THE UNIVERSITY OF SOUTHERN MISSISSIPPI

About This Handbook

The employee handbook is maintained by University Human Resources and is the official employee handbook for all faculty and staff of the University. This handbook is intended to provide important information on employment policies, practices, procedures, and resources for all employees of The University of Southern Mississippi. However, this handbook is not a contract, and the policies contained herein do not give rise to contractual rights.

Because some policies and procedures require periodic updating, the University reserves the right to change, eliminate and supplement the information in this handbook from time to time as deemed necessary to meet the needs of the University, with or without notice to the employee. Neither this handbook nor any supplements thereto replace, amend, abridge, or anticipate federal or state law, or the Policies and Bylaws of the Board of Trustees of State Institutions of Higher Learning. This edition (October 2018) of the Employee Handbook repeals and supersedes all previous editions; is effective on the date it is published on the University's web site; and, governs all matters and proceedings, whether pending or future.

This handbook is not the only document containing personnel-related and other policies of The University of Southern Mississippi. Approved policies are published on the USM website and in other handbooks and manuals, including, but not limited to, the Faculty Handbook. In addition, college, school, departmental, and divisional policies, procedures, or guidelines may exist and must be followed by employees as appropriate. The policies and procedures in this handbook take precedence over any and all other policies that might exist throughout the University, except as supplanted by specific provisions of the Faculty Handbook applicable to faculty only.

Employment shall be "at will" and shall be terminable "at will" by the University or the staff member with or without cause. Any oral or written statements or promises to the contrary, other than contracts issued by the Board of Trustees of Institutions of Higher Learning, are not binding upon the University. If you have questions concerning interpretations of the policies contained in this handbook, please contact University Human Resources.

DEFINITIONS

E **Employee:** Any individual employed by the University in any status.

S **Staff**: Any full-time or part-time benefit-eligible employee that is not a member of faculty.

F **Faculty**: The teaching staff and those members of the administrative staff having academic rank, as defined in the Faculty Handbook.

N **Non-benefit eligible**: Employees of the institution who are in a non-benefit eligible status such as temporary, adjunct faculty, and student workers.

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Receipt: As used in this Handbook with respect to the receipt of a notice or other document is defined as the date that the notice or document is:

- actually received by the party in question; or,
- 3 calendar days after the notice or document is forwarded to the recipient via email and regular US mail, postage prepaid, at the recipient's last known address as reflected in the recipient's official personnel file, whichever is sooner.

Summary of Changes

When a need for a new policy or a revision to a current policy is identified, University Human Resources' process is to review the policies with the Employee Handbook Advisory Group (EHAG), whose purpose is to assist HR with employee handbook updates and to provide feedback and suggestions for new policies and policy revisions. The EHAG is composed of staff and faculty representatives from a cross-section of departments and campuses. Executive Cabinet is also made aware of policy changes and additions in advance and consulted on any meaningful changes. Other parties may be consulted as well, depending on the policy, including Staff Council or Faculty Senate.

Minor edits and corrections usually do not go through a review process nor are always captured in the summary of changes as they are considered non-material changes. For example, information is found to be repetitive, so is deleted out of one section and/or combined in another; the information itself didn't change, only how and where it was presented.

Some changes are driven by legal or regulatory changes in which USM is obligated to comply. These changes do not always go through a review process as they are not optional; however, University HR will communicate those changes as appropriate.

Changes effective October 1, 2018:

Change	Description
Grievance Procedure	Policy 7.2 revisions include: - A clearer definition of grievance with examples - A more streamlined and less intimidating process
Donated Leave	Policy 6.13 is a new policy to put the rules and requirements of donating leave in writing. The Donor Leave Request form has also been updated.

The following policies had minor updates or clarifying information added:

- Terms and Conditions of Employment 2.2.3
- Student Employment 2.6 and 2.7

- Notice Requirements 3.4.3
- Compensatory Time 5.5.3
- Personal Leave 6.2
- Terminal Leave 6.2.1
- Major Medical Leave 6.3
- Terminal Leave 6.3.1
- Military Leave 6.6

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Chapter 1: Administrative Structure E

1.1 The Board of Trustees of State Institutions of Higher Learning

The University of Southern Mississippi is one of eight institutions operating under the authority of the Mississippi Board of Trustees of State Institutions of Higher Learning (IHL). Created in 1944, the purpose of the Board is to manage the institutions of higher learning in accordance with the state constitution and to ensure the IHL system's mission is accomplished. The Board consists of 12 members appointed by the Governor and approved by the Senate for nine-year terms. Membership includes four representatives from each of Mississippi's three state Supreme Court districts. Administrative offices of the Board are located in Jackson, Mississippi.

1.2 The University President

Appointed by the IHL Board of Trustees, the President of The University of Southern Mississippi is charged with serving as the chief executive officer and principal educational officer of the University. As designated by IHL, the President is responsible for every facet of institutional operations, to include shaping the University's educational policy and academic standards; holding final authority over all employees; maintaining appropriate standards of student conduct; and managing the University's financial resources in accordance with IHL policy.

1.3 The University's Executive Cabinet

The University of Southern Mississippi's Executive Cabinet serves in an advisory capacity to the University President on matters related to institutional decision making, including policy development and implementation; budget development and implementation; human resources matters; oversight and governance by IHL; compliance with state and federal laws and guidelines; the welfare and wellbeing of the institution's faculty, staff and students; the role of the University in the local, state and regional communities; support of the University by friends and alumni; research production; and economic development. Membership consists of eight executive officers as listed below and one representative each from the faculty, staff and student bodies.

1.3.1 Provost and Senior Vice President for Academic Affairs

The Provost and Senior Vice President for Academic Affairs is the chief academic officer and senior University officer next to the President. The Provost oversees all matters pertaining to academic programs, curriculum development, faculty affairs, student affairs, other educational objectives of the University and related financial resource management.

1.3.2 Vice President for Finance and Administration

The Vice President for Finance and Administration is the chief financial officer and oversees the University's financial operations, facilities planning and management, human resources, procurement and contracted services, information technology, and parking and transit services.

1.3.3 Vice President for Research

The Vice President for Research serves as the chief research officer and oversees the University's research enterprise and related economic development and outreach functions. The Vice President for Research is also the executive director of the USM Research Foundation.

1.3.4 Vice President for Student Affairs

The Vice President for Student Affairs oversees a wide range of programs and services that enhance the quality of life for the University's diverse student body. The Vice President for Student Affairs also manages student conduct matters and student crisis support and response.

1.3.5 Vice President for External Affairs

The Vice President for External Affairs oversees government relations as well as alumni and donor development and engagement.

1.3.6 Vice President for the Gulf Park Campus

The Vice President for the Gulf Park Campus oversees operations at the University's Gulf Park campus located in Long Beach, Mississippi.

1.3.7 Director of Athletics

The Director of Athletics oversees the University's competitive intercollegiate athletics program and ensures that all athletic programs and initiatives align with the institution's educational mission and goals.

1.3.8 General Counsel

The General Counsel provides legal representation to the University when necessary and advises the University's executive officers, faculty and staff who are acting on behalf of the institution on various issues that are in the best interest of the University.

1.4 Organizational Charts

Organizational charts are available through the Office of Institutional Research.

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Chapter 2: Hiring Policies

2.1 Selective Service E

With an exception of few, all male U.S. citizens and male immigrants residing in the U.S. between the ages of eighteen (18) and twenty-five (25), are required to register under the federal Military Selective Service Act, and if seeking employment, or if seeking a promotion to a higher position with the University, shall submit to the University satisfactory documentation of his compliance with the draft registration requirements of the Military Selective Service Act.

2.2 Pre-Employment E

2.2.1 Recruitment

The University is committed to the recruitment and retention of a diverse and skilled workforce. Recruiting the best candidate for the position vacancy is accomplished by:

1. Posting: All full-time and part-time vacancies, including temporary positions, are required to be posted through the online applicant tracking system. Postings may be limited to internal or department-only, per management discretion; however, a posting, screening and selection process must still occur. Faculty positions are also required to be posted utilizing the online applicant tracking system. Student worker positions are managed and posted by Career Services.
2. A job enlargement is when the scope of a job is increased through the addition of job duties and responsibilities. Job enlargements are not required to be posted, even when resulting in a promotion or pay raise, so long as the position is essentially the same, the former position is not being back-filled, and there is no more than 1 incumbent in the position. University Human Resources should approve all job enlargements in advance.
3. All positions must be posted for a minimum period of five (5) working days. If a holiday falls within the posting period, it will not be considered in the minimum required period. If a position becomes vacant that has been posted in the last 120-days, a new posting is not required and the hiring manager may select from the applicant pool of the previous posting. For UPD, a new posting is not required for a 1 year period. A department head may extend a posting past the minimum period by stating such on the position requisition at the time of posting. Positions may also be posted “until filled” utilizing the guidelines in the Hiring Toolkit. The AVP of Human Resources is authorized to waive or shorten the posting period requirement in extenuating circumstances when the operation of the institution would be adversely affected.
4. University Human Resources will advertise all job postings in at least one contracted external source at no cost to the department. In the event the recruiting department wishes to post in additional outside sources, all costs and efforts will be borne by the department. Departments must follow University purchasing procedures for paid advertisements. All

additional advertisements should be approved by applicable university offices and University Human Resources.

5. To ensure consistency in advertising vacant positions, all ads posted to external publications must include the exact language from the approved job postings; size may be shortened by lifting specific text making sure not to change the verbiage. The posting should refer applicants to the active link to apply and to learn more about the position.

2.2.2 Hiring Process

All hiring managers recruiting for staff positions should follow these procedures:

1. All candidates considered for hire in a posted position must formally apply for employment through the online application system.
2. Hiring managers should utilize the staff hiring toolkit or faculty hiring toolkit for University processes and procedures for hiring.
3. Once the hiring manager has made a selection, the official offer of employment must be made in writing including language that the offer of employment is conditional upon completion of a background check. A sample offer letter for staff with required language is included in the applicant tracking system. Offer letters should be recorded in the applicant tracking system after all parties have confirmed.
4. Applicant statuses should be updated in the Applicant Tracking System.
5. All appointments to faculty and specific administrative positions must have the approval of the Board of Trustees before official appointment letters and/or contracts can be issued.
6. The pay rate offered will depend upon experience of the applicant and budget for the position. Please reference applicable compensation policies and salary guidelines.
7. All offers of employment for positions requiring degrees will be made contingent upon receipt of official college or university transcript(s) from the selected applicant.
8. Refer to the HR website for complete information about the new hire process.

These employment procedures will be followed for all positions, whether funded by the State of Mississippi, federal agencies, auxiliary enterprise, or any other source of funding.

2.2.3 Re-Employment

Former employees of USM are eligible for rehire at the discretion of the University.

To comply with the employer mandate in the Affordable Care Act, an employee who was previously employed in a benefit-eligible position is prohibited from returning to the University in a non-benefit eligible position unless they have had at least a 26 week break in service.

A former employee who is rehired receives:

- no vested seniority
- no vested benefits status
- no credit for previous time served towards years of service for service awards

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To comply with the employer mandate in the Affordable Care Act, an employee who was previously in a benefit eligible position is prohibited from being rehired or transferring into a non-benefit eligible position, unless they have had a 26-week break in service.

Previous Status	New Status	Service Break Required?
Non-Benefit Eligible	Non-Benefit Eligible	No
Non-Benefit Eligible	Benefit Eligible	No
Benefit Eligible	Benefit Eligible	No
Benefit Eligible	Non-Benefit Eligible	Yes

*** Non-benefit eligible includes adjunct faculty, student worker, GA, RA, temp

2.3 Terms and Conditions of Employment

2.3.1 Terms of Employment E

The University of Southern Mississippi is an equal opportunity employer and makes a diligent effort to select the best matched individual for the position based upon job-related qualifications, regardless of race, age, color, religion, sex, national origin, veteran status, physical and/or mental disability, or political affiliation.

Employees will understand and agree that:

- Any material misrepresentation or deliberate omission of a fact in the employment application may be justification for refusal of, or if employed, termination from employment.
- USM may make a thorough investigation of the entire work history and may verify all data given in the application for employment, related papers, or oral interviews. In addition, background checks are conducted on all new employees as a condition of employment. Employees will authorize such investigation and the giving and receiving of any information requested by USM and shall release from liability any person giving or receiving any such information. Falsification of data so given or other derogatory information discovered as a result of this investigation may prevent employment, or if employed, may subject the employee to immediate dismissal.
- Employment may be terminated by USM for any reason or no reason at any time without liability for wages or salary except such as may have been earned at the date of such termination. This does not apply to employees under contract unless termination is for cause.
- Although management makes every effort to accommodate individual preferences, business needs may at times make the following conditions mandatory: overtime, shift work, a rotating work schedule, or a work schedule other than Monday through Friday. Employees must understand and accept these as conditions of their employment.
- It is the employee's responsibility to read the Policies and Procedures Handbook to familiarize him/herself with all policies and procedures of the University.

- Institutions of Higher Learning Board policy Section 401.01 states by statute, the Board has the power and authority to contract with all deans, professors, and other members of the teaching staff and all administrative employees of said institutions. This group of employees must be submitted to the Board for approval, and upon approval contracts may be issued. Only these Board approved employees are to be given contracts. These contracts are for a maximum length of 12 months, unless specifically approved by the Board. Employment of all others is for no definite period of time and USM can change wages, benefits, and conditions at any time.

2.3.2 State of Mississippi Employment Conditions S F

Employees must participate in the Public Employees' Retirement System of Mississippi, unless classified as a "temporary" employee or is employed less than 80 hours per month. An exception to this policy is when an individual who works part time for the University (regardless of the number of hours or length of service) **and** are members of PERS at their regular place of employment must participate in PERS as a condition of employment with the University. Administrators of recognized departments, teaching faculty, coaches, librarians with academic rank, post-doctoral fellows, or research assistants with or without academic rank have the option of joining the Optional Retirement Program (ORP).

2.3.3 Briefing a New Employee E

University Human Resources: All new faculty and staff are required to attend an in-processing/orientation session conducted by University Human Resources. University Human Resources will notify the employee to ensure their attendance. At this time, employees will be assisted in completing the necessary payroll and benefit forms.
The supervisor is responsible for introducing a new employee to his/her co-workers and ensuring the new employee has all resources needed to perform his/her job and is trained properly. The supervisor should make every effort to explain clearly the job responsibilities and their relationship to the department and to the University. A sample department orientation checklist is provided on the HR website.

2.3.4 Probationary Period S

The probationary period shall be utilized by the department head for observing closely the employee's work and for securing the most effective adjustment of the new employee to the position, to the persons with whom the employee comes in contact, and to unfamiliar surroundings. It serves as a means of rejecting an employee whose performance does not meet required standards. All staff employees are required to serve on a probationary basis that consists of ninety (90) days of employment. University Police Department observes a one-year probationary period per their professional standards and accreditation. Supervisors are responsible for initiating termination if a staff member's performance is not acceptable. The University may terminate probationary employees without the usual notice and without cause.

A probationary period of ninety (90) days will be resumed for an employee who transfers, promotes or demotes to a new position at the University.

The AVP of Human Resources is authorized to extend the ninety (90) day probationary period up to one hundred eighty (180) days upon the recommendation of a department manager. The employee should be made aware, in writing, by the department head that the probationary period is being extended.

An employee successfully completing the probationary 90-day period remains employed at will, but is entitled to the notice requirement at that time.

2.4 Types of Employment Status E

2.4.1 Regular Employee

Full-time employee: Employed in a regular, full-time (40 hours per week) position. This full-time status entitles the employee to all University benefit programs (40 hours = maximum benefit).

Part-time employee (with benefits): -Employed in a part-time (atleast20 hours, but less than 40 hours per week) position. This status entitles the employee to all University benefit programs on a pro-rated basis. Holiday, sick, and annual leave are pro-rated proportionately according to the number of hours worked.

