee meeting these criteria shall be returned to the status that he or she would have enjoyed with reasonable certainty as if the military absence had not occurred. This includes the completion of any evaluation period that would have expired during this time. See the Reemployment Provisions policy for a fuller description of the position, pay, and benefits that an employee who meets these criteria is eligible to receive when he or she returns from military service.
9. The right to return to work exists even if the employee gave an explicit, written statement at the start or during the leave that he or she did not intend to return to work at the university and resigned or was separated based on this statement. The right to return to work exists whether the employee was placed on a leave of absence or separated employment for military service.

10. An employee returned to work under the provisions of USERRA may not be terminated except for cause for 180 days after his or her date of return if the most recent period of uniformed service was less than 181 days or for one year after the date of return if the most recent period of uniformed service was more than 180 days.
11. Employees requesting to return to work who do not have an honorable discharge will be reviewed on an individual basis.

F. Leaves for Military Families

1. An employee who is a family member of a person on active duty in the United States Armed Forces is eligible for military family leave under the Indiana Military Family Leave Act, www.in.gov/legislative/ic/code/title22/ar2/ch13.html.
2. The Act provides for leave for a total of 10 workdays per calendar year during one or more of the following periods:
   a. Within the 30-day period before a family member begins active duty,
   b. During the period that a family member is on active duty, or
   c. During the 30-day period following a family member's return from active duty.
   d. The time can be taken in full in one period or split amongst the periods.
   e. An employee is eligible for such leave for each family member on active duty.
3. To qualify as a family member, the employee must have one of the following relationships to the person on active duty:
   a. Spouse
   b. Parent (biological, adoptive, foster, step, or court-appointed guardian or custodian)
   c. Grandparent (biological, adoptive, foster, or step)
   d. Child (biological, adopted, foster, or step)
   e. Sibling (biological, adoptive, foster, or step)
4. Time off for employees who are other family members is discretionary and subject to supervisory approval.
5. Indiana University extends this benefit to a same sex domestic partner as qualified by the University's Affidavit of Domestic Partnership.
6. Active duty is defined as full-time service on active duty orders in the armed forces of the United States or the Indiana Army or Air National Guard for a period that exceeds 89 consecutive calendar days. Armed forces of the United States means the active or reserve components of the Army, Navy, Air Force, Coast Guard, Marine Corps, or Merchant Marine.
7. A leave request that meets the family member and active duty criteria above must be granted unless the employee:
   a. Has not been employed for at least 12 months and worked at least 1,500 hours in the 12 months immediately preceding the day that the military family leave begins, or
   b. The employee has used all 10 workdays for that family member for the calendar year.

8. The Military Family Leave Act does not provide additional time off with pay. A Staff employee must use accrued Vacation or PTO to cover the leave before taking any of the time off without pay or using any other accrued time off.
    a. Vacation or PTO time used during a military family leave will not count towards annual limits on the use of such time.
    b. Time off without pay during a military family leave is an excused absence with benefit accrual and will not count in any attendance-related policies.
    c. If the employee does not have sufficient accrued vacation or PTO to cover the leave, any other accrued time off or absence without pay is to be used at the employee's choice.
9. An employee is to provide written notice, including a copy of the active duty orders, if available, at least 30 days before the date on which the leave is to begin, or as soon as possible if the active duty orders are issued less than 30 days before the date the leave is to begin.

Departmental Contacts:

University Human Resource Services/Employee Relations

Revised May 2009

Human Resources Policy 10.9
Voting and Court Duty

Staff covered by this policy

This policy applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Voting

1. The polls in each precinct open at 6 a.m. and close at 6 p.m. on Election Day. Employees whose work schedules prevent them from voting between 6 a.m. and 6 p.m. may be allowed time off with pay to vote, up to a maximum of two hours.

   a. This time off does not have to be made up or charged to the employee's accrued time off or compensatory time off.

      Example: A work schedule of 8:00 a.m. to 5:00 p.m. allows two hours to vote in the morning (6:00 a.m. to 8:00 a.m.). Thus, an employee would not receive any time off with pay to vote. A work schedule of 7:30 a.m. to 4:30 p.m. allows 1.5 hours to vote either before or after work. An employee who works this type of schedule receives, if needed, one-half hour of time off with pay to vote.