2.4.2 Temporary Employee

For an established work schedule for a period not to exceed 3 months of a given calendar year. It is the department director's responsibility to ensure that no person hired in a temporary position works more than 3 months at 40 hours per week

- For services on an hourly basis not to exceed 19 hours per week.
- Employees are not eligible to participate in any University benefit programs.
- The notice period for termination does not apply.
- Employee cannot be moved to a vacant regular budget position unless the position has been posted and the employee has met all the application requirements.
- Employee will not appear on a department's budget printout.

2.4.3 Contracts and Grant Employment

Employees hired for positions provided for by an external funding source are entitled to all University benefits according to their employment status of full-time, part-time, or temporary status. The University will adhere to the provision of 2CFR200 when hiring externally funded position. When hiring pay should be consistent with like positions that are not externally funded. Being on external funds does not in itself warrant a salary above other funding sources for the same type position with similar duties. Employees working on external funding for the summer months cannot be compensated more than the monthly compensation they receive throughout the academic year.

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2.4.4 Exempt and Non-Exempt Employees

University staff subject to the overtime provisions of the Fair Labor Standards Act are referred to as "non-exempt" (hourly paid) and employees not subject to such provisions of the Fair Labor Standards Act are referred to as "exempt" (monthly paid) employees.

2.4.5 Student Workers

Students cannot work more than 20 hours per week, which includes breaks and summer. If the student is working more than one job, collectively their hours cannot exceed 20. During the fall and spring semester, all student employees must be enrolled in classes for 12 or more hours in order to be employed on campus. Students are not eligible to participate in any University benefit program.

2.4.6 Graduate Assistants

Graduate Assistants (GAs) are, first and foremost, graduate students pursuing an education. GAs at the university assist with instructional responsibilities as teaching assistants, or with academic research responsibilities such as research assistants, or they may be employed by other university departments in an entry-level capacity. Assistantships provide much needed experience for graduate students as well as financial support while pursuing their education. GAs must be enrolled full-time to be defined as a GA and receive a stipend and tuition waiver. GAs can work no more than 20 hours per week, which includes breaks and summer semester, and are eligible to participate in the Graduate Health Insurance Program.

2.4.7 Work Study

Work Study program is a federally-funded program in the United States of America that assists students with the costs of post-secondary education. The Federal Work-Study Program helps students earn financial funding through a part-time employment program. FWS students are subject to all regulations as established by the federal government and enforced by the Financial Aid Office. Exceptions to these regulations must be requested in writing and addressed to the Financial Aid Office. FWS students work hours vary according to their work study award. For services, not to exceed 20 hours per week. FWS students are not eligible to participate in any University benefit program. The pay rate for graduate work-study assistantship is set by the University for master's students and for doctoral students. In order for a student to receive the current graduate rate for work-study assistantships, work responsibility must be approved by the Graduate Dean's Office.

2.4.8 Adjunct

In higher education, adjunct is a term used to describe a teacher who is not tenure track, who is hired to teach one or more courses, and may or may not have a terminal degree or the credentials of a regular faculty member. Adjunct employees are considered part-time and are not eligible for employee benefits. Adjuncts can teach up to 6 credit hours. Time worked is calculated for every 1 credit hour taught, there is 3 hours of work associated.

Adjuncts who are employed at another state agency and contributing to PERS will also contribute to PERS as part of their part-time employment with the university.

2.4.9 Re-Employed Retiree

A re-employed retiree is an employee who once worked as an employee with a state agency with benefits who has retired and now drawing a monthly check from PERS, and is now returning to work at the university in a Part-Time Temporary position. For services, not to exceed 20 hours per week.

Re-employed retirees do not receive benefits. They do not contribute to PERS, but the department contribution is submitted.

2.4.10 Affiliates

A person who is affiliated or associated with the university in some capacity such as a visiting scholar. Affiliates have access to university facilities such as the library and Payne Center. People affiliated with the university are not working for the university and do not receive pay through the university.

Affiliates are not eligible to participate in any University benefit program.

2.4.11 Volunteers

Volunteer employees must complete a background check and sign a statement prior to commencement of work stating that they are volunteers and that they do not expect to be compensated for their efforts on behalf of the university. Employees cannot volunteer and work in the same capacity. University Human Resources must be notified of any volunteer workers for the purpose of workers' compensation.

2.5 Employment of Minors E

Minors, other than USM students, who have reached their sixteenth (16) birthday may be employed during the summer by the University.

Employment of minors in the following occupations is prohibited by law: occupations involving explosive components; occupations requiring the operation of a motor vehicle as driver; occupations involved in the operation of power driven circular saws, band saws, wooding machines, metal forming, punching, or shearing machines; occupations involving exposure to radioactive substances; occupations involved in wrecking and demolition; occupations involved in the operation of bakery machines, or any occupation found to be particularly hazardous or detrimental to the health or well-being of a minor.

For additional information on this policy including duty to report, training for authorized adults/program staff, forms and more please visit https://www.usm.edu/general-counsel/minors-campus

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2.6 Employment of Students

Students or prospective students seeking on-campus, part-time employment should contact Career Services. Part-time employment is available in many areas on campus. The student is selected on the basis of qualifications for the job and is paid in accordance with the established University student wage rates. The University policy regarding student employment states that a student must carry a full academic load and may not work more than twenty (20) hours per week. Federal guidelines set the pay rate for undergraduate students (including restricted fund accounts) at the minimum wage rate. If minimum wage increases, the hourly rate will be adjusted accordingly.

- Students will be employed for a maximum of twenty (20) hours per week, which includes breaks and summer.
- Students must be currently enrolled and attending classes to be eligible for student employment. This will include employment during summer months.
- It is the responsibility of the employing department to ascertain the student's course load and eligibility to work as a wage student PRIOR TO THE STUDENT STARTING WORK. The department must also review their wage student's status at the start of each semester thereafter.
- All student records are protected under the Family Educational Rights and Privacy Act of 1974. University Human Resources will not release any employment-related information on an individual student employee (Undergraduate or Graduate) without prior written consent.
- All student employees are covered under the Mississippi Workers' Compensation Law. Students must notify their supervisor immediately after any work-related injury. The student must complete the "Employer's First Report Injury" and forward the form to University Human Resources.
- All graduating student employees must stop work the day of commencement.
- If a graduating student employee (Undergraduate or Graduate) wishes to work after final exams the department must follow the rules of job postings and background checks for temporary hires.
- Undergraduate students completing final degree requirements during their last semester may be enrolled for a minimum of 3 credit hours ***and*** have applied for graduation and the applications is showing in SOAR to maintain their student employee status.
- To remain employed as an undergraduate student employee during the summer, students must meet one of the following:
    - Be enrolled full-time (12 credit hours) during the summer semester

OR

    - Have been enrolled full-time (12 credit hours) during the spring semester and returning to full- time (12 credit hours) in the fall semester

*** If not they will need to be hired as temporary staff and the department must follow the rules of job postings and background checks for temporary hires.

- Student employees enrolled less than half-time (6 credit hours for Undergraduate or 1

credit hour for Graduate) in the summer, will lose their FICA exemption status, and will be responsible for paying taxes.

Students receiving a fellowship, scholarship, assistantship, or grant who are paid on a monthly basis shall not be eligible to work in a wage position at the same time. All student employment will be handled through Career Services under established guidelines and rates as stated in this policy.

2.7 Employment of Foreign Nationals E

The Immigration Reform and Control Act of 1986 (IRCA) imposes a dual obligation on employers: to hire only those non-Americans authorized to work and to keep records evidencing the right to work of all new hires, both American and non-American, after November 6, 1986.

Verification of employment authorization is often difficult and confusing, as some non-citizens are automatically entitled to work according to the terms of their visa status, while others must request permission to work. All potential non-citizen hires, including faculty, must first receive clearance from University Human Resources before an offer of employment may be executed.

No later than the date of hire, all new employees and re-hires must execute an Immigration and Naturalization Service Form I-9, certifying that he or she has permission to work. The University representative also must sign the form, certifying that he or she has checked the potential employee's documents and that they appear to be genuine evidence of identity and authority to work.

International students are eligible to work on campus provided they maintain their student immigration status and meet enrollment requirements. All other Student Employee policy requirements are applicable as stated.

2.8 Employment Contracts S F

The president of the University has the authority to approve and execute contracts only with deans, professors, other members of the teaching staff and such categories of administrative employees as designated by the Commissioner of the Board of Trustees of State Institutions of Higher Learning (IHL) in accordance with state law and IHL Board policy. These contracts are for a maximum length of 12 months, unless specifically approved by the Board. The maximum Board approved contract length is for four years. The Board may consider Institutional Executive Officers and selected athletic personnel for multiyear contracts.

Employment contracts for administrative staff are for the term of the contract. Such contracts may be terminated as specified within the contract. The employee contracts are maintained on campus in University Human Resources. The contracts for the athletic department will also be provided to the Board office.

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All contracts should be returned to University Human Resources within thirty days or prior to the first pay date in the new fiscal year, whichever occurs first. The failure of an academic faculty/staff member to return a duly signed contract prior to the first regularly scheduled class meeting of an academic term constitute abandonment of employment and of the privileges inherent in a status of continuing employment.

Once Human Resources receives the original signed contract, a copy of the contract will be sent to the employee. Any written changes made to the contract void the contract.

Employment for all other employees not receiving contracts is for no definite period of time and The University of Southern Mississippi can change wages, benefits, and conditions at any time.

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Chapter 3: Employment Policies

3.1 Performance Review and Evaluation (S)

The formal written evaluation program of The University of Southern Mississippi for staff is established to provide a scheduled opportunity for the employee and supervisor to meet and mutually identify and document the demonstrated job performance and accomplishments of the staff member during a specified rating period.

The evaluation is intended to achieve the following:

- Indicates where employee stands in relation to the expectations of the University, the department, and the immediate supervisor.
- Assures mutual understanding of responsibilities and work assignments.
- Serves as a source of assistance and guidance in improving and preparing for advancement.
- Helps identify an employee's performance level, growth potential, and developmental needs as measured by the standards of performance for the job.
- Provides an opportunity to recognize effective performance and to let employees know that their contributions have a direct impact on the overall goals of the University.
- Serves as a foundation to formulate with the employee a specific plan of action for achieving goals and improving job performance.
- Establishes the basis for better two-way communications.
- Serves as a major consideration in matters concerning employee development, promotion, transfer, retention, salary, and job performance improvement.

All staff should be evaluated regularly. Unscheduled performance evaluations may be conducted as often as necessary and are advisable when an employee's performance is less than satisfactory.
.
The staff member’s supervisor or manager is responsible for conducting the performance review. Standard evaluation forms and additional instructions related to conducting a performance evaluation may be obtained from University Human Resources.

3.2 Outside Employment (S) (F)

Employees interested in pursuing approval to engage in outside employment must complete an "Application for Permission to Engage in Outside Employment or Practice of Profession." This form requires approval through the Office of the President. A copy of the completed form will be kept on file in University Human Resources.

In addition, employees will not engage in an outside business or profession that would in any manner compete with a similar business or profession over which he or she would have direct supervision, inspection, or purchasing authority within the University, such being a conflict of interest. Under no circumstances can university property be used for the outside employment.

The "Application for Permission to Engage in Outside Employment or Practice of Profession" must be completed or updated at the end of each fiscal year or each time the outside employment changes. Applications must be completed even if no payment is being received.

3.2.1 Outside Consulting S F

Employees who engage in consulting activities and who are paid a fee from an outside agency will be required to file an "Application for Permission to Engage in Outside Employment or Practice of Profession," prior to participating in this activity. All absences from work, during normal working hours, as a result of consulting, will be charged to the 12 month employee's personal (vacation) leave. If the employee does not have sufficient accrued personal leave to cover the absence, the employee will be required to report as leave-of-absence without pay for the period of time used in consulting.

3.2.2 Staff Employees Teaching Classes S

Staff employees who teach classes or work camps during their normal working hours and who receive additional compensation above their normal salary will charge this time to personal (vacation) leave. It is the responsibility of the director to ensure the employee complies with these policies. If the employee does not have sufficient accrued personal leave to cover this time, the employee will be required to report the time taken as leave without pay.

3.2.3 Political Participation E

Participation by employees in various community and public affairs is expected; however, it is expected that time given such activities will not interfere with the regular duties of the employees. Political activities by an employee will not be prohibited at such times as the employee would not be ordinarily required to render services to the institution or if the employee elects to take and the university grants a leave of absence without pay.

University employees may do the following:

- Vote on candidates and political issues without interference of any kind
- Make campaign contributions to candidates or parties, provided they are made voluntarily; but they may not advise fellow employees to make such contributions
- Express their personal opinions privately, openly, or in public meeting on political issues and candidates

University employees may not do the following:

- Use the influence of their official positions
- Put pressure upon anyone to persuade him or her to make a contribution to a campaign
- Advise anyone where to trade or not to trade as a political maneuver

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3.3 Changes in Employment Status

3.3.1 Promotions S

Opportunities for promotion at USM occur when a higher level position becomes vacant. Employees are encouraged to prepare for possible promotion by taking advantage of growth and educational opportunities available to them on campus and by performing current duties with excellence. When a vacancy occurs and is posted, employees are encouraged to investigate it, and if they are qualified and interested, to apply for it.

Promotions are not automatic. When a vacancy occurs, it must be posted for the minimum required time. During that period anyone qualified for the vacancy can apply. The hiring authority is mandated to select the best candidate available. If the best candidate has applied from an on-campus position at a lower level, then a promotion can occur. If, however, a better candidate applies, the manager may select that person. No job or promotion is "guaranteed" at USM; each vacancy is considered an opening and is available to applicants who are interested and who qualify. USM does encourage supervisors and hiring authorities to consider University employees first for promotional opportunities.

Applications for a promotional opportunity are managed the same way as any opening or vacancy. Interested employees must complete an application. This serves as "official" notification of interest in the vacancy. No candidate will be considered for any position unless an application has been submitted.

Normally an employee can be considered for a transfer or a promotion only after he or she has been employed for at least six (6) continuous months. However, the AVP Human Resources may authorize a transfer for an employee before the six (6) month waiting period when the needs of the University warrant such action.

Employees will be provided an opportunity for promotional consideration without regard to race, age, color, religion, sex, national origin, veteran status, physical and/or mental disability, and/or political affiliation.

3.3.2 Transfers S

A staff employee is eligible for consideration for a transfer or reassignment to another University position after serving in a staff position for a period of six (6) months. However, it is possible to be reassigned earlier than six (6) months if the transfer is within the same department or made for the business necessity of the University. Early transfers, if in a different department, must have approval from the AVP of University Human Resources

Transfers within departments or between departments must proceed according to the usual hiring guidelines, unless approved as an Administrative transfer. Administrative transfers are considered in the best interest of the University and should be approved in advance by the AVP of Human Resources.

Dates of transfer shall be arranged for a time mutually agreeable to both the receiving and releasing department, no less than two (2) weeks nor more than four (4) weeks from the date of acceptance by the staff member recommended unless otherwise agreed on by all parties.

To comply with the employer mandate in the Affordable Care Act, an employee who is currently employed in a benefit-eligible position is prohibited from transferring to a non-benefit eligible position without at least a 26 week break in service.

Transferring to a new position may not warrant a pay change.

Whenever a person transfers from a non-exempt to exempt position and/or to a new department, any accrued comp time must be paid out at the time of the transfer.at the hourly rate in the job it was accrued

3.3.3 Transfers from Other State Agencies S F

Prospective USM employees who are currently employed by another state agency may transfer leave balances (both personal and major medical leave). A letter will be requested by the employee indicating the balances at the time of termination. This letter shall be signed by a Human Resource Authority at the state agency and mailed directly to University Human Resources. The employee's leave records will be adjusted to incorporate the balances transferred and the employee will accrue leave based on years of service with the state.

Employee cannot receive payment for personal leave when transferring to another state agency except for the following situation. If the employee is transferring from a state agency where he/she earned personal and major medical leave but is eligible only for major medical leave at USM, the transferring agency should transfer to USM only the major medical leave balance. The employee should be paid up to 240 hours of personal leave by the transferring agency and the balance sent to the retirement system for credit by that agency.

Retirement records will transfer from state agency to state agency and will require only that the employee complete a new application when employed so that the current employer is noted on the employee's record.

Breaks in service exceeding thirty (30) days and/or withdrawal of retirement funds from the retirement system, would constitute a "termination" from state employment and transfer procedures would not be available.

The state community colleges are considered state agencies according to the Mississippi Code § 25-9-107 for transfer of leave balances and are members of the Public Employees' Retirement System.

3.3.4 Interim Assignments (S) (F)

An interim assignment is when an employee assumes a new position or additional duties on an interim, or temporary, basis, typically during a vacancy. Interim assignments are encouraged to be posted internally to ensure fair opportunity for all qualified and interested individuals. A pay increase or one-time payment is allowable for the interim assignment; upon completion of the interim assignment, the employee's pay rate should be readjusted back to the regular pay rate. Interim assignment terms should not exceed 12 months, and requests for extensions require VP approval. Hiring managers are encouraged to consult with University Human Resources on interim assignment decisions.

3.4 Termination Policy and Requirements (E)

All terminations (discharges) are required to be reviewed with Human Resources in advance. The University is not required to give advanced notice when termination is the result of a discharge for cause. All other discharges, other than during the probationary period, should follow the progressive discipline policy and notice requirements.

Employees must complete and file with University Human Resources a Termination Clearance form before the last payroll check will be released. This form is available in University Human Resources and must accompany or be preceded by the Personnel Action Form. It is the responsibility of the department to assure that the out processing is complete on or prior to the employee's last day of work. The paperwork should be submitted to University Human Resources prior to the payroll cut-off for that month so outstanding debts to the University may be recovered. University Human Resources will discuss any questions the employee has concerning his/her termination, including retirement benefits, continuation of insurance coverage, forwarding address, etc. The termination process will not be considered complete until the individual has completed the out-processing form including payment or payment arrangements of any and all outstanding debts to the university.

Final paychecks will be processed on the next scheduled payroll date for the employee. Payroll schedules prevent the payment of the employee's final paycheck on the day of departure unless that day coincides with the scheduled payroll date.

3.4.1 Non-Renewal of Contracts for Administrative Staff (S)

All written employment contracts are of fixed duration, generally not exceeding one (1) year. Written administrative staff contracts are renewable entirely at the discretion of the Board upon the recommendation of the University President. In the absence of a written employment contract, all employment with the University is an at-will relationship. (Academic employment contracts are addressed in the Faculty Handbook.)

Non-renewal is the decision not to renew or extend the existing employment contract of administrative staff. In the event of non-renewal, the University is required by Board policy to inform the affected employee in writing not less than 30 days prior to expiration of the

employee's contract. Failure of the University to give the requisite notice of non-renewal does not result in an automatic renewal for the original term of the employment contract.

If a written employment contract expires according to its terms; or, if the University fails to give at least 30 days' notice of non-renewal, the employment relationship will continue on an at-will basis. Such employees will be given at least 30 days' notice of termination of their employment.

3.4.2 Arrests E

University employees charged with a felony or misdemeanor offense may be placed on a leave-of-absence. If the employee's actions or nature of the crime is determined to affect the image or operation of the University, then additional steps may be taken to prevent the employee from returning to the workplace. The Budgetary Authority will determine the employment status of each person arrested and not convicted of a crime in conjunction with University Human Resources.

3.4.3 Notice Requirements S

Notice of ten (10) working days/2 weeks is requested from all non-exempt staff employees who wish to terminate. Notice of twenty (20) working days/1 month is requested from all exempt staff employees prior to termination. The resignation notice should be addressed to the employee's supervisor. The same notices are required to the employee by the department for terminations except where noted otherwise.

Note that retirement is a classification of resignation so notice requirements are applicable. During the notice period, personal leave or comp time may not be used unless approved by supervisor.

3.4.4 Maximum Leave Allowances S

In order to avoid major disruptions in the work environment, employees may be granted a maximum of (30) days/240 hours personal leave within the six (6) month period immediately preceding termination. This leave can be taken only with approval of the employee's supervisor and may be denied if such leave causes a major problem in the workload distribution within the unit. Any exceptions to this policy must have approval by the President.

Upon termination of employment, employees shall be paid for unused leave in accordance with the leave policy.

Incomplete time and attendance records in SOARHR could result in leave not being paid or certified to PERS.

3.5 Reduction in Force or Reorganization S

A reduction in force may be required in the event of reorganization of academic or administrative structures, programs or function; reorganization of a department or unit; changes in departmental organization or services; reallocation of resources or elimination or reduction in

funding. When a reduction in force is necessary, the following policy is to be used. However, this policy is not applicable to employees who are members of the faculty or employees who are paid from external funding when termination is the result of loss of external funding. A reduction in force of members of the faculty, if necessary, will be in accordance with the policies contained in Policies and Bylaws, Board of Trustees of Institutions of Higher Learning or thereafter, and the applicable The University of Southern Mississippi Faculty Handbook.

3.5.1 Procedures for Department/Unit Reorganization

When an area or unit in the University has undergone considerable changes and the budget authority has determined that reorganization is necessary, the following procedures are recommended:

1. Examine organizational charts: Look at both the current chart and create a new one that would show the changes needed in the reorganization. These charts should show current titles and current reporting relationships. The chart for the reorganization should show any changes that will be needed in those areas, including the elimination of existing positions and the creation of new positions.
2. Review both organizational charts with University Human Resources. Consultation with Human Resources at this point will save time, effort, and misunderstandings as the reorganization progresses.
3. Incorporate suggestions agreed upon into the new organizational chart and prepare it for presentation to the appropriate Vice President.
4. Submit the reorganization chart to the Vice President for review and approval, who will gain additional approvals as appropriate. Please note that approval means that the "concept" has been approved, it does not constitute blanket approval for all changes.
5. The department/unit head should partner with University Human Resources in enacting the organizational changes (notification to employees, posting of new positions, transferring employees, termination of employment, etc.).
6. Written notification of layoff, typically a minimum of 30 days, including the reason for such layoff, shall be given to the employee, if a personnel reduction results from reorganization. Such notification shall include a copy of this policy and shall be delivered by the budgetary authority making the original recommendation for restructuring.

3.5.2 Procedures for Budget Reductions

When the budget authority has determined that budget reductions are necessary, which results in a decision to eliminate position(s) from the organization, the following procedures are recommended:

1. The President shall determine those units of the University whose budgets must be reduced. This determination shall be based upon a systematic allocation of budget reductions and shall be rationally related to the missions of the University.
2. If a reduction in personnel is necessary to meet the budget reductions for the unit, each budgetary authority will analyze and evaluate the necessity of each position within the unit in

consideration of the mission of the unit, the mandated budget reduction of the unit, and the other positions within the unit. Each budgetary authority will determine which positions will be recommended for elimination.
3. The budgetary authority will consider the employees holding those positions within the unit and shall determine which employees will be recommended for layoff. The budget following criteria will be considered by the budgetary authority when making recommendations to layoff:

· The overall personnel needs of the unit;
· Possible combination of job responsibilities;
· Employees' skills;
· Previous performance;
· Protected employment status due to active military service by National Guard and armed service reservists; and
· University affirmative action policies

If, after considering all of the above-listed criteria, two or more employees are rated the same or nearly so, the unit director will consider retaining the employee with the longest continuing period of service at the University.

Each budget director shall make recommendations for layoff accompanied by a written justification through the appropriate supervisory levels to the responsible Vice-President who shall review the recommendations.

4. The Vice-Presidents shall forward their recommendations to University Human Resources for review as to compliance with University affirmative action and employment policies.
5. Written notification of layoff, typically a minimum of 30 days, including the reason for such layoff, shall be given to the employee. Such notification shall include a copy of this policy and shall be delivered by the budgetary authority making the original recommendation for layoff.

3.5.3 Appeal Process

This appeal process is available to those employees who are laid off under this policy which includes those whose position is eliminated through a reorganization. Any employee laid off under this reduction in force policy may, within five (5) working days of receipt of notification of layoff, appeal the decision. Notice of appeal must be in writing and directed to the Associate VP of Human Resources. The Appeal Committee will be the Associate VP of Human Resources, the Chair or Chair-Elect of the Staff Council, and a Vice President to be chosen by the Employee. If the laid-off employee was employed in a unit of which any of the above-named Appeal Committee members are employed, the President of the University shall designate a substitute Appeal Committee member.

The Appeal will be either verbal or in writing, or both, at the selection of the laid-off employee, and shall be conducted as quickly as is reasonable. The Appeal shall be limited to a review for compliance with the procedures set forth in this policy and a determination of whether the layoff decision is arbitrary or capricious.

The Appeal Committee shall make its recommendation to the President, who shall make the final decision and notify the appropriate parties.

3.5.4 Rights of Laid-Off Employees

If the departmental situation changes and open positions become available, the department may rehire separated employees within twelve (12) months of the effective date of separation without following standard procedures for filling vacancies. Separated employees who are interested in being rehired will be selected for rehire based upon meeting or exceeding minimum qualifications for the position(s) to be filled, their overall rating in the most recent performance appraisal, and length of prior service.

If the separated employee is interested in employment in another department/unit of the University, standard procedures for filling vacancies will still apply and the separated employee must complete an application to express interest.

Employees laid off under this reduction in force policy shall have the right to enroll, free of charge, on a space-available basis in academic courses offered by the University. This right shall be limited to two semesters and one summer term beginning with the semester following receipt of the final notice of layoff, and shall exceed no more than a full academic load per semester. The former employee must maintain a semester USM 2.0 GPA to continue the tuition waiver. An employee who fails to maintain the required GPA will cease receiving benefits until such time as he or she successfully completes a semester with a 2.0 GPA at which time the tuition waiver can be reinstated the following semester.

3.6 Nepotism E

Section 25-l-53 of the Mississippi Code, 1972, specifically prohibits nepotism in state agencies and institutions of higher learning.

A department or unit of the University may not employ any person in any capacity if such a person is related by blood or marriage within the third degree to any other employee in the same department or unit if either one of the two related employees in the same or different units will have direction or supervision of the other. A relation within the third degree is defined as a person related by blood or marriage which would include parents, children, brothers, sisters, aunts, uncles, nieces, nephews, grandchildren, grandparents, great-grandparents, and step relatives.

The nepotism policy applies to employees paid through contracts and grants. Student employees are also covered under this policy.

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3.7 On-Campus Consulting E

Engaging University of Southern Mississippi employees to address specific needs often necessitates the redistribution of an employee's responsibilities. The following guidelines are provided to ensure that deans and other appropriate administrators have the opportunity to ensure that an employee's responsibilities to the University are met and that the additional compensation is earned in accordance with University policies.

The University of Southern Mississippi's faculty are often requested to provide expertise based upon their specific scholarly disciplines. However, the faculty have a primary responsibility to the University to fulfill their commitments to the education of students and to their research, scholarly, and service roles. Prior to engaging in consulting activities within the University, each faculty member must have approval from their Chair, Dean, & VP. The timely approval provides the necessary documentation that a faculty member's primary responsibilities in education and research will be met and will not be compromised by providing consulting services. A Personnel Action Form must be submitted for payment, if applicable.

Individuals who hold executive/administrative positions such as president, provost, vice president, associate vice president, assistant vice president, dean, director, department chair, or other executive/administrative titles, receive, as part of their compensation package, an administrative supplement. This supplement may be specifically stated in their contracts or may be incorporated into their base salaries. A part of this supplement is to compensate the employee for providing scholarship, research, and public service expertise to the greater University community. No additional compensation should be expected for providing such expertise to the University community.

Employees who hold professional staff positions, such as programmer, accountant, auditor, or other highly technical positions, are often asked by units within the University to provide specific, short-term consulting services. These individuals are encouraged to provide such expertise to University units outside of their home departments. A Personnel Action Form must be submitted for the additional assignment. Under no circumstances will a professional staff employee receive additional compensation for work performed within his/her home department; all work assignments within the home department are assumed to be compensated for within the employee's established base salary.

All payments for consulting work will be analyzed for reasonableness. Any additional payment for $2,500.00 or greater must have the employee's respective Vice President and President's approval. Once an employee has earned 10% of his/her annual salary in additional pay in a fiscal year, all future payments must have the employee's respective Vice-President and President's approval.

3.8 Personnel Records E

University Human Resources keeps an individual record of personal and payroll data for each employee including personnel at Southern Miss, Gulf Park, Gulf Coast Research Laboratory, and Stennis Space Center. Pertinent information is also maintained in a relational database for reports

and statistical analysis. Since this information is frequently utilized for various reports, it is important that it be accurate.

Individual employees and their supervisors should keep University Human Resources informed of any changes in personal status. Changes such as births or deaths in an employee's family or a change in marital status may affect such things as income tax withholding, retirement, or the type of health insurance coverage. In emergency situations it is important that current information relating to the name, address, or telephone number of the employee be available. All changes should be reported timely to University Human Resources.

University Human Resources will not disclose an employee's personal information to any unauthorized person or agency. Authorized agencies, such as the State Tax Commission, a court of law, or the Mississippi Institutions of Higher Learning, are supplied required information upon presentation of a proper request. Supervisors are obligated to abide strictly to this policy, and it is generally advisable to refer such requests to University Human Resources.

An employee may have access to his or her personnel file by sending a written request, in advance, to University Human Resources receiving approval from the AVP of Human Resources. Once approved, employees may view their file in University Human Resources and with a Human Resource staff member present. There is a 25 cent per page charge to copy a file.

3.9 Identification Cards E

University Human Resources will issue a form for a photo-identification card to faculty and staff during the in-processing proceedings. The identification card serves to identify employees of the University, admission to or the purchase of tickets to certain University functions, and for other purposes.

Lost identification cards should be reported to University Human Resources, and arrangements will be made for a replacement card. Identification cards remain the property of the University. Upon termination, identification cards must be surrendered to University Human Resources. Retirement identification cards are available to all retirees of the University upon their request. There is no charge for a replacement ID card for faculty & staff.

3.10 Drug Testing Policy Commercial Driver's License E

In compliance with the Omnibus Transportation Employee Testing Act of 1991, (OTETA), The University of Southern Mississippi shall conduct alcohol and controlled substances testing of all applicants for employment in positions requiring a commercial driver's license and current employees whose university employment requires them to possess a commercial driver's license. Testing will be conducted pre-employment, randomly, when there is reasonable suspicion, and post-accident, if driving a USM vehicle.

Employees whose test results confirm prohibited alcohol concentration levels or the presence of a controlled substance as defined by OTETA will be terminated. The university will provide affected employees and their supervisors with alcohol and controlled substances information,

and, train supervisors with alcohol and controlled substance information. It will also train supervisors to determine reasonable suspicion of alcohol misuse/controlled substance use. The university will refer affected employees to substance abuse professionals, counseling centers, and/or treatment programs. Any costs for treatment, other than those covered by the State Employees' Health Insurance Plan, must be borne by the employee.

Records of required test results and annual reports to the U. S. Department of Transportation will be submitted by and maintained in University Human Resources. All records will be retained in a secure location with controlled access, as required by federal regulations.

Initial Employment and Offer of Employment
Prior to beginning work in positions requiring a commercial driver's license, potential employees will be tested for controlled substances use and alcohol misuse. Offers of employment to affected new employees shall indicate that the offer is contingent upon completion of drug/alcohol tests that indicate an absence of drug use/alcohol misuse. Any potential employee who tests positive for alcohol/drugs will not be allowed to begin work and the offer of employment will be withdrawn. If documentation of justification of the presence of the alcohol/drug can be provided to the University's Medical Review Officer the offer will be reconsidered. The individual will be informed by the AVP of Human Resources of the positive alcohol/drug screen and will be informed about the risks involved in substance use/abuse and available counseling/treatment programs.

Continued Employment
After employment, employees required as a condition of university employment to have a commercial driver's license will be tested randomly; when there is reasonable suspicion; and post-accident.

Random Testing
Random tests for alcohol misuse/controlled substance use will be conducted utilizing a scientifically valid method to select employees for testing. A minimum of 50% of the drivers will be tested each calendar year for alcohol misuse and 50% of the drivers will be tested each calendar year for controlled substances use.