B. Court duty

1. An appointed employee who is called for jury duty is allowed to be absent with pay for the period whether selected to serve or not. An appointed employee who is subpoenaed is allowed to be absent with pay when serving as a court witness.

   a. Employees who work day shift will be released from work for the day of service; employees on other shifts will be released from work on the scheduled shift following the day of service.

   b. A copy of the employee's subpoena or notice from the appropriate court should be submitted with the payroll voucher. Also, the number of hours the employee is absent must be reported. If the absence is for jury duty, it should be indicated on the payroll voucher.

2. Employees must provide a court notice or subpoena to their supervisor.

3. University Counsel does not normally subpoena witnesses within the university, but rather asks that they agree to appear. In this situation, the employee is allowed to be absent with pay. The employee should provide to the supervisor a statement from University Counsel showing the request for witnesses.

Revised July 2006

Appendix 11.1

Conditions for Cooperation between Employee Organizations and the Administration of Indiana University

Trustee policy

WHEREAS, it is the policy of the Trustees of Indiana University to receive and consider suggestions and advice from the university Staff employees in the formulation of policies and in the solution of problems affecting the general welfare of, the working conditions of, and the services rendered by the Staff of the university; and

WHEREAS, the rights of employees, independently, to associate themselves together, whether that association is known as a union or by some other name, is recognized in Indiana, and there is no legal bar to the collective presentation of their employment interests to the public officials charged with the duty of fixing the terms of employment (Indiana Attorney General Opinion #55); and

WHEREAS, subject to law and the paramount requirements of public service, the interests of Indiana University are served by provisions for orderly methods and procedures for the collective presentation of employee-employment interests, if employees so desire; and

WHEREAS, effective employee organization and management cooperation in the university requires a clear understanding of the respective rights and obligations of employee organizations, university administration, and University Trustees;

NOW, THEREFORE, the Trustees of Indiana University adopt the following procedures for the recognition of employee organizations and the consideration of collective presentations of their views, suggestions and employment interests. These provisions will not be construed as the relinquishment by the Trustees of their obligations, responsibilities and authorities, conferred upon them by the people of the state through legislative statutes to act in final judgment on the management of institutional affairs in the public interests, nor as a recognition by the Trustees of a right to strike by employees of the university, or of a right to take any other concerted action to impede, or to threaten to impede, the Trustees or administrative officials in the operation of the university.

Section 1

(a) Staff employees of the university will have the right, freely and without fear of penalty or reprisal, to form, join and assist any lawful employee organization, or to refrain from any such activity.

(b) The rights described in this section do not extend to participation in the management of an employee organization, or acting as a representative of any such organization, where such participation or activity would result in a conflict of interest or otherwise be incompatible with law or with the official duties of an employee.

Section 2

(a) The term employee organization will mean any lawful association, labor organization, federation, employee council, or brotherhood having as a primary purpose the improvement of working conditions among university Staff employees, but such term will not include any organization (1) which asserts the right to strike against the State of Indiana or any agency thereof, or to assist or participate in any such strike, or which imposes a duty or obligation to conduct, assist or participate in any such strike, or (2) which advocates the overthrow of the constitutional form of government in the United States, or (3) which discriminates with regard to the terms of conditions of membership because of race, color, age, religion, national origin, disability, ethnicity, gender, marital status, sexual orientation, or veteran status.

(b) The term “appropriate staff unit” means any unit agreed to by the university and an employee organization entitled to and seeking exclusive recognition in accordance with the terms of this document and the guidelines established by university officials delineating appropriate staff units. In the event of a disagreement between officials representing the administration of the university and the employee organization concerning the composition of an appropriate staff unit, the President will designate an appropriate staff unit.

Section 3

(a) University officials will accord exclusive recognition to employee organizations which request such recognition in conformity with the requirements specified in Sections 2 and 4 hereof except that no recognition will be accorded to any employee organization which the Trustees consider to be subject to corrupt influences or influences opposed to basic democratic principles.