- **Reasonable Suspicion**
  Employees will be tested for alcohol/drug use when there is a reasonable suspicion of their alcohol misuse/controlled substance use. When an individual has a reasonable suspicion of alcohol/drug abuse by an employee, he or she must submit a written record to the Associate Director of Human Resources.
- **Post-Accident**
  Post-accident alcohol tests will be conducted within two hours following an automobile accident involving loss of human life or following an accident resulting in a citation due to a moving traffic violation. Drug tests will be conducted within 32 hours following an accident. It is the supervisor's responsibility to let Human Resources know of any accidents within the required time limits.

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Positive Test Results
The AVP of Human Resources will review the positive test results with the employee's unit head and notify the appropriate administrator(s) of the termination of the employee.

Result of Test Refusal
Refusal to submit to testing procedures is treated as a positive test result. The employee's unit head and the AVP of Human Resources will notify the appropriate administrator(s) of the termination of the employee.

Information
Employees subject to testing required by this policy will be provided detailed information about alcohol misuse/drug use, the university's testing policy, and how and where they can get help for alcohol misuse/drug use.

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Chapter 4: Benefits & Services

4.1 Scholarships for Children for Faculty/Staff S F

The 100 percent tuition remission policy applies to all children of full-time faculty and staff employed prior to July l, 1977. The 100% does not apply to faculty and staff who were employed prior to July 1, 1977 and then terminated and then were subsequently rehired after July 1, 1977. The parent or legal guardian must be employed by the last day of late registration in order for dependent to be eligible for the tuition remission.

The 50 percent tuition remission policy applies to all children of full-time faculty and staff employed after July l, 1977. If both parents are employed with USM, the child receives 100% tuition remission.

In order to receive the tuition remission, children must gain admission to the University where the parent(s) or legal guardian is employed. The application for the Scholarship for Children of faculty and staff must be obtained from University Human Resources or at: http://www.usm.edu/sites/default/files/pdf/forms/dependentchildtuitionwaiver.pdf and then must be returned to University Human Resources with proper documentation and for verification/data entry.

Consistent with the continued employment or retirement of the parent or guardian a child may receive undergraduate tuition remission. It will be continued until the degree requirements for the first baccalaureate degree are met or until the child's attainment of his/her 25th birthday. The scholarship is renewable on a semester-to-semester basis, provided the child remains in good academic standing. A new waiver is required each academic year.

In order for the child to be eligible and retain the faculty/staff scholarship, he/she must be enrolled at the University at least one-half time. Those who drop below the one-half time status will not be eligible to continue the scholarship at their next term of enrollment. A dually enrolled high school student is eligible for the scholarship, regardless of hours taken.

Children of faculty and staff whose parent(s) or guardian terminate employment with the University prior to mid-term of a semester, will be required to pay tuition. It is the employee's responsibility to provide relationship evidence and proper documentation to University Human Resources.

Additional Terms or Conditions

- Because this award is intended to defray the cost of tuition, students who receive full scholarships or awards that grant full tuition will not be eligible for this tuition remission award.
- The expenses of special assessed fees, books, food, housing, etc., are to be paid by the recipient.

• This program also applies to children of retired faculty and staff of the University and children of faculty and staff who deceased while actively employed at the University.
• In order to ensure tuition remission is posted timely to student's account, application must be returned to University Human Resources no later than five (5) working days prior to the beginning of the semester.

4.2 Faculty/Staff Academic Tuition Waiver S F

In order to participate in the tuition waiver benefit, the University employee must first complete admissions requirements through the Department of Admissions (be admitted or re-admitted to the University) prior to registering for courses.

4.2.1 Eligibility

• All full-time benefit-eligible employees are eligible for up to six credit hours, per semester, at no cost to the employee.
• All part-time (less than 40 hours) benefit-eligible employees are eligible for up to three credit hours, per semester, at no cost to the employee. Part-time employees will not be eligible to take the free course during their normal work schedule.
• Retired faculty and staff are eligible for the course benefit up to six semester hours per semester. University Human Resources will be responsible for approving retired participants.
• CRNA Nursing and Military Science personnel are also eligible for this benefit.
University employee must maintain a semester 2.0 GPA to continue the tuition waiver. An employee who fails to maintain the required GPA will not receive the benefit until such time as he or she successfully completes a semester with a 2.0 GPA.
• Employees must be employed prior to the start of the semester in order to receive the scholarship.
• In accordance with Internal Revenue Service Code, Section 132, all graduate level course work must be job-related or taken on a space-available basis.
• Tuition for graduate coursework exceeding $5,200 is taxable and will be payroll-deducted.
• Appeals regarding the tuition waiver should be directed to the AVP of Human Resources.

4.2.2 Procedures

• The employee must first complete admission requirements of the University. The employee may then fill out a faculty/staff scholarship form for the tuition waiver from University Human Resources. Human Resources will verify employment status.
• The employee must have the permission to take courses approved by his or her supervisor. The supervisor must ensure that the absence from the work place does not cause an undue burden on the department. Once signed by the area budget authority, the permission form is returned to University Human Resources for processing **before** registration can begin.
• The employee then takes his or her Registration Appointment Form to registration or uses SOARHR.
• In order to ensure that tuition is timely posted to the employee's account, the permission form must be returned to University Human Resources no later than five (5) working days prior to the start of the semester.

• Employees must be employed prior to the start of the semester in order to receive the scholarship.

4.2.3 Courses

Employees are expected to enroll in evening classes whenever possible. A full-time employee may take up to six (6) semester hours per semester, but only one course may be taken during normal working hours. Employees taking week-long intensive courses must take annual leave while they are away from the office taking these courses. Only one eight week course per semester may qualify for day classes, not both during the same semester. Normal working hours are defined as 8 AM - 5 PM.

The department chair or manager must approve all courses taken during normal working hours. The nature of the employee's job and the workload of the area will be the determining factors in approving class attendance during working hours. Classes taken outside of an employee's normal work schedule do not require supervisory approval.

Only six (6) semester hours can be taken per semester under this policy. Additional coursework beyond this is the responsibility of the employee.

An employee may also be permitted to take one of their courses under this policy during the noon hour. The noon hour is from 12 noon to l PM. The following policies and procedures will be used in allowing the additional class to be taken during the lunch hour:

1. The faculty/staff member must have approval of his or her immediate supervisor.
2. The faculty/staff member may not take longer than one hour to complete the class and return to work.
3. The faculty/staff member may not take additional time for a lunch break since he or she forfeits this time to attend a class.
4. The faculty/staff member may not work through the noon hour and take a class at a later time during the day and charge this absence to the lunch break.
5. The immediate supervisor is charged with the responsibility of enforcing this policy and will allow no exceptions

There may be a point in time during the final year of study, before attaining a degree, whereby more than one required course is taught during a semester. When an employee is required to take both courses during working hours, a letter of request will be submitted to the Department, with a copy to University Human Resources. Attached to this letter of request will be a copy of the employee's Application for Degree. The employee will be charged personal leave for all absences during normal working hours to attend the second course.

Mini session courses are not covered by faculty/staff tuition waiver if the employee has already taken six (6) hours that respective semester. Mini session schedule:

May mini session is attached to Summer semester
August mini session is attached to Fall semester
January mini session is attached to Spring semester

Employees must use personal leave for the entirety of the course time if enrolled in mini session courses.

4.2.4 Fees

• Employees are responsible for paying late fees attached to registration or drop-add.
• Employees who are enrolled in a free course and terminate employment with the University prior to mid-term, but continue the class, will be required to pay tuition. Reimbursement of tuition fees, paid by the department, will be in accordance with established refund percentage policies.
• Employees are responsible for paying all fees and purchasing textbooks and other required supplies.
• If an employee drops a course, but continues employment at the University, the employing department's budget will be reimbursed at the established refund percentage.
• All faculty and staff waivers are audited each semester. Employees who take more than three (3) credit hours during normal working hours will be identified and disciplinary action will be taken. Individuals who violate these policies will also be denied continuation of the tuition waiver benefit.

4.3 Health Insurance S F

The State of Mississippi offers all full-time benefit eligible employees coverage in the statewide Health Plan. The University is the liaison to the Plan, which is self-funded by the State of Mississippi. Claims are administered by Blue Cross/Blue Shield. (NOTE: Coverage is NOT with Blue Cross/Blue Shield.) Rules are decided via the Department of Finance and Administration, Office of Insurance, in Jackson, Mississippi, and the ultimate authority lies with the Department of Finance and Administration. Retired employees who retire under the Public Employees' Retirement System of Mississippi may continue coverage by making appropriate contributions.

The State of Mississippi pays a portion of premiums for health insurance coverage for employee only. Dependent coverage is available; premiums will be at the employee's expense. Dependent coverage is offered only to those employees who are covered by the plan. Application must be made within sixty (60) days of acquiring an eligible dependent.

Employees will be covered on the first day of employment when they enroll during the "in-processing" procedures at University Human Resources.

4.3.1 Dependent Coverage

If an employee chooses not to enroll dependents at the initial employment enrollment, then dependents can only be added during open enrollment in October with an effective date of January 1 unless a job status or family change occurs. A change in family status is defined as:

marriage, divorce, death of spouse, or child, birth or adoption of a child, leave of absence without pay and termination of employment of spouse.

4.3.2 Administrator

The State of Mississippi Comprehensive Self-Insured Group Health Plan is administered by Blue Cross/Blue Shield. The plan is also monitored by Active Health Management. In order to obtain maximum benefits under the state medical plan, employees are required to call Active Health Management (1) at least 5 days prior to a non-emergency hospitalization, (2) within 48 hours following emergency admission to a hospital and (3) within the first trimester of pregnancy. Some outpatient pre-certifications are also required. Contact information can be found on your insurance card.

4.3.3 Open Enrollment

The State of MS Health Plan allows for an "open enrollment" to occur one time during the calendar year. Generally, October is designated as the time in which changes can be made to benefit plans. Employees may:

- add or drop dependent coverage
- add or drop any University offered pre-tax insurance benefit
- elect to participate in Dependent Care Reimbursement or Medical Reimbursement Plans

Employees are cautioned that "open enrollment" occurs once a year and this is the only time that changes can be made to insurance programs, unless a "Change in Family Status" occurs. A "Change in Family Status" is defined as: marriage, divorce, death of a spouse or dependent child, birth or adoption of a child, and termination of employment of a spouse.

NOTE: All participants in the Dependent Care Reimbursement or Medical Reimbursement Plan MUST complete the online enrollment process each year.

4.3.4 COBRA

The federal law known as Consolidated Omnibus Budget Reconciliation Act (COBRA) became effective for the State of Mississippi Group Health Plan January 1, 1987. All employees and employee family members who are covered under the group health plan are entitled to "continuation coverage" required by federal law. Continuation coverage under our group health plan will be made available to covered persons in the event of employment termination, divorce, separation, or death and in certain other instances. Detailed information concerning COBRA can be obtained from Blue Cross Blue Shield of MS.

4.4. Student Health Insurance

Graduate Assistants, Residence Assistants, and international students/scholars are eligible for a student health insurance plan. This plan is required unless the student completes a waiver.

Eligible students may also enroll dependents. At the beginning of each academic year, the student will go to www.studentcenter.uhcsr.com/usm and either waive or enroll in coverage. If a student does not actively complete a waiver, s/he will be automatically enrolled in the plan with no exceptions.

4.5 Tax Exempt Benefit Program (Cafeteria Plan) S F

The University of Southern Mississippi offers a pre-tax program called a cafeteria plan that is permitted under Section 125 of the Internal Revenue Code. It is referred to as a cafeteria plan because the employee may select from a variety of benefits available. This program allows certain benefits to be paid with before-tax dollars rather than with after tax dollars, increasing the amount of take home pay and lowering tax liability.

This program **does not** affect the state retirement contributions nor in any way changes benefits available to employees when they retire. However, because social security is deducted after the tax exemptions, it **does** affect social security contributions. Research shows that the resulting difference in social security benefits at retirement are insignificant especially when compared with the savings available during employment careers.

An employee can only drop or add a benefit during the year within 60 days of the qualifying event for the following changes in family status:

- marriage
- divorce
- death of spouse or child
- birth or adoption of a child
- termination or employment of spouse
- leave of absence without pay

4.6 Workers' Compensation E

The University provides standard workers' compensation coverage under a self-insurance program in accordance with Mississippi State laws that, in general, prescribe the amounts of indemnity payable for the degrees of disability, temporary or regular, and for death if the injury or disability occurs on the job. These laws also provide for medical care, hospitalization, and weekly compensation for the period of disability. All on-the-job injuries should be reported immediately to the employee's supervisor and University Human Resources. A first report of injury must be completed for claim purposes and sent to Human Resources.

The University pays the entire cost of the program on behalf of its employees.

Employees who have accrued sick or personal leave benefits are entitled to these benefits should they request them, along with payment from Workers' Compensation. Payment from worker's compensation and the university cannot exceed 100% of the employee's regular salary.

All on-the-job injuries should be reported to the department supervisor and Human Resources immediately on occurrence. Each injury is treated through the "Healthworks" facilities of the Hattiesburg Clinic, Hattiesburg, Mississippi. Emergencies should be sent to the emergency room at Wesley Medical Center or Forrest General Hospital. The attending physician will determine the extent of the injury and provide University Human Resources with a written prognosis of recovery. Follow-up treatment will be prescribed as necessary and a return-to-work date will be issued.

Additional information concerning benefits can be obtained from University Human Resources.

4.7 State Retirement System (PERS) S F

The Public Employees' Retirement System of Mississippi enacted by the 1952 Legislature requires participation of all state employees who work twenty (20) hours per week or more for a state employer. The State of Mississippi mandates participation in the retirement system as a condition of employment.

4.7.1 Exemptions

Employees who are classified part-time, who work less than 15-days a month or who work less than the equivalent of 1/2 of a normal work load for their position and receive less than 1/2 of the normal wages for the position are exempt from participation. An exception to this policy is if a part-time employee is a member of the Public Employee's Retirement System at another agency, then the employee must be a member at the University. Also, students of any state educational institution employed by an agency of the state for temporary, part-time, or intermittent work may not enter membership into the system.

4.7.2 Retirement Eligibility

Members may retire and receive full retirement allowance: (1) if they are age 60 and vested in the PERS system (hired June 30, 2007 or earlier---4 year vesting period and hired July 1, 2007 or later---8 year vesting period) or, (2) they have Appropriate years of service, regardless of age (hired June 30, 2011 or earlier---25 years of service or hired July 1, 2011 or later---30 years of service)

More detailed information on the retirement system is available in University Human Resources or by contacting the Public Employees' Retirement System of Mississippi. Because of laws prohibiting release of private information without the employee's consent, the Retirement System will not release current balances, options on retirement specific to an individual, or current status of an employee's account without a written request from the employee.

4.7.3 Optional Retirement Plan (ORP) S F

An optional retirement program is provided to all faculty, administrative faculty, and administrators heading recognized departments who were employed on or after July 1, 1990; librarians with academic rank and coaches who were employed on or after August 1, 1998; and

post-doctoral researchers or research scientist without academic rank who were employed on or after July 1, 2001. These members may direct their retirement contribution to selected investment accounts for management of their retirement funds. Information on options is available in University Human Resources.

4.8 Services, Facilities and Privileges E

4.8.1 Credit Union

The University of Southern Mississippi Credit Union was organized November, 1956, under the Mississippi State Credit Union Act. Employees of the University and their families may join the Credit Union by paying the membership fee of $10.00 and subscribing for at least one $5.00 share.

Services include checking accounts, savings accounts with dividends paid quarterly, and loans available to members and their families upon approval of the Credit Committee. Other services include notary services, direct deposit, and payroll deductions.

GCRL employees are eligible to join Keesler Federal Credit Union.

4.8.2 Payne Center

The Payne Center offers a variety of fitness and recreational programs in a 133,000 square foot, fully air- conditioned building. The facility includes swimming pool, indoor volleyball and basketball courts, and squash and racquetball courts. Membership fee is required.

4.8.3 Library Services

University Libraries http://www.lib.usm.edu is composed of four libraries: the Joseph Anderson Cook Memorial Library and the William David McCain Library and Archives, both at the Hattiesburg campus; the Gulf Coast Library at the Gulf Park campus; and the Gunter Library at the Gulf Coast Research Laboratory. University Libraries provides a range of services for students, faculty, and staff that include access to online resources, borrowing materials, instruction about library use, research assistance, and support for research data management.

4.8.4 Post Office

The University of Southern Mississippi operates a post office that provides full postal service, an outgoing mail center, incoming mail distribution to box holders, and campus distribution. Faculty, staff, and students are eligible to rent personal mail boxes. Departments and approved campus organizations may also rent boxes for their official mail and campus distribution. A nominal fee (non-refundable) is charged for box rent. Computerized box assignment, mail redirect, and forwarding give box holders rapid, reliable mail delivery. Account billing for outgoing official mail is also computerized.

4.8.5 Southern Miss Ticket Office

Tickets to athletic events are available to faculty, staff, and retirees at reduced rates on season tickets. They may be purchased from the Southern Miss Ticket Office.

4.8.6 Audiology and Speech Language Service

All full-time, part-time, and retired faculty and staff members, students, alumni, and respective family members are eligible for services at NO CHARGE from the USM Speech and Hearing Clinic. The clinic offers screening, assessment, and management for children and adults with a variety of articulation, fluency, hearing, language, and voice problems. The clinic serves as a training facility for graduate student completing their professional requirements in Speech-Language Pathology and Audiology.

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

Chapter 5: Pay Policies

5.1 Salaried Employees S F

University Human Resources must receive all pertinent payroll information (additions, deletions, or other changes) before the payroll cut-off date for each pay period. The payroll cut-off date is recorded on the payroll calendars. Information completed, approved, and in Human Resources prior to cut-off will be processed in the upcoming payroll period. Information received after this cut-off date will be processed in the next payroll period.

Salaried employees are paid on the last working day of each month. Your first payroll check will be mailed to the employees' department box. Effective January 1, 2006, all new employees must sign up for direct deposit.

Salaried employees paid out of the Education and General fund of the University are included in the University budget as a line item. The budget contains the employee's name, classification level, title, rate of pay for the last fiscal year, and increases approved for this fiscal year. The information is listed in budget number order by departments. Copies of the University wage and salary budgets are available as a reference item in Cook Library.

When changes, additions, or deletions are made on a salaried position, all pertinent budget information must be listed. Budget authorities in each department are encouraged to check each form submitted for approval to assure that the information is correct and changes requested are in order.

Salaried employees paid on a designated or a restricted fund account (10-digit budget number) are not listed in the University budget. ORA and/or OFPA must approve all funding changes. A new PAF or funding change form must be submitted so that personnel will continue to be paid.

All salaried employees must complete the Monthly Leave Record in SOARHR. The supervisor will then approve the leave in SOARHR. **Failure to complete the online time and attendance records could result in no leave payment or PERS leave certification**.

5.2 Wage Staff S N

In hiring a new employee or making any changes to a current employee, Personnel Action forms must be submitted to University Human Resources. Cut-offs vary from month to month. Please refer to the payroll calendar.

Wage employees are paid on a biweekly basis with pay being issued on Friday. Direct deposit is mandatory.

Wage employees who are paid from the Educational and General Fund of the University are included in the wage budget for their department as a line item. The wage budget contains the employee's name, classification level, title, rate of pay for the last fiscal year, and pay-rates

approved for this fiscal year. The budget director for each wage account should have a current copy of the department's detailed wage budget.

When changes, additions, or deletions are made on a wage position, all pertinent budget information must be included on the Personnel Action Form. Budget directors in each department are encouraged to check each form submitted for approval to assure that the information is correct and changes requested are in order.

Wage employees paid from a grant or restricted fund account (10-digit budget number) are subject to the same approvals, anniversary date requirements, etc., as salaried employees. (See Salaried Employees section.)

5.3 Deductions S F

New employees of the University, whether salaried or wage, are required to report to University Human Resources for in processing. The employee will complete and sign personnel and payroll forms necessary to begin the pay schedule and will be advised regarding fringe benefit and insurance packages available through the University.

Premiums will be deducted from the payroll check. Insurance premiums for the state's group health and life insurance coverage are deducted in advance, so that premiums paid in the current month pay for coverage in the next month.

All deductions are shown on the payroll check stub that can be found in SOARHR. Employees who have questions or who need assistance in understanding the deductions that are shown on the check stub should bring the check stub to University Human Resources and request assistance.
Employees desiring to change deductions or premium payments should contact University Human Resources. All tax changes and insurance benefit changes require completion of new forms and the employee's signature. The benefits or deductions that are part of the Cafeteria Plan (IRS Code Section 125) can only be made during open enrollment each year (October) except for changes in status as defined by the IRS Code Section 125. A change in family status is defined as marriage, divorce, death of spouse or child, birth or adoption of child, termination of employment of spouse or leave of absence without pay.

5.4 Standards Workweek and Pay Periods

5.4.1 Standard Workweek E

The standard workweek is 12:01 a.m. Saturday through midnight on Friday. The established regular hours of work comprising full-time employment for staff employees of the University shall be forty (40) hours per week. All offices shall be open during the hours 8 a.m. to noon, and from 1 to 5 p.m., Monday through Friday, except on official University holidays or administrative closings.

Certain University departments may be required to remain open during the noon hour. When this work schedule is necessary, the department manager will arrange for alternative lunch periods for staff.

5.4.2 Rest Periods S N

Rest periods or coffee breaks may be offered at midmorning and midafternoon and will not exceed fifteen (15) minutes per break. Such periods are a privilege and not a requirement and may be withdrawn by the supervisor or the budget authority and should be withdrawn if abused. Time not used for rest periods cannot be substituted for time off at the end of the work period, extension of the lunch period, nor at the beginning or end of a vacation or sick leave period. It cannot be accumulated to provide for a prolonged time-off period. Scheduling of rest periods for individuals should not interfere with the department's normal operations

5.4.3 Meal Periods S N

If an employee works more than four hours the employee must be given a meal break of at least 30 minutes. Meals are an unpaid period and cannot be used to accumulate a prolonged time-off period. The meal period must be uninterrupted.

5.4.4 Flextime Work Schedule S

Subject to department head approval, flextime schedules afford the opportunity for work hours that differ from the University's regular business hours. Departments are encouraged to consider flexible schedules when it is in the best interest of the employees and the department. Flexibility in schedules may assist the employee with meeting family needs, personal obligations, and wellness commitments, while also providing a tool for departments to control the cumulative number of hours worked within the designated workweek.

Successful implementation of flextime schedules requires collaboration, communication, and cooperation. The decision to allow flextime scheduling is to be made by the department head. A flextime schedule is appropriate only when the work schedule is beneficial to the University. Working a flextime schedule is a privilege, not an employee right. For some departments, flextime scheduling may not be feasible. Contact University Human Resources if guidance is needed regarding flextime schedules.

The following general standards will apply to flextime schedules:

- Offices are to remain open with adequate staff during normal or core business hours, with designated offices remaining open during the noon hour.
- The lunch break is to typically remain one hour in length; however, different lunch increments may be established at the discretion of the department head. At least a ½ hour lunch break should be provided to and taken by the employee.
- Flextime does not reduce the total number of hours worked in a given workweek. Employees are expected to complete no less than the required number of hours of work in a workweek (e.g. 40 hours for a full-time employee). For example, an

employee cannot work an extra 8 hours in one week in order to have a day off in the following week; however, an employee can work 10 hours over 4 days in order to have the 5th day of the workweek off or 36 hours over four days to have a partial day off on the 5th day.

- Flexible schedules are not intended to be random or an occasion to make up missed time.
- Paid and/or unpaid leave must be used if the employee misses work during his/her authorized schedule.
- A flextime schedule should not negatively affect the workload or productivity of coworkers either by shifting burdens or creating delays and additional steps in the work flow. The supervisor and/or department head should ensure that all department employees understand how and why flextime schedules function.
- In the event that more employees request flextime schedules than a unit/department can reasonably manage, the supervisor and/or department head shall respond to requests consistent with these guidelines in ways that are equitable to all employees and in the best interest of the University. Among the measures that might be adopted are rotating or staggering schedules.
- Working a flextime schedule is a privilege, not a right. An employee with a pattern of tardiness/absences or poor work performance may not be eligible for a flexible schedule.
- The supervisor reserves the right at any time to return an employee to his or her standard schedule if the flextime schedule interferes with the department's operations or if a change in circumstances necessitates the return to the standard work schedule.
- Flex schedules should be adjusted accordingly for weeks with a holiday(s).

5.4.5 Pay Periods E

All nonexempt employees will be paid on a biweekly basis. Because of overtime and short-time calculations involved, nonexempt employees will receive their paychecks on a two-week delay after the close of the workweek on Friday. Because exempt employees are not eligible for overtime pay, exempt employees' paychecks will reflect to-date earnings on a monthly basis. See Payroll calendar on the Controller's website.

5.4.6 Paycheck Distribution E

Checks and advices are only to be distributed to the employee, not a third party. A department may ask for identification to release a paycheck if necessary.

5.5 Overtime S

If an employee is categorized as "nonexempt," then overtime consideration is due for any hours worked in excess of forty (40) hours within a given workweek. The workweek is defined as Saturday 12:01 a.m. through midnight on the following Friday. Work in excess of eight (8) hours per day is not considered overtime. Each work week stands alone in calculating regular and overtime hours worked.

Supervisors must give prior approval for all overtime work. Supervisors should be aware that worked hours, even when not requested or approved by the supervisor, must be included in hours worked and paid as overtime as applicable. If an employee works overtime without permission, the department is still obligated to pay that employee overtime; however, the employee may be subject to disciplinary action including termination for failing to follow policy of prior approval.

Supervisors may adjust an employee's schedule within a workweek to avoid or minimize overtime. Sick and/or personal leave or other non-worked hours do not count as FLSA hours worked for the purposes of calculating overtime with the exception of hours paid as holiday pay or University declared leave which do count as FLSA hours worked. The Budget Authority or Director needs to observe these additional regulations regarding computation and payment of overtime rates: Employees who work during lunch periods and before or after established work schedules must show the time as time worked. Such work time should not be allowed without prior authorization for the employee's supervisor. Non-exempt employees may not "volunteer" to work off the clock.

Any work performed by a nonexempt employee for a unit or department at USM outside of his or her home department that exceeds 40 hours total within the work week will be compensated as overtime. The secondary appointment assumes the responsibility of paying overtime, regardless of what day of the week the overtime is actually incurred. The secondary appointment should not conflict with the primary job duties.

5.5.1 Advance Notice

Although sometimes not practical, generally supervisors should provide the employee with as much advance notice as possible and should assign and distribute overtime equitably among all eligible employees. Employees must understand that advance notice is not always practical.

5.5.2 Recordkeeping

It is the responsibility of the budget authority or director to keep accurate records of time worked including hours in excess of forty (40) hours. See Record Keeping Policy for requirements.

The regular wage and overtime pay due an employee are computed on the basis of the hours worked by an employee in each workweek, and that compensation earned by an employee in a particular workweek is paid on the regular payday for the pay period in which the workweek ends. The University payroll system does not automatically calculate overtime pay for nonexempt employees; therefore, all hours worked over forty (40) hours must be submitted on a time sheet for nonexempt employees with standard hours. Nonexempt employees with nonstandard hours, temporary employees, and student employees will also report hours on a positive reporting basis.

All time records must be accurately kept. Falsification of university records may result in disciplinary action, up to and including termination.

5.5.3 Compensatory Time

Compensatory time off may be provided in lieu of overtime compensation, at a rate of no less than one and one-half (1 ½) hours of compensatory time for each hour of overtime worked. An employee may accrue up to 240 hours of compensatory time, which equates to 160 hours of actual overtime worked. Employees of the University Police Department may accrue up to 480 hours of compensatory time. Overtime hours worked in excess of these maximum accruals must be paid as overtime.

The use of compensatory time must be in accordance with an agreement reached between the University and the employee prior to the performance of work. Accrual and use of compensatory time must be tracked in the Time and Attendance system.

- An employee shall be permitted to use accrued compensatory time within a "reasonable period" if such request does not "unduly disrupt" operations. Unduly disrupt is usually not interpreted as a normal staff shortage.
- The employee can be required to use comp time before using personal time.
- If an employee transfers to a different department all current comp time must either be taken or paid out by the current department before the transfer occurs.
- Whenever a person transfers from a non-exempt to exempt position and/or to a new department, any accrued comp time must be paid out at the time of the transfer at the hourly rate for the job it was accrued.
- Any unused compensatory time must be paid out at the time of termination from the University.

5.5.4 Exempt Employees

Exempt employees, those who are paid a monthly salary, are not eligible to receive overtime or compensatory time off.

5.6 Emergency Callback Pay S

An emergency callback occurs when a nonexempt staff member is asked by management to return to work after leaving the University premises following his or her work shift to take care of some work-related emergency that cannot wait until regularly scheduled working hours. A staff member must be paid for a minimum of three (3) hours for each callback.

Only the hours actually worked will be accounted for in the calculation of overtime pay.

5.7 On-Call/Call-back Status and Pay S

Certain members of the nonexempt staff are required to be available for work after normal working hours. These employees may be placed on on-call status and be eligible for on-call pay under the terms of this policy.

A staff member on on-call status must inform his or her supervisor where he or she can be reached and must report to his or her work assignment within 30 minutes of being notified. On-call status will end once the staff member reports to his or her workstation or when the on-call status schedule ends, whichever occurs first.

USM policy is that the employee will receive a courtesy payment, not to exceed (6) hours per pay period for on-call status. On-call pay is not included for overtime calculations. On-call pay is given if the employee does not have to report back to work. The respective department's Vice President must approve the practice of on-call pay for each department.

When an employee is actually called back to work, call-back status is implemented and on-call status is canceled. Call-back status will begin after the employee arrives on the campus for work and ends at the conclusion of the work. The employee will be paid for actual hours worked with a minimum of (3) hours to be paid.

The employee must be paid over-time for any hours worked which exceeds 40 hours per workweek.

5.8 Holiday Pay S F

IHL Policy 805.08 declares the following days as official holidays:

- New Year's Day
- Martin Luther King Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

Additionally, other days may be designated as holidays by the University President:
(not to exceed a total of 15 days a year)

- Good Friday
- Memorial Day
- Friday after Thanksgiving
- 6 additional days included in Christmas break

Full-time and part-time benefit eligible employees will receive regular pay for official holidays and those holidays specially designated by the University President, even though the employees are not required to work.

Benefit eligible non-exempt employees who are considered "essential personnel" (e.g., physical plant, student housing, etc.) that are required to work on holidays (official or designated) will not receive holiday pay, but will instead receive pay at one and one-half times his regular rate of pay per hour worked, or will receive compensatory time at the one and one-half times per hour

worked. Paid time or compensatory time is at the discretion of the supervisor. (Example: If you work 4 hours the day after Thanksgiving you will get 4 hours at time and a half and 4 hours holiday pay.) A minimum of three (3) hours will be paid at time and ½ (or compensatory time and ½) for hours worked on a holiday.

This policy does not apply to Public Safety employees who are at all times considered essential personnel and are paid in accordance with regular pay and overtime pay policies per the State Department of Public Safety.

5.8.1 Eligibility

All full-time and part-time benefit eligible employees on the active payroll will be eligible for holiday pay listed above in accordance with the following provisions:

- Employees must work their normally scheduled work hours on the day immediately preceding and following the holiday. With the approval of the supervisor, the employee may elect to take personal leave days immediately prior to or following a holiday period. If the employee has an excused absence both such days, holiday pay will be authorized.
- Holiday pay will be at the employee's current rate of pay.
- Part-time benefit eligible employees will be paid holiday pay on a pro-rated basis according to the number of regularly scheduled work hours in a normal work day.
- Temporary employees are not eligible for holiday pay.
- Holidays falling on an employee's first or second regularly scheduled day off within the work week will be observed on a date chosen by the employee, with the supervisor's approval, within a reasonable time following the holiday.
- Terminating employees must return to work for a minimum of five (5) working days following the Christmas holidays in order to be eligible for holiday pay.
- Budget authority of areas requiring employees to work on holidays shall schedule such duty as fairly and equitably as possible among the available staff.
- An employee must work on his or her last official day of employment. Holidays falling within the terminal leave period for a terminating employee are charged to accumulated personal leave**.** (Example: An employee may not give a date prior to the Christmas holidays as the last day of employment and then use accrued personal leave as a basis for collecting Christmas holiday pay.)