(b) Exclusive recognition of an employee organization will continue so long as such organization satisfies the criteria of this directive applicable to such recognition unless the majority of the appropriate staff unit employees determine that the exclusive representation designation should be discontinued, in accordance with the requirements specified within Section 4 and the related administrative policy and procedures. Nothing in this directive will require the university to determine whether an organization should become or continue to be recognized as exclusive representative of the employees in any unit within 12 months after a prior determination of exclusive status with respect to such unit had been made pursuant to the provisions of this directive.

(c) Exclusive recognition will not preclude any employee or group of employees regardless of employee organization membership, from bringing matters of personal concern to the attention of appropriate officials in accordance with applicable rule, regulation, or established policy, or from choosing his own representative in a grievance or arbitration proceeding, so long as that representative is not another employee organization or a person directly or indirectly related to another employee organization. The term another employee organization will mean with respect to an employee of an appropriate staff unit, any employee organization other than the employee organization recognized as the exclusive representative for employees in such appropriate staff unit.

Section 4

(a) Administrative officials will recognize an employee organization as the exclusive representative of the Staff employees of an appropriate staff unit when such organization is eligible for exclusive recognition and has been designated or selected by a majority of the Staff employees in the appropriate staff unit as the representative of such employees, except that for purposes of exclusive representation, administrative officials, assistants, supervisors who officially evaluate the performance of employees, and employees who provide confidential support services to administrative officials who formulate or effectuate administrative policies in the field of labor relations will not be included within the definition of Staff employees. Administrative procedures and requirements for determining whether a majority of the Staff employees in the appropriate staff unit desire to designate an exclusive representative, or for determining whether the majority of the Staff employees in the appropriate staff unit no longer wish to continue to be represented by the exclusive representative will contain provisions authorizing that an election will only be conducted when a petition has been received indicating that at least 30 percent of the employees within the appropriate staff unit favor an election and that a prior election concerning exclusive representation has not been held during the 12-month period preceding receipt of the petition.

(b) When an employee organization has been recognized as the exclusive representative of employees of an appropriate staff unit it will be entitled:

(1) to speak on behalf of all Staff employees within the appropriate staff unit and will be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership;

(2) to have organizational membership dues collected by paycheck withholding upon signed written request of employee conforming to law;

(3) to be given the opportunity upon request of the employee to be represented at discussions between administrative officials or their representatives and employees or employee representatives concerning grievances, personnel policies and practices, or other matters affecting general working conditions of employees; and

(4) to call for discussions, with administrative official representatives for the purpose of negotiating joint written recommendations to the Trustees of the university every three years on matters of personnel policy and working conditions and annually over how the designated wage and salaries budget funds for Staff employees' wages and salaries should be allocated among the Staff employees in the appropriate staff unit. Such discussions are to commence on or after February 1st and conclude by May 31st, or ten calendar days after the conclusion of a coinciding session of the state legislature, whichever is later. This time period includes the employee organization’s internal procedures for obtaining acceptance of the recommendations.

(5) In addition to the discussions provided under paragraph (4) above, the exclusive representative is entitled to call for a special conference with administrative officials whenever there are substantial new developments or changes that may have a meaningful impact on either the job security or working conditions of the Staff employees in the appropriate staff unit.

(6) This privilege will not be construed to extend to such areas of discretion and policy as the mission of the university, its budget as approved by the Board of Trustees including the wage and salaries portion designated for Staff employees in the appropriate staff unit, its organization and assignment of its personnel, or the technology of performing its work.

(7)The administrative officials and representatives of the exclusive representatives designated to participate in these discussions will meet as frequently as necessary and make an earnest effort to come to agreement concerning joint written recommendations. In the event that there are unavoidable circumstances which delay the designated administrative officials and the representatives of the exclusive representative from reaching jointly agreed upon recommendations by the end of the discussion period, the discussion period may be extended by mutual agreement.

(8) Other formal rules and conditions for discussions between administrative officials and exclusive representatives of appropriate staff units may be established from time to time as necessary by the Trustees of the university.