5.8.2 Religious Holidays

Full-time or part-time benefit eligible employees who desire to observe a religious holiday not designated by the University may do so with their director’s approval. The time and attendance record should reflect time taken as personal (vacation) leave. Such requests should be reviewed with Human Resources.

5.9 Education Enhancement (S) (F)

The following schedule of payments will be made to all University staff employees who attain an advanced degree or successfully complete the Professional Standards Program (PSP) Certification.

Certificate or Diploma	Award
(PSP) First Certificate	$ 600.00
(PSP) Each succeeding Certificate (excluding Bachelor's or Master's)	$ 500.00
Certified Public Accountant (CPA)	$1,000.00
Professional Engineer or Architect	$1,000.00
Bachelor's Degree	$ 800.00
Master's Degree	$1,000.00
Doctoral Degree	$1,200.00

A Personnel Action Form with copies of the certificates, official transcripts, and/or diplomas will be forwarded to University Human Resources for processing. Monetary adjustments to the employee's salary will be made effective the date the PAF is received in HR as long as the degree has been conferred and/or dissertation successfully defended. The increase in salary will become a part of the employee's annual base salary. The education enhancement will in no case be retroactive.

5.10 Compensation for Grant Employees

Raises for individuals on external funding are not a guarantee unless the entire university is approved for raises. Exceptions are allowable per the University Salary Guidelines as approved by University Human Resources. However, even so, there is still nothing that says the additional pay will be paid from the external funding source; this increase in pay would have to be approved by ORA. Also, an annual raise built into an externally funded project budget is no guarantee the employee will actually be eligible to receive the annual raise. Every employee, regardless of funding source, must follow the approved University Salary Guidelines to receive raises, and all additional pay will be subject to ORA approval for each particular project budget.

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

Chapter 6: Leave

6.1 Scheduling Time-Off E

Time-off shall be scheduled with and approved by department heads with attention to the needs of the University but with consideration of an employee's continuous service credit and amount of personal leave accrued and unused. Within the requirement to maintain work schedules, each department of the University will do everything possible to accommodate the employee's personal schedule preferences. If an employee has exhausted personal leave, time-off may be granted without pay, at the discretion of the department head. If the employee is exempt (salaried), the department head should consult with University Human Resources prior to approving unpaid time.

6.2 Personal Leave S

Staff employees are entitled to personal leave benefits beginning on their first effective date of employment with the University. Part-time employees accrue leave on a pro-rated basis depending on the number of hours worked.

Accrual Rates for Full-Time Employees are:

Service Time	Hours per Month	Days per Year
1 month to 3 years	12	18
37 months to 8 years	14	21
97 months to 15 years	16	24
over 15 years	18	27

Personal leave can be taken only with approval of the employee's supervisor and may be denied if such leave causes a major problem in the workload distribution within the unit. Employees should record personal leave in SOARHR.

Administrators on a 12 month contract who revert to a 9 month teaching position will no longer accrue personal leave. The personal leave accrued will be frozen and not available for use at any time unless resuming a 12 month position. For those enrolled in PERS the unused leave will be credited to PERS when employment with USM ends. For those enrolled in ORP personal leave has no value.

Deficit leave balances should not be approved nor condoned by department heads. Employees with a negative leave balance may be subject to having pay docked.

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

6.2.1 Terminal Leave

In order to avoid major disruptions in the work environment, employees may be granted a maximum of thirty (30) days/240 hours personal leave within the six-month period immediately preceding termination. This leave can be taken only with approval of the employee's supervisor and may be denied if such leave causes a major problem in the workload distribution within the unit. Exceptions to this policy must have the President's approval.

An employee terminating from service and requesting lump sum payment for unused personal leave will receive payment for up to a maximum of 240 hours for the leave time at the next scheduled pay period following his or her date of termination. (Please note that terminations submitted and approved prior to cut-off dates will be processed with the next scheduled pay period. Those terminations not received by cut-off will be processed and paid in the next subsequent payroll period.) This check will not go direct deposit. Checks will be mailed to the address provided by the employee on the university out processing form.

Payment of accrued personal leave up to 30 days or 240 hours is permissible by State Statute **only** upon termination from state service. Change of status from 12-month employment to 9-month employment does not constitute termination, nor does transferring to another state agency, and payment of accrued leave will not be paid.

Administrators on a 12-month contract who revert to a 9-month teaching faculty position will not be paid thirty (30) days/240 hours terminal leave pay upon return to a 9-month position or at separation from the university**.** As a PERS participant the leave will be certified to PERS upon retirement. For those enrolled in ORP, personal leave has no value and leave accrual balance will be removed at time of termination.

Any money owed to the university will be taken from the leave payment.

6.2.2 Death

The wages or salary for the unused personal leave time shall be paid to the person designated by the employee, or to the beneficiary of such employee as recorded with the Public Employees' Retirement System, should the employee die having accumulated personal leave credit. Only payment of 240 hours is subject to PERS.

6.2.3 Re-Employment

When an employee is re-employed by the University after a break in service of thirty (30) days, personal and major medical leave time will be earned as a new employee. An employee rehired within 30 days of termination is **not** entitled to 240 hours of terminal leave pay. If the individual has received this payment and returns to work within the 30-day period, the payment must be returned to the university in order to continue earning leave at the prior accrual rates.

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

6.3 Major Medical Leave S F

Employees are entitled to major medical leave benefits beginning on their first effective date of employment with the University. Part-time employees accrue on a pro-rated basis depending on the number of hours worked. There is no limit to the accumulation of earned major medical leave.

Accrual Rates for Full-Time Employees are:

Service Time	**Hours per Month**	
	12-Month Employees	**9-Month Employee**
1 month to 3 years	8	13.33
37 months to 8 years	7	14.20
97 months to 15 years	6	15.40
over 15 years	5	16.00

Personal leave (or compensatory time) must be used for the first eight hours (or normally scheduled work day for a part-time employee) of an employee's illness or illness of a member of the employee's immediate family before using medical leave. If the employee has no accrued personal leave or compensatory time the first 8 eight hours of the absence would be without pay. Medical leave may be used without prior use of additional personal leave for regularly scheduled visits to a physician's office or hospital for the continuing treatment of a chronic disease or serious medical or mental health condition as certified in advance by a physician. Medical certification must be on file with Human Resources.

Faculty accruing major medical leave only may use medical leave for the first eight hours of absence due to illness.

To be eligible for the use of major medical leave the employee must:

- Have a medical or mental health condition or caring for a member of his/her immediate family with a medical or mental health condition.
- Notify the department head immediately of the reason for absence.
- Keep the department head informed of his/her condition.

For each absence due to illness of thirty-two (32) consecutive working hours (combined personal leave and major medical leave) medical leave shall be authorized only when certified by a medical doctor. Medical certification is required for employees to return to work after 32 hours absent. A department head may require medical certification at any time if deemed necessary.

Major medical leave should be taken at the rate of eight hours per day for faculty. Employees should record major medical leave taken in SOARHR.

When medical leave credits are inadequate to cover absences caused by the employee's illness, the time lost may be charged to personal leave. When the employee has exhausted all accrued leave time available, he or she must be placed on "leave-without-pay" status. When an employee returns to work after being placed on leave-without-pay status, a Personnel Action Form must be issued indicating the employee is again on "active" employment status.

Also major medical leave may be used for absences due to illness of the employee's immediate family after the first eight (8) hours is charged as personal leave. The immediate family is defined as spouse, parent, step- parent, sibling, child, step-child, grandchild, grandparent, son- or daughter-in-law, mother-or father-in-law, or brother- or sister-in-law. For each absence due to an illness lasting thirty-two (32) consecutive working hours (combined personal leave and major medical leave) major medical leave shall be authorized **only** when certified by a medical physician. Medical certification is required for an employee to return to work after 32 house absent. A department head may require medical certification at any time if deemed necessary.

An employee may use up to three (3) days of major medical leave in any calendar year because of a death in the immediate family as defined above. Absences beyond three (3) days for emergency reasons will be charged to personal leave.

6.3.1 Terminal Leave

No terminal leave pay will be considered for accrued major medical leave. However, in accordance with 25-3-97 of the Mississippi Code, an employee who presents medical evidence that his physical condition is such that he/she can no longer work in a capacity of state government may be paid for not more than 120 days of earned major medical leave upon termination.

Upon retirement from active employment, a faculty member shall be paid for no more than 240 hours of unused major medical leave. The term “retirement” is defined as follows:

- Public Employees Retirement System of MS (PERS) participant: approval to receive retirement benefits payable by PERS

- Optional Retirement Plan (ORP) participant: meeting eligibility requirements for retirement benefits defined by PERS

Employees participating in PERS will have unused major medical leave submitted to PERS and counted as creditable service for retirement. For those enrolled in ORP major medical leave has no value.

6.4 Family and Medical Leave Act S F

It is the policy of The University of Southern Mississippi to provide a leave of absence in accordance with the Family and Medical Leave Act (FMLA) of 1993. Before designating FMLA leave, administrators should consult the FMLA Procedures.

- 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.
- 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. Human Resources may seek additional information from the employee to determine whether FMLA applies. 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.

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.

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.

Medical benefits will be maintained during the 12 week leave. Employees on FMLA leave continue to be responsible for paying their share of premiums for benefit plans.

6.4.1 Eligibility

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

- The employee must have been employed by The University of Southern Mississippi 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. Temporary employment with Southern Miss counts toward fulfilling this requirement.
- Note: Separate periods of employment in which the break in service exceeds seven (7) years will not be used to determine FMLA eligibility.
- 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.
- The 1,250 work hours requirement also exists when an employee is reapplying for FMLA leave for a new calendar year. When the need for FMLA leave 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.
- The employee must not have already received 12 weeks of FMLA leave in the current calendar year.

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 FMLA leave.

6.4.2 Qualifying Reasons

The following reasons qualify an employee for FMLA:

- Birth of a child and to care for a newborn child of the employee
- Placement with the employee of a child through adoption or foster care of a child
- Care for any of the following who has a serious health condition: the employee's spouse, the employee's child under 18, or the employee's parent
- Care for the employee's child 18 or older who has a serious health condition and is incapable of self-care because of a mental or physical disability
- A serious health condition that renders the employee unable to perform the functions of his or her job
- A qualifying event which occurs while the employee's spouse, child, 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 events to manage the service member's affairs are described on the form Certification of Qualifying Event for Military Family Leave.

A serious health condition for purposes of the FMLA means:

- An illness or injury that involves an overnight stay in a health care facility and any subsequent treatment in connection with such stay.
- Continuing treatment by a health care provider including any one or more of the following:
    - 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
    - treatment by a health care provider in-person on at least one occasion which results in a regimen of continuing treatment
    - pregnancy and prenatal care
    - 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
    - permanent or long-term conditions
    - conditions requiring multiple treatments by a health care provider including recovery time

Time taken to care for a covered service member injured in the line of covered active duty may qualify for FMLA. The provisions governing these situations are covered in the Military Caregiver Leave section of this policy.

6.4.3 Leave Period

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.

- 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. Such leaves are subject to the qualifications and limitations set forth in the FMLA federal regulations.
- 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 human resources office. Such employees must make a reasonable effort to schedule the intermittent leave so it does not disrupt operations.

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.

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.

6.4.4 Call In and Time Off Procedures

Employees must follow departmental 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.

Beginning on the first day of the leave, staff must use all time off accruals as part of the 12-week FMLA leave.

- An employee's compensatory time (if available) must be used prior to the use of any other time off accruals; after all compensatory time is used, the employee must then follow the leave policy guidelines. Time off accruals that must be used during FMLA leave include holidays, sick time, vacation.
- 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.
- All time missed in a work day due to FMLA must be charged to time off accruals.

When the time off accruals are exhausted, the remainder of the FMLA leave is without pay.

- If any of the 12 week period is without pay the department is to process the appropriate documentation to place the employee on a leave of absence for the balance of the FMLA leave.

6.4.5 Proper Notice by Employer

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 FMLA delayed or denied.

6.4.6 Certification

Serious Health Conditions:

- In cases where an FMLA leave is to care for the serious health condition of the employee, spouse, child, 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.
- If the certification is incomplete or unclear, the employee is to be given 7 additional calendar days to provide more complete information.
- If the certification is still insufficient, the human resources office or a person designated by the human resources office may contact the employee's health care provider for clarification and/or authentication of the employee's medical certification.
- 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.
- 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.
- 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.

Qualifying exigency:

- The department should provide the employee with a copy of the form Certification of Qualifying Event 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.
- The human resources office is responsible for coordinating all requests for leaves taken under this provision for a qualifying exigency.

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

6.4.7 Approval of Leave

It is the responsibility of Human Resources 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.

An employee's rights to FMLA may be denied or delayed only for the following reasons:

- timely advance notice of foreseeable leave is not given
- timely submission of required and sufficient medical certification is not made by the employee
- the employee fails to provide required fitness to return to work certification
- the employee expresses an intention not to return to work
- the employee fraudulently requests or obtains FMLA
- the employee is employed elsewhere while on FMLA leave without the written approval of the department head

6.4.8 Military Caregiver Leave

- Military Caregiver Leave is FMLA leave to care for a covered service member who has suffered serious injury or illness in the line of covered service duty. The term covered active duty means duty during deployment to a foreign country.
- A covered service member means a current member of the Armed Forces, National Guard, or Reserves who is undergoing medical treatment, recuperation, therapy, is in outpatient status, or is otherwise on the temporary disabled list for a serious injury/illness or is a veteran undergoing treatment, recuperation, or therapy for a serious injury/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 in which the veteran undergoes that medical treatment, recuperation or therapy.
- For purposes of this section, the term 'serious injury or illness' means: i. 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.
    - 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 (c) (i) 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.

- An employee who has a qualified family relationship with a covered service member may take up to 26 weeks of leave during a single 12 month period. A qualified family relationship is a spouse, parent, child or next of kin. Contact the human resources office to determine if a qualified family relationship exists.
    - The leave entitlement described in this paragraph applies on a per-covered service member, 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 service member or to care for the same covered service member with a subsequent serious illness or injury.
    - An employee may have FMLA leave for up to 12 weeks for one of the qualifying reasons covered in the paragraph above in the same 12 month period in which FMLA leave is taken to care for a covered service member.
    - No more than 26 weeks total FMLA leave may be taken within any single 12 month period.
- The department should provide the employee with a copy of the form titled Certification for Serious Injury or Illness Covered Service Member for Military Leave to be completed by the employee and an authorized military health care provider of the covered service member. The employee may present certain military such as “Invitational Travel Orders” or “Invitational Authorizations” for purposes of certification that must be accepted by the department.
    - Recertification and second or third opinions are not permitted.
    - If the certification is incomplete or unclear, the employee is to be given 7 additional calendar days to provide more complete information.
    - The human resources office may contact the covered service member’s health care provider for clarification and/or authentication of the medical certification.
    - In all instances when the 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.
- The human resources office is responsible for coordinating all requests for leave taken to care for a covered service member.

6.5 Leave of Absence without Pay E

This policy applies to all employees of the University including non-benefit eligible such as adjunct faculty, graduate assistants and student workers.

In no instance are leaves of absence granted automatically. All leaves of absence require a written request from the employee, approval and support of the employee's supervisor, and the final approval of the AVP of Human Resources. Medical certification may also be required from a healthcare provider, if applicable.

• No leave of absence without pay in excess of one year's time will be granted to an employee.

• Leave of absence without pay may be granted to staff employees for the following reasons:

o Necessary absences due to illness or for emergency reasons when such absences extend beyond available personal and major medical leave accruals (or the employee is not eligible for personal and/or major medical leave).

o Approved professional development in the areas of education, research, and advanced training. This reason must be justified as being "in the best interest of the University" and, therefore, be job and profession related.