Section 5

Management officials retain the right and responsibility, (a) to direct employees of the university; (b) to hire, promote, transfer, assign, and retain employees in positions, and to suspend, demote, discharge, or take other disciplinary action against an employee; (c) to relieve employees from duties because of lack of work or for other legitimate reasons; (d) to maintain the efficiency of the operations entrusted to them (e) to determine the methods, means and personnel by which such operations are to be conducted; and (f) to take whatever actions may be necessary to carry out the mission of the university.

Section 6

Administrative procedures for the handling of employee grievances will contain the following provisions and conditions: (1) any grievance and arbitration procedure will extend only to the interpretation or application of university policy and not to changes in or proposed changes in university policy and not to changes in or proposed changes in university policy; (2) the aggrieved employee or employees will have the right to have a Staff employee representative of his/her own choosing speak for his/her interests at any step of the grievance resolution process and either a Staff employee or any other representative of the aggrieved employee or employees' choosing at an arbitration hearing provided such representative of the employees' own choosing is not either directly or indirectly a representative of another employee organization or a person directly or indirectly related to another employee organization as provided in Section 3(c) hereof; (3) procedures established may include provisions for the arbitration of grievances, which (a) will be advisory in nature with any decisions or recommendations subject to the approval of the president of the university or president's designee; and (b) will be invoked only with the approval of the individual employee or employees concerned. Nothing in this section will preclude the recognized exclusive representative and the administrative officials from permitting, by mutual agreement, the

participation of a staff representative of the recognized exclusive representative at any step of the grievance resolution process.

Section 7

Solicitation of membership, dues, or other internal employee organization business will be conducted on non-duty hours of the employees concerned.

Officially requested or approved consultations and meetings between management officials and representatives of recognized employee organizations will, whenever practical, be conducted on official time, but the president of the university or president's designee may require that such meetings be conducted during the non-duty hours of the employee organization representatives involved.

Section 8

(a) The university will not continue to employ any person who participates in, threatens, or encourages any strike, slowdown, work stoppage, or other interruption or interference with the activities of the university.

(b) A person separated from employment for knowingly violating the above conditions may, subsequent to such violation, be employed or re-employed but only upon the following conditions: (1) such person will be on probation for a period of two years following such employment or re-employment, during which period he/she will serve at the pleasure of the appointing officer or body without recourse to grievance procedures; (2) such person will be considered a completely new employee for purposes of vacation, allowance, sick leave accrual, and other benefits related to length of service, except retirement benefits as established from time to time by law.

Adopted July 7, 1966

Last Amended January 30, 2009

Appendix 11.2 Appendix
Articles of Cooperation

Staff covered by these articles

Articles agreed to by the Administration and Local 1477, AFSCME. These articles pertain only to employees eligible for membership in Local 1477.

Article 1

When an employee organization has been accorded exclusive recognition of a representation unit, stewards may be designated by the employee organization in accordance with work areas and shifts so that employees will have access to a steward in their working areas. Names of stewards and assigned areas must be furnished to the Assistant Vice Chancellor of Human Resources, who in turn shall advise all unit management personnel concerned.

Employees and stewards shall be allowed reasonable opportunity for discussion of complaints or grievances subject to approval of the supervisor of each as to the earliest practical time when they both can be spared from the job.

Article 2

Recognized employee organization officers shall obtain permission from their immediate supervisors when it is necessary for them to leave their jobs in order to discharge the tasks arising out of the Conditions for Cooperation. Such permission shall not be unnecessarily withheld. Officers thus engaged will report back to their jobs and will suffer no loss in pay or other benefits as a result thereof, provided the time thus spent is kept at a minimum.

Article 3

When an employee organization has been given exclusive recognition of a representation unit, it shall have available to it copies of the following administrative materials and information that are pertinent to the employees of the representation unit:

a. Published Trustee policy and administrative procedural directives related to personnel administration within the representation unit
b. Published classification descriptions
c. Published schedules of salary grades and ranges

Article 4

No administrative officer of Indiana University and no managerial, supervisory or administrative representative of an administrative officer shall cause work normally performed by a regularly appointed member of the staff to be performed by an independent contractor thereby causing loss of employment by any regular appointed staff member as a penalty or reprisal for employee organization membership or activity authorized by the Board of Trustees in their Conditions for Cooperation and articles made a part thereof.

Article 5

Articles of Cooperation to implement and supplement the Conditions for Cooperation in local situations and having solely local application shall be permissible, subject to review by the Board of Trustees. Agreements on such articles, between the university administration and employee organizations with exclusive recognition, shall become effective as of the regular

Trustee meeting for which the agreements are placed on the agenda, unless or until rescinded or amended by the Trustees.

Under authority of Article 5, the following Articles of Cooperation have been agreed to between the university Administration and AFSCME Local 1477 representing the service and maintenance staff.

Article 5A

When it is necessary for any department of the university to maintain a skeleton staff or the entire staff on any holiday, either those mentioned in Policy 10.2 or any granted to the staff by the Board of Trustees or the President, employees so detained will be granted time off at a time mutually agreed upon by the employee and his immediate supervisor.

Article 6

The Union shall be allowed space on designated bulletin boards of the university for the purpose of posting notices pertaining to official Union business such as notice of Union meetings, election of officers, etc. Anything pertaining to matters other than official Union Business must first be submitted to and approved by the Assistant Vice Chancellor of Human Resources before it is posted.

Article 7

Provided there has not been a disciplinary report for an offense of a similar or related nature in the interim, disciplinary reports which are twelve (12) months old or more will not be used for the purpose of imposing additional discipline on an employee.

Revised August 1979

Appendix 11.3
Release Time for Union Activities

Staff covered by this policy

This appendix applies to all appointed SM staff represented by AFSCME, Local 1477.

A. Guidelines for release time

1. These guidelines are intended to assist with the application of Articles 1 and 2 of the Articles of Cooperation found in Appendix 11.2 of this manual and will serve as a resource for decision making by AFSCME, Local 1477 officers/stewards and departmental management when a union official is participating in:
   a. Joint union/management meetings during normal work hours
   b. Joint union/management meetings during non-work hours
   c. Grievance investigation or preparation activities
   d. Grievance meetings with management in one of the specified steps of the grievance procedure
   e. Union meetings during work hours
   f. Approved union-sponsored training programs
2. Prior to leaving the work area for union-related activities described in this appendix, union officers and stewards must:
   a. Obtain supervisory approval to leave the work site
   b. Complete the Release Time for Union Activities log indicating the purpose and anticipated length of the release time
   c. Record time spent on union-related activities on a separate time card or with a separate code clearly identifying it as release time

B. Joint union/management meetings during normal work hours

1. These are Equal Representation Committee (ERC-type) meetings in Human Resources or within an individual department and annual negotiations under the Conditions for Cooperation.
2. Union officers or stewards will be released from their regular work shift without loss of pay to attend joint union/management meetings provided the time spent is kept at a minimum. The time paid will be limited to actual meeting time plus necessary time, if any, spent during scheduled working hours, in traveling between the employee's work location and the meeting location.
3. This is the same type of meeting as outlined in the previous section. When a joint meeting is scheduled during hours outside the regular work shift for a union officer or stewards, as frequently happens for second- and third-shift employees, the person shall either:
   a. Receive the same amount of time to take off during that week
   b. Have that workday adjusted to permit either a late arrival or early departure for the same amount of time

The policy on change in work schedules will not apply in these cases.

4. The President, Vice President, or Secretary-Treasurer of Local 1477 will have one hour each day to devote to union activities arising out of the Conditions for Cooperation. Additional time, up to a maximum per day of two hours, must be requested in advance and approved by the supervisor.

C. Grievance investigation or preparation activities

1. Employees and stewards shall be allowed reasonable opportunity for discussion of complaints or grievances subject to the approval of the supervisor of each as to the earliest practical time when they both can be spared from the job. Grievance-related meetings and activities will be scheduled at times that are least disruptive to operations and so that they do not interfere with essential work requirements.

   a. If this release time is during the regular work shift of those involved, it will be with pay.

   b. If the time is during the hours outside the regular work shift of a participant, the time is without pay.