6.5.1 Reinstatement

Leaves of absence will be granted with the assurance of reinstatement to the same or comparable position within the University unless circumstances make it clearly impractical. Personal and major medical leave time will **not** accrue during leaves of absence without pay; however, earned leave credit may be carried forward.

A Personnel Action Form will be required on all employees beginning and returning from leave of absence without pay status. This form will re-activate the employee and place him or her back on "active" pay status.

6.5.2 Employee Benefits

When on leave of absence without pay, an employee may continue to participate in certain employee benefit programs, such as the group health insurance plan. The total cost of participation in a benefit program while the employee is on leave without pay must be paid by the employee. The employee is responsible for making arrangements with University Human Resources so that benefits can continue during his or her absence. Failure to do so within 30 days will result in termination of the insurance and an inability to reestablish coverage until the next enrollment period.

6.6 Military Leave

Employees of the University who are called to active military duty on short notice as the result of national emergencies may be granted military leave of absence without pay beginning on the date of the call to military service.

Each calendar year a leave of absence with pay, not to exceed fifteen (15) working days annually, may be granted to regular employees, who, as members of the National Guard of Mississippi or members of any of the reserve components of the Armed Forces, are ordered to active duty.

When a University employee, who is a member of the National Guard or Reserve, is ordered to active duty for a period in excess of fifteen days the employee is entitled to a leave-of-absence, continuation of insurance benefits, and use of accrued personal leave. The employee is required to provide a copy of their military papers when the active military leave is extended in order to

be eligible for this payment. The employee may not use accrued major medical leave during this absence.

Under federal law, an employee is entitled to re-employment upon discharge from the service including, but not limited to, reinstatement to the former position or similar position, reinstatement of benefits, and protection from arbitrary discharge.

Approval for any military leave must be secured in advance from University Human Resources. A copy of the military orders shall be filed with University Human Resources.

6.7 Compulsory Leave E

If, in the opinion of the University, an employee is incapacitated for work due to illness or injury or poses a direct threat to themselves or others, such an employee may be required to submit to a physical examination by a physician named by the University. If the medical examination indicates the employee is unable to fulfill job duties effectively, the University may require the employee to take such leave without pay as is sufficient, by medical determination, to restore him or her to normal health. This leave without pay will begin after accumulated personal and major medical leave have been exhausted.

6.8 University Declared Leave S F

In the event that the University must close due to inclement weather or a declared holiday by the University President, employees will be given time off with pay for those hours. Individuals who are on personal or major medical leave during these closings will not be charged for the official absence.

Employees who are considered “essential personnel” in areas that are required to work, such as: physical plant, student housing, etc., will be provided pay at a one and a half rate or provided compensatory time at the same rate of time and a half in lieu of holiday pay. Paid time or compensatory time is at the discretion of the supervisor.

This policy does not apply to Public Safety employees who are at all times considered essential personnel and are paid in accordance with regular pay and overtime pay policies.

6.9 Leave Balances and Accruals S F

Employees are required to complete time records reflecting Personal and Major Medical leave used during the month. These leave and attendance records are recorded in SOARHR.

Leave balances are reflected on an employee's paycheck. The employee has 30-days from the date of most current paycheck to report any errors in account balances. University Human Resources will not correct errors after the 30-day reporting period.

Employees who falsify leave records or misrepresent absences due to leave are subject to disciplinary action up to and including termination. Failure to complete attendance records in a

timely fashion may result in adjustments to leave accruals. Failure of managers to approve attendance records in a timely fashion may be reflected in performance evaluations and result in disciplinary action.

6.10 Jury Duty E

Jury duty is recognized as a civic responsibility. A regular employee who is called for jury duty or summoned to appear as a witness on behalf of any town, city, county, state, or federal government is allowed to be absent with pay. The payment granted to an employee for serving on a jury may be retained by the employee. When an employee has been granted leave for court attendance, he or she shall report immediately to his or her official place of duty during normal work hours whenever he or she is excused by the court.

Special leave with pay shall not be granted for court attendance when the employee is the defendant or is engaged in personal litigation. Personal leave shall be used for this purpose.

6.11 Voting E

Most employees live or work close enough to the polls to vote before or after working hours. Should this not be possible, one may be granted time off to vote in county, state, or federal elections with the prior approval of his or her immediate supervisor.

6.12 Leave for Grant Employees

In accordance with 2CFR200, all full-time benefit eligible faculty and staff are afforded all fringe benefits of the University. Benefits must be consistently applied to individuals regardless of the funding source. Payment of 240 hours of unused personal leave is the responsibility of the Supervisor/Director/Dean if the external funding source does not have the available funds, or if this is considered an unallowable expense.

6.13 Donated Leave

As enacted by the 2003 Mississippi State Legislature, employees may donate a portion of their earned Personal and/or Major Medical Leave to another employee who is suffering from a catastrophic injury or illness, or to an employee who is caring for a member of his or her immediate family who is suffering from a catastrophic injury or illness. An immediate family member is defined as a spouse, parent, stepparent, sibling, child or stepchild.

A catastrophic injury or illness is defined as a life-threatening injury or illness of an employee or a member of an employee's immediate family which totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from a state agency for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza, the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which result in absences from work that are long-term in nature and require long recuperation periods may be considered catastrophic.

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Recipient Information:
To qualify as a recipient of donated leave, the employee must:

- Be employed with the University of Southern Mississippi for at least one year, and
- Have worked at least 1,250 hours in the year preceding the request, and
- Be absent from work because they are suffering from a catastrophic injury or illness or caring for a member of the employee's immediately family who is suffering from a catastrophic injury of illness, and
- Have exhausted all of their own earned Personal and Major Medical Leave

Prior to receiving donated leave, the employee must provide the Department of Human Resources with medical documentation that is certified by an attending physician that states the beginning date of the catastrophic injury or illness, a description of the injury or illness, a prognosis for recovery, and the anticipated date that the recipient employee will be able to return to work.

The maximum amount of donated leave an employee may receive without returning to work is 720 hours. Agencies with more than 500 employees may only receive donated leave from employees within the same agency. The amount of leave donated cannot be more than is needed (cannot be banked by the recipient).

Donor Information:
The employee donating leave ("donor employee") shall:

- Designate the employee who is to receive the leave ("recipient employee")
- Indicate the amount of earned Personal and/or Major Medical Leave that is to be donated.

Leave donated must be in 24-hour increments. The 24-hours may be a combination of personal and major medical leave

The maximum amount of earned Personal Leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of Personal Leave, and the maximum amount of earned Major Medical Leave that an employee may donate to any other employee may not exceed 50 percent (50%) of the earned Major Medical Leave of the donor employee.

No employee shall donate leave after tendering notice of separation, for any reason, or after separation of employment.

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Chapter 7: Workplace Expectations and Disciplinary Guidelines

7.1 Progressive Discipline S

7.1.1 Purpose

The purpose of the progressive discipline policy is to correct or eliminate improper employee behavior or deficient performance. In instances where the employee exhibits no interest in improving his or her behavior or the severity of the offense is significant, the employee may be terminated at will; regardless of the existence of a progressive discipline policy there is no intent to negate the employment at will policy.

- If corrective action measures are imposed, it is essential that:
- Issues being addressed are properly examined to determine the facts of the situation, any action taken must be primarily corrective rather than punitive and must be appropriate for the offense, and
- The dignity of the employee is respected.

7.1.2 Policy

The University expects employees to observe common sense rules of honesty, good conduct, general job interest and safe practices, and to adhere to The Code of Ethical Standards https://www.usm.edu/institutional-policies/policy-pres-gc-003 of Southern Miss.

Rule violations can be classified as minor or major. Violations of major rules can also be considered "gross misconduct," meaning that the action is considered to be outrageous or egregious and may likely result in immediate termination of employment due to the seriousness of the offense. Violations of minor rules are treated less severely, typically resulting in a step in the progressive discipline process. Appendix A of this policy lists examples of minor and major rule violations.

University Police Department is exempt from this policy and may abide by their own department policy based on the Law Enforcement Code of Ethics per their professional standards and accreditation.

7.1.3 Procedure

It is our policy to apply corrective measures, which are appropriate for each situation, gearing them to correct rather than penalize employees, and to ensure that all employment practices apply fairly to all employees.

Minor rule violations and performance issues are best addressed in a positive, progressive and corrective manner. This is accomplished by utilizing both informal (coaching, counseling and training) and formal (progressive discipline) measures to modify improper behavior.

University Human Resources is available for advice and guidance for both managers and employees throughout the progressive discipline progress.

7.1.3.1 Informal Corrective Action

The supervisor will coach and/or remind the employee regarding minor work rules, violations, performance or behavioral issues. The informal counseling is typically documented and kept in the manager's confidential employee files. The Record of Employee Conference form may be used to document informal counselings, but other records, such as e-mails or training records, are also appropriate. For performance issues, a Development Plan may be used. This is not a formal step in the progressive discipline process and informal counselings are not part of the employee's Human Resources file (unless accompanying additional formal progressive discipline).

7.1.3.2 Formal Progressive Discipline

Formal progressive discipline is maintained in the employee's Human Resources file and is considered "active" for one year after it is issued (this includes Performance Improvement Plans). Our system is progressive, which means any formal discipline that must be issued while another action is still active would progress to the next step, whether the issues are the same or different. In other words, if a person has received a written reminder for attendance, the next progressive discipline step would be a final written reminder whether the violation is attendance or something different. Also, depending on the severity of the offense or repeated nature of previously addressed issues, steps may be skipped up to and including immediate termination.

Active progressive discipline may negatively impact an employee's performance evaluation, ability to transfer/promote to another department or job, or to receive pay adjustments or raises. The formal steps a supervisor will take to address employee issues differ depending on the nature of the issues: performance-related or behavioral.

7.1.3.3 Behavior

Behavioral issues are most frequently associated with policy violations.

Step 1: Written Warning
The employee meets with the immediate supervisor (and/or member of management) to review the standards that are not being met and to discuss expectations for continued employment. This meeting is documented on a Corrective Action Form, signed by both parties, and submitted to the employee's Human Resources file.

Step 2: Final Written Warning (with possible suspension)
The employee meets with the immediate supervisor (and/or member of management) to review the standards that are not being met. In some situations, at management discretion in conjunction with Human Resources, the employee may be suspended for one to five days without pay to reflect on the changes necessary for successful employment. This meeting is

documented on a Corrective Action Form, signed by both parties, and submitted to the employee's Human Resources file.

Step 3: Termination
The employment relationship is ended. A Termination Record is completed and submitted to the employee's Human Resources file. All terminations must be reviewed by University Human Resources in advance.

7.1.3.4 Performance

A Performance Improvement Plan (PIP) is used instead of a Corrective Action Form when the issue being addressed is performance-related (examples: excessive mistakes or inability to meet deadlines). A PIP is similar to a written warning in that it is a formal step of the progressive discipline process alerting the employee that he/she is not meeting expectations, and the PIP is kept in the employee's Human Resources file remaining active for one year. Where a PIP differs from a written warning is that it includes the extra component of an action plan intending to help improve the performance issue. Once the PIP is finalized, it is signed by both parties and submitted to Human Resources for placement in the employee's Human Resources file. Progress on the PIP is documented on a Coaching Log that is also submitted to the employee's Human Resources file at the conclusion of the PIP.

Step 1: Performance Improvement Plan (PIP) Creation
The manager and employee should create the PIP jointly identifying specific actions and expectations that are to occur during a specified time period. This action plan is documented on a Performance Improvement Plan, signed by both parties, and submitted to the employee's Human Resources file.

Step 2: Performance Improvement Plan (PIP) Review/Revision
If the employee is not successfully completing the PIP, the manager and employee should review and revise the PIP, as appropriate. Expectations are reaffirmed and new goals and dates, if appropriate, are agreed upon. The Coaching Log with the renewed/revised PIP are signed by both parties and submitted to the employee's Human Resources file.

Alternatively, a final written warning may be issued instead of a revised PIP if the employee is not appropriately engaging in the PIP process or if the employee is also exhibiting behavior issues in addition to the performance issues addressed on the PIP.

Step 3: Management Action
Depending on the circumstances, management has discretion, in conjunction with Human Resources, to take one of three actions if the desired performance level is not achieved and/or maintained:

1) Reassign the employee to a position with a better skill match (if available and feasible),

2) Demote the employee (if available and feasible), or
3) Terminate employment

Even after successful completion of a PIP, the employee is expected to maintain the expected level of performance outlined in the PIP. Faltering after the successful completion of the PIP could result in further progressive discipline, including written warnings or immediate termination. The final coaching log and either the termination record or job change documentation should be submitted for placement in the employee's Human Resources file. All terminations should be reviewed by University Human Resources in advance.

7.1.3.5 Suspension

Disciplinary suspension: Management has the discretion, in conjunction with Human Resources, to suspend employees from one to five days depending on the severity of the employee's actions as part of the final written warning. The purpose of the suspension is for the employee to reflect on the issues and make a conscious decision as to whether or not he/she wishes to put forth the effort to make the necessary improvements for successful employment. The time off is unpaid. All disciplinary suspensions must be approved by Human Resources in advance and should only be used in conjunction with a final written reminder.

Investigatory suspension (administrative leave): In the case of an alleged violation of a major rule, the employee may be put out on investigatory suspension until a complete and thorough investigation is conducted and documented. This enables management to gather all relevant facts and to determine appropriate action to address misconduct. It further allows management to get help from Human Resources to ensure that the decision is fair and consistent with policy. Managers do not need permission to put someone on investigatory suspension, but the suspension should immediately be reported to Human Resources and the length of suspension should be as short as possible while allowing a thorough and complete investigation.
The time missed during an investigatory suspension should be paid administrative leave. If the investigation concludes a disciplinary suspension is warranted, days missed due to an investigatory suspension should be converted to unpaid disciplinary suspension, instead of in addition to, not to exceed 5 unpaid days.

7.1.3.6 Grievance Procedure

Employees who wish to contest progressive discipline may utilize the Grievance Procedure outlined in the Employee Handbook.

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7.1.4 Example Rule Violations E

The below lists are for example purposes only and do not constitute an exhaustive list of rules. Also, depending on the severity of the violation, the minor/major classification can vary.

Minor Rule Examples

Absenteeism and tardiness; failure to report unplanned absences or tardiness according to departmental guidelines

- Violation of minor safety, security, traffic, or parking regulations
- Failure to behave in a professional, courteous manner with others
- Unsatisfactory job performance
- Leaving work area or taking breaks without authorization
- Failure to accurately or timely complete time records
- Misuse of company property (excessive personal phone calls, inappropriate internet usage)
- Inefficiency or lack of application on the job (loafing, excessive socialization or cell phone usage)
- Dishonesty

Major Rule Examples

- Possession of weapons or other unauthorized dangerous materials on campus
- Theft, removal, destruction, unauthorized possession or use of University, employee or student property or information.
- Unauthorized possession, use or revealing of confidential information
- Possession or use of intoxicants, illegal drugs or controlled substances on University property or reporting to work under the influence (including refusal to submit to a drug or alcohol screen per University policy)
- Falsification of records and/or fraud
- Behavior that creates a hostile work environment such as threats or acts of violence, sexual harassment, racial harassment or verbal abuse of a student, visitor, or employee
- Insubordination or willful disobedience
- Violation of professional standards of practice as dictated by relevant regulatory bodies and University standards
- Convictions of felony or misdemeanor involving moral turpitude

7.2 Grievance Procedure E

It is the policy of The University of Southern Mississippi to provide a timely and fair method by which to settle disputes that may arise between employees and the University. Every effort should be made to settle the grievance or concern by mutual consent at the lowest administrative level possible. Employees may file a grievance without penalty or fear of reprisal.

7.2.1 Definition

E **All Employees** S **Staff** F **Faculty** N **Non-benefit eligible**

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The grievance procedure applies to management decisions that an employee believes to be contrary to policy or a barrier to his or her effective conduct of employment. Examples of grievable issues include:

- Performance evaluations
- Personnel actions involving adjustments in compensation or a job change
- Violation, misinterpretation or misapplication of a rule, policy or procedure in relation to personnel policies, procedures, or practices involving work assignments, working hours, overtime, general working conditions, personal leave, employment benefits, etc.
- Progressive discipline (staff only)
- Termination (staff only)

A grievance procedure is not intended for general complaints, such as issues with a coworker, which should instead be resolved through the chain of command and/or Human Resources. A grievance procedure is also not intended to second-guess management decisions but to ensure that managers are appropriately following policies and procedures.