   For example, an officer who normally works the first shift will be on his own time when visiting a work location on the second shift to meet with a grievant. Likewise, a grievant who works the second shift, will be on his or her own time during visits to the campus in the daytime to meet with an officer to discuss a grievance.

D. Formal disciplinary and grievance meetings

Since grievance meetings in one of the specified steps of the grievance procedure are scheduled by management, the grievant and union official representing the grievant will be considered in pay status. If the meeting is during the hours outside the regular work shift of either the grievant or the official, they will receive either an equivalent amount of paid time off to be taken that week or will have the starting or ending time for that workday adjusted an equivalent amount of time.

The policy on change in work schedules will not apply in these circumstances.

E. Union meetings during work hours

Participating in union meetings during work time will be attended on the officers or stewards' own time. Time away from work will either be without pay or charged against accumulated vacation or sick time at the employee's choice and subject to departmental policies and practices concerning the scheduling of such time.

If mutually agreed and if scheduling permits without hardship to the unit, adjustments in hours of work can be arranged.

F. Union-sponsored training programs

If approved in advance by university administration and departmental management, union officers, stewards, and other approved union-represented employees will be allowed time away from work without loss of pay to participate in union-sponsored training programs. If such programs occur during hours outside the regular work shift of a participant, the time shall be without pay for that participant.

If mutually agreed and if scheduling permits without hardship to the unit, adjustments in hours of work can be arranged.

Appendix 11.4

Time Off Benefits for Part-time Appointed SM Staff

Staff covered by this policy

This fact sheet applies to all appointed SM staff of 50% FTE or greater. See the appropriate human resources policy for a full statement of the time off benefit. *This fact sheet is a summary of time off benefits only.*

Holidays

Part-time, appointed staff of 50% FTE or greater receive a prorated amount of hours based on their specific FTE. See Policy 10.2, Holidays.

Income protection earnings (sick time)

Part-time, appointed staff of 75% FTE or greater accrue a prorated amount of hours based on their specific FTE. See Policy 10.3, Income Protection (Sick Time).

Vacation

Part-time, appointed staff of 50% FTE or greater earn a prorated amount of hours based on their specific FTE. See Policy 10.4, Vacation.

Funeral leave

Part-time, appointed employees of 50% FTE or greater are granted a prorated number of hours based on their specific FTE. See Policy 10.5, Funeral Leave.

Revised May 2002

Appendix 11.5
SM Job Titles

Rank	Job Title	Rank	Job Title
SM07	Custodian	**SM14**	Maintenance Assistant for Sunset Properties Material Handler
SM08	Food Services Asst. Garage Care Attendant Grounds Maintenance Helper Housekeeper	**SM15**	Alarm Install Apprentice 1 General Maintenance Mechanic
SM09	Group Leader	**SM16**	Bank Courier – Bursar
SM10	Group Leader Lighting Specialist	**SM17**	Electrician Apprentice III Probationary Police Officer
SM11	Fleet Maintainence Attendant General Maintenance Assistant Grounds Keeper Mail Carrier/Sorter Mail Clerk Parking Enforcement Officer Security Officer Shuttle Driver	**SM18**	Apprentice Carpenter IV Apprentice Electrician IV Police Officer 3rd Class Small Equipment Repairman
SM13	Groundsperson/Equipment Operator	**SM19**	Crew Leader/Plants Person Electrician 1st Class Equipment Mechanic/Operator Lawn Irrigation Systems Specialist Locksmith 1st Class Millwright 1st Class Pesticide Applicator Plumber 1st Class Police Officer 1st Class Refrigeration Mechanic 1st Class
		SM20	Detective Master Carpenter Master Electrician Master Insulator Master Locksmith Master Millwright Master Plumber Master Refrigeration Mechanic Master Sheet Metal Mechanic

Revised July 2010

Appendix 11.6
SM Salary Schedule 2010/11

This salary schedule applies to all appointed SM staff represented by AFSCME, Local 1477.

SM Plan/Grade	Minimum Hourly	Minimum Biweekly	Minimum Annually
SM06	$10.39	$831.20	$21,611.20
SM07	$10.69	$855.20	$22,235.20
SM08	$10.99	$879.20	$22,859.20
SM09	$11.47	$917.60	$23,857.60
SM10	$11.96	$956.80	$24,876.80
SM11	$12.45	$996.00	$25,896.00
SM12	$12.77	$1021.60	$26,561.60
SM13	$13.33	$1,066.40	$27,726.40
SM14	$13.89	$1,111.20	$28,891.20
SM15	$14.49	$1,159.20	$30,139.20
SM16	$15.17	$1,213.60	$31,553.60
SM17	$15.83	$1,266.40	$32,926.40
SM18	$16.60	$1,328.00	$34,528.00
SM19	$17.75	$1,420.00	$36,920.00
SM20	$18.66	$1,492.80	$38,812.80

Revised July 2010

Appendix 11.7

2010/11 Agreement Between Indiana University and AFSCME, Local 1477

Subject to the approval of the Board of Trustees of Indiana University and a vote of the membership of AFSCME, Local 1477 at the Indianapolis campus, Indiana University Administration and the Officers of Local 1477 are agreeable to the following provisions effective July 1, 2010 for the employees represented by Local 1477-Indianapolis.

1. **Introduction –** Add a new paragraph addressing departmental procedures and their relationship to policies in the Human Resources Policies for Appointed Service and Maintenance Employees. See introduction.
2. **Policy 3.4, Evaluation Period for New or Promoted Employees –** Revise the policy to add a provision in Section H indicating a new evaluation period does not apply to transfer or placement through a reduction in force in a position with duties that are substantially the same as the former position. See page 24.
3. **Policy 3.8, Promotions and Transfers –** Revise the policy to add a provision in Section E1 indicating a new evaluation period does not apply to transfer in a position with duties that are substantially the same as the former position. See page 41.
4. **Policy 6.3, Problem or Grievance Resolution –** Revise policy to include department designee as respondent in Section H1. See page 93.
5. **Policy 7.1, Reduction in Force –** Revise the policy to add a provision in Section G indicating a new evaluation period does not apply to placement through a reduction in force in a position with duties that are substantially the same as the former position. See page 95.
6. **Policy 10.4, Vacation –** Revise Section D, Vacation Scheduling. See page 134.
7. **Policy 10.4, Vacation –** Add Section E, Converting Income Protection Time to Vacation. See page 134.

Adopted July 2010

Appendix 11.8

2009/10 Agreement Between Indiana University and AFSCME, Local 1477

Subject to the approval of the Board of Trustees of Indiana University and a vote of the membership of AFSCME, Local 1477 at the Indianapolis campus, Indiana University Administration and the Officers of Local 1477 are agreeable to the following provisions for the employees represented by Local 1477-Indianapolis.

1. Full-time, appointed Service and Maintenance (SM) employees with an annual base salary of less than $30,000 on April 1, 2009 will receive a $500* one-time, lump-sum payment in accordance with the following criteria:
    a. The employee must be in active or leave status on April 1, 2009 **and** at time of payment.
    b. The payment will be received in December, 2009.
    c. *Part-time, appointed SM employees will receive a prorated payment based on FTE.
2. In an effort to look for potential cost savings that are mutually beneficial to employees and the university, an employee request for time off without pay may be considered (whether paid-time-off hours are accrued or not) in accordance with the following criteria:
    a. The time off request will not be considered unless it is requested a minimum of one month in advance.
    b. The time off request must be directed to a department director or designee.
    c. The approval or denial of a time-off request is not subject to the grievance procedure.

Adopted July 2009

Appendix 11.9

2008/09 Agreement Between Indiana University and AFSCME, Local 1477

Subject to the approval of the Board of Trustees of Indiana University and a vote of the membership of AFSCME, Local 1477 at the Indianapolis campus, Indiana University Administration and the Officers of Local 1477 are agreeable to the following provisions effective July 1, 2008 for the employees represented by Local 1477-Indianapolis.