Any appeal/grievance process that is included as part of a specific policy will supersede this policy.

7.2.2 General Procedures

Prior to or instead of filing a grievance, the employee may seek to resolve the issue through the assistance of:

- Human Resources
- The employee's immediate supervisor
- The next level of management in his/her respective unit

At the outset of this process, the Grievant may seek assistance from Human Resources for procedural guidance and determination if the grievance process is applicable to the situation. Human Resources is also available to assist the reviewers at each stage of the process with procedural guidance.

The employee has ten (10) working days from the initial incident to initiate the grievance procedure. At each level, the Grievant assumes responsibility for advancing the complaint to the next higher level within five (5) working days of receiving the written response. Similarly, the authority to whom the grievance is addressed assumes the responsibility for answering the grievance in writing within the appropriate timeframes indicated. The parties of the grievance, by mutual agreement, may extend any or all of the time periods established in this policy. Failure to process a grievance within the time limits, or agreed upon extensions, shall constitute termination of the grievance.

Documents related to the grievance process are not placed in the employee's personnel file.

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7.2.3 Specific Procedures

Step 1

If the issue is unable to be resolved directly with the Grievant's supervisor in an informal manner, the Grievant may submit a formal written statement of the grievance to the Department Director/Dean in their respective unit within ten (10) working days of when the action occurred. The written statement must include the nature of the grievance (what action is being disputed, such as the issuance of a written warning) and the desired outcome expected (such as to have the written warning overturned). A copy of the written grievance should also be provided to Human Resources at the time it is submitted to management.

The Director/Dean has five (5) working days to respond to the grievance in writing. The extent of any investigation, interviews and evidence gathering is at the discretion of the manager. A copy of the Director's/Dean's written response should be provided to Human Resources at the time it is issued to the Grievant.

In situations where the Grievant's immediate supervisor or the next level of management is the Vice President (VP) of his/her respective area (here forward VP to include all direct reports of the President), step 1 should be skipped and the process should begin on step 2.

Step 2

If the response from step 1 is unsatisfactory to resolve the issue, the Grievant may, within five (5) working days of receipt of the response from step 1, submit to the appropriate VP of his/her area a written request to review all materials related to the complaint (to include the step 1 grievance letter and the Director's/Dean's written response). A copy of the written grievance should also be provided to Human Resources at the time it is submitted to the VP.

The VP has ten (10) working days to respond to the grievance in writing. The extent of any investigation, interviews and evidence gathering is at the discretion of the VP. A copy of the VP's written response should be provided to Human Resources at the time it is issued to the Grievant.

In situations where the Grievant's immediate supervisor is the VP of his/her respective unit, another VP will be chosen by Human Resources to review the grievance and issue a response.

For all grievances other than termination of employment, the grievance process ends at Step 2 and the VP's decision is final. In situations of termination of employment, the process may continue to step 3.

Step 3

If the response from step 2 is unsatisfactory to the Grievant in termination situations for staff only (faculty to refer to the Faculty handbook), the Grievant may, within five (5) working days of receipt of the answer, submit to the AVP for Human Resources a written request for a President's review. A Grievance Panel will be convened to hear the grievance and issue a recommendation to the President.

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Step 4
Upon evaluation of the Grievance Panel recommendation, the President will render a final decision to the Grievant within ten (10) working days of receipt of the Panel's recommendation. Copies of the final written decision of the President will be submitted to the Grievant, the Grievant's supervisor, VP of the area in which the Grievant is employed, and the Associate Vice President (AVP) for Human Resources. The decision of the President is final.

7.2.4 Grievance Panel

Upon receipt of request of step 3 of the grievance process and determination that the grievance is appropriate for a Panel review, the AVP of Human Resources shall appoint a facilitator of the Grievance Panel. The AVP of Human Resources shall serve as an adviser to the Facilitator for procedural matters.

The Facilitator will convene a Grievance Panel comprised of three (3) employees of the University. If the Grievant is a staff member, all panel members should be comprised of staff members; if the Grievant is a member of management, all panel members should be members of management. Panel members should be impartial and not have any conflicts of interest with the parties to the grievance, thus should not be selected from the Grievant's department nor have a close working relationship with any of the parties. The Grievant may contest the participation of one Panel member, if he/she so chooses, which the Facilitator will appoint a replacement.

The Facilitator shall set the time, date and location of the Grievance Panel, which shall be within ten (10) working days of the written request. As part of the Grievance Panel, the Grievant's department will select a representative to attend on behalf of department leadership to defend the termination decision. The representative is typically the person who made the termination decision but is not required to be.

A Grievant may bring one third-party to the Panel; however, that person may not participate, such as presenting evidence or questioning witnesses. The third-party may serve as an advisor to the Grievant only. The Panel is closed to the public.

Briefing the Panel Members

- The Facilitator shall brief Panel members on their duties and responsibilities in advance of the Panel being held, and answer questions from the Panel members regarding rules, policies, and/or procedures to be followed.
- The Facilitator will not present information or any evidence about the termination to the Panel members in advance, only share the name of the Grievant and the Department Representative so that any conflicts of interests can be resolved prior to the Panel.
- If a conflict of interest is found to exist with a Panel member or a Panel member's participation is contested by the Grievant, the Panel member will be dismissed and a new Panel member will be appointed by the Facilitator.

Briefing the Grievant and the Department Representative

- The Facilitator shall brief the Grievant in advance of the Panel to explain the process and his/her responsibilities, including that the Grievant is responsible, not the Facilitator, for arranging witnesses and providing supporting evidence to the Panel.
- The Grievant shall provide the Facilitator a list of witnesses to be called and any evidence he/she wishes to present to the Panel in advance for the Facilitator's review and approval.
- The Facilitator will share the list of appointed Panel members with the Grievant, who may contest the participation of one, which the Facilitator will appoint a replacement.
- The Facilitator will also brief the Department Representative in advance to explain the process and his/her responsibilities, including his/her responsibility for arranging witnesses and providing supporting evidence. The Department Representative is also responsible for explaining relevant policies and procedures to the Panel, not the Facilitator.
- The Department Representative must also provide the Facilitator a list of witnesses to be called and any evidence he/she wishes to present to the Panel in advance for the Facilitator's review and approval.
- The Facilitator will further explain that no evidence, statements, or witnesses may be presented at the Panel which have not been either previously submitted in Steps 1 and 2 or specifically requested by the Facilitator.
- Either party may call a Human Resources representative as a witness as determined appropriate.
- Prior to the Panel being held, the Facilitator will provide each party a copy of the approved evidence and witness names.

Presentations to the Grievance Panel

1. ***Introductory Remarks by the Panel Facilitator*** – explaining the purpose of the Panel and the procedures to be followed during the Panel.

2. ***Opening statement of Grievant*** – A brief opening statement will be allowed by each party, beginning with the grievant.

3. ***Opening statement of the Department Representative*** – A brief opening statement by the Department representative.

4. ***Presentation by Grievant*** – The Grievant may call witnesses to provide information on his/her behalf provided they have been approved by the Panel Facilitator in advance.

    a. Witnesses called by the Grievant will be questioned first by the Grievant.

    b. Witnesses may then be questioned by the Department Representative.

    c. Witnesses may then be questioned by the Panel Members.

    d. Additional questioning of witnesses thereafter by the Grievant, Department Representative, or the Panel members will be at the discretion of the Panel Facilitator.

5. ***Presentation by the Department Representative*** – the Department Representative may call witnesses to provide information on the Department's behalf provided they have been approved by the Panel Facilitator in advance.

    a. Witnesses called by the Department will be questioned first by the Department Representative.

    b. Witnesses may then be questioned by the Grievant..

    c. Witnesses may then be questioned by the Panel Members.

    d. Additional questioning of witnesses thereafter by the Grievant, Department Representative, or the Panel members will be at the discretion of the Panel Facilitator.

6. ***Grievant is Questioned*** – The Grievant may be asked questions by the Panel members and the Department Representative, at the direction of the Facilitator.

7. ***Department Representative is Questioned*** – The Department Representative may be asked questions by the Panel members and the Grievant, at the direction of the Facilitator.

8. ***Presentation of Documents*** – The Grievant and the Department Representative may present documents which each considers pertinent for consideration provided they have been approved by the Panel Facilitator in advance. Presentation of documents is at the direction of the Facilitator.

9. ***Closing Statement of Grievant*** – At the conclusion of the questioning of witnesses and after the presentation of documents, the Grievant may make a closing statement.

10. ***Closing Statement of Department Representative*** – the Department Representative may make a closing statement after the statement of the Grievant.

11. ***Panel Called to a Close***- The panel will be closed at the Facilitator's discretion. Panel Facilitator will give any final direction and information prior to dismissing parties.

Recommendation of the Grievance Panel

Following the Grievance Panel, the Panel members will convene privately to discuss the information presented and draft a recommendation to the President. If the Panel members are not unanimous in their recommendation, the majority opinion should be presented to the President. The Panel members have five (5) working days from the Panel to issue its recommendation in writing to the President.

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7.3 Sexual Misconduct E

The University of Southern Mississippi prohibits sexual misconduct in any form, including sexual assault or sexual abuse, sexual harassment, and other forms of nonconsensual sexual conduct. The University's Sexual Misconduct Policy sets forth the resources available to students and employees and describes prohibited conduct. Sexual misconduct is inconsistent with the standards and ideals of our community and will not be tolerated. The University is committed to fostering an academic, work and living environment that is free from all forms of discrimination and sexual misconduct including sexual harassment and sexual assault. Additionally, federal law prohibits all forms of sexual harassment under Title IV, Title VII and Title IX. This policy assists the University in complying with federal and state legal mandates and University policies in relation to such misconduct and applies to all members of the University community. The full Sexual Misconduct Policy (Policy No. PRES-AA-001) can be accessed on the University's Institutional Policies webpage at www.usm.edu/institutional-policies.

In conjunction with the Sexual Misconduct Policy, the University has adopted Procedures for the Resolution of Allegations of Sexual Misconduct, Sexual Assault, and Sexual Harassment which sets forth the University's obligations and methods for responding to sexual misconduct incidents that include sexual assault, sexual harassment, and other unwelcome behaviors as set forth in the Sexual Misconduct Policy. This procedure implements the University's commitment to comply with federal and state mandates and University policies in relation to such misconduct and apply to all members of the University community. The full Procedures for the Resolution of Allegations of Sexual Misconduct, Sexual Assault, and Sexual Harassment (PolicyNo.PRES-AA-002) can be accessed on the University's Institutional Policies webpage at www.usm.edu/institutional-policies.

7.4 Equal Employment Opportunity E

The University of Southern Mississippi is an EEO/AA/Title VI/Title IX/ Section 504/ADA/ADEA institution in the provision of its education and employment programs and services. All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. This policy assists the University in complying with federal and state legal mandates and University policies in relation to discrimination and applies to all members of the University community. The full Notice of Non-Discrimination policy (Policy No. PRES-AA-005), as well as the Procedure for the Resolution of Discrimination Complaints, can be accessed on the University's Institutional policies webpage at www.usm.edu/institutional-policies.

For more information about equal employment opportunity, discrimination and reasonable accommodations, visit the AA/EEO website https://www.usm.edu/aa-eeo.

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7.5 Disabilities and Reasonable Accommodations E

The University of Southern Mississippi is committed to maintaining an inclusive and accessible environment across all of its campuses/locations. Ensuring that all university community members have access to facilities, employment, employment opportunities, programs, benefits, university-sponsored activities, information, and information technology is critical to our educational mission and is among our highest priorities. The Americans with Disabilities Act (ADA), and USM policy prohibit discrimination in employment and educational programs against qualified individuals with disabilities. University websites must also be accessible so that students, prospective students, employees, applicants for employment, individuals seeking employment, guests and visitors with disabilities have equal access to the information and functionality provided to individuals without disabilities.

The University must comply with all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices including advertising, recruitment, background checks, hiring, probationary period, training and professional development opportunities, classification, compensation, benefits, leave usage, work assignment, supervision, discipline, promotion, transfer, layoff, recall, retirement, and termination. The University must also provide reasonable accommodations to qualified applicants and employees with disabilities unless to do so would pose an undue hardship.

An individual is regarded as having a disability if that individual, has, has a record of, or have been regarded as having a substantial impairment that significantly limits one or more major life functions. This is known as a qualifying disability.

A qualified individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation. This means the applicant or employee must:

- satisfy job requirements for education background, employment experience, skills, licenses, and any other qualification standards that are job related; and
- be able to perform those tasks that are essential to the job, with our without reasonable accommodation.

It is the responsibility of the individual applicants for employment, students and employees to identify themselves as an individual with a disability when seeking a reasonable accommodation. It is also the responsibility of individual applicants for employment, students and employees to provide documentation for their qualifying disability (from an appropriately licensed professional) and to demonstrate how the disability limits their ability to complete the essential functions of their job or participation in programs or activities of the university.

Employees are not required to disclose a disability until and if he or she feels the need for an accommodation. However, requests for accommodations cannot be applied retroactively and the University is not required to rescind disciplinary actions administered prior to a request for an accommodation.

It is a violation of the Americans with Disabilities Act (ADA) and University policy to deny or fail to provide a reasonable accommodation for a documented qualified disability unless to do so do would pose an undue hardship. It is also unlawful to discriminate against an applicant or employee, whether disabled or not, because of the individual's family, business, social or other relationship or association with an individual with a disability. Individuals who believe they may have been discriminated against based on their disability or denied a reasonable accommodation for a qualified disability should contact the Office of Affirmative Action & Equal Employment Opportunity.

Who is covered under this policy?
This policy applies to employees, applicants for employment, and candidates for employment with physical or mental conditions that substantially limit one or more major life functions.

7.5.1 Definitions

Applicant for employment
A person who has expressed interest in employment at the University, who satisfies the minimum requirements of a particular job and who has not indicated he/she is no longer interested in the position.

Essential Functions
The duties of a job or position that are so critical the job cannot be performed without them. Factors to consider in determining if a function is essential includes:

- Whether the reason the position exists is to perform that function;

- The number of other employees available to perform the function or among whom the performance of the function can be distributed; and

- The degree of expertise or skill required to perform the function.

Interactive process
Collaborative effort between the employee requesting an accommodation and the University representative to discuss the need for an accommodation as well as identify objective accommodation solutions. Both sides must communicate and exchange information.

Major Life Activities
May include, but are not limited to, bending, breathing, caring for self, concentrating, eating, hearing, interacting with others, learning, lifting, performing manual tasks, reaching, reading, seeing, sitting, sleeping, speaking, standing, thinking and walking and working.
Major life activities also include the operation of a major bodily function, included but not limited to, the bladder, bowel, brain, cardiovascular, circulatory, digestive, endocrine, genitourinary, hemic, immune, lymphatic, musculoskeletal, neurological, reproductive, and

respiratory systems; normal cell growth, operation of an organ, and special sense organs and skin.

Medical Documentation
The information provided from the employee's treating physician or healthcare provider which will allow the University to determine whether an individual has a qualifying disability and the most appropriate reasonable accommodation.

Qualified Individual with a Disability
An individual with a disability who must also be qualified the essential functions of the job with or without reasonable accommodations. The applicant for employment or employee must:

- satisfy job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job related; and
- be able to perform the essential functions for the job with our without reasonable accommodation.

Reasonable Accommodation
Any change or adjustment to a job or work environment that does not promote an undue hardship on the University and that permits an applicant for employment or employee with a qualifying disability to participate in the job application process, to perform the essential functions of the job, or to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodation may include:

- acquiring assistive technology or modifying equipment or devices
- job restructuring;
- part-time or modified work schedules;
- reassignment to a vacant position;
- adjusting or modifying examinations, training materials and policies;
- moving to a different office/work space;
- providing a sign language interpreter;
- providing materials in alternative