1. Effective July 1, 2008, all appointed Service and Maintenance (SM) employees will receive a three and a half (3.5) percent salary increase. All increases will be computed to the nearest cent per hour on the employee's current hourly rate of pay.
2. A representative of Local 1477 will become a member of the Parking Advisory Committee.
3. The current boot allowance will increase from $130 to $140. An effort will be made to include all Red Wing retail locations in the direct billing arrangement.
4. A representative of Local 1477 will become a member of the Lab Safety Committee. In addition to ensure decontamination of BL2 laboratories prior to work done by CFS personnel, an affirmation form (see attached) will be implemented.
5. **Policy 2.3, Temporary Work Assignments and Premium Pay** – Revise the policy to include Section F on Smoke Hazard Pay. See page 13.
6. **Policy 3.4, Evaluation Period for New or Promoted Employees –** Revise the policy to increase the new employee evaluation period from three to four months and to include provisions regarding an evaluation period for promoted employees. See page 23. The union will continue to be able to extend an offer for membership to AFSCME after 90 days; however, the grievance limitations in Paragraph F-1 still apply.
7. **Policy 3.8, Promotions and Transfers –** Revise the policy to clarify an employee must work on a job for at least six months before requesting a change to another job in a different department and add the provision that a supervisor may require a recommendation letter supporting a transfer. See page 39.
8. Representatives from the union and Campus Facility Services have agreed to discuss the application of occupational unit seniority when specific situations arise such as the zone realignment in 2008.
9. **Policy 4.2, Work Schedules –** Revise the policy to include sections on recordkeeping, lunch breaks, and off-campus work, and a provision in the call back section that limits call back pay on the same project to one three-hour block of compensation regardless of the number of trips during the three-hour period. Remove the words "trial period" for police officers in the call back section. See page 45.
10. **Policy 4.3, Overtime –** Revise the policy to clarify "in pay status," to modify eligibility for daily overtime, to add a provision to exclude project work from rotation for overtime, and to relocate the section on off-campus work and travel time to the Work Schedules policy. See page 49.

11. **Policy 6.2, Corrective Action –** Revise the policy to add Section D, Right to Representation. See page 85.
12. **Policy 6.3, Problem or Grievance Resolution –** Revise the policy to modify the time lines and add Stage 3 ½ in addition to several other changes. See page 87.
13. **Policy 8.2, Adverse or Unsafe Work Conditions –** Revise the policy to include a description of adverse or unsafe working conditions, reassignment or release from work due to adverse or unsafe working conditions, and compensation for closing the workplace up to five working days and beyond five working days. See page 107.
14. **Policy 8.3, Adverse Weather –** Revise the policy to include examples of adverse weather situations. See page 109.
15. **Policy 10.2, Holidays –** Revise the policy to provide that 1) employees must be in pay status at least four hours the workday before or the workday following a holiday to receive pay for the holiday and 2) employees who work on a holiday receive equivalent time off up to eight hours. See page 131.
16. **Appendix 11.3, Release Time for Union Activities –** Revise the appendix to include Vice President and Secretary-Treasurer in Section B-4. See Page 165.

Adopted July 2008

Appendix 11.10
Negotiations Schedule by Year

Year	AFSCME-BL and CWA	AFSCME-IN	AFSCME-SB and Stagehands
2008	All issues (2yr)	All issues (2yr)	Wage Distribution
2009	Wage Distribution	Wage Distribution	All issues (2yr)
2010	**All issues (3yr)**	All issues (2yr)	Wage Distribution
2011	Wage Distribution	Wage Distribution	**All issues (3yr)**
2012	Wage Distribution	**All issues (3yr)**	Wage Distribution
2013	All issues	Wage Distribution	Wage Distribution
2014	Wage Distribution	Wage Distribution	All issues
2015	Wage Distribution	All issues	Wage Distribution
2016	All issues	Wage Distribution	Wage Distribution
2017	Wage Distribution	Wage Distribution	All issues
2018	Wage Distribution	All issues	Wage Distribution
2019	All issues	Wage Distribution	Wage Distribution
2020	Wage Distribution	Wage Distribution	All issues

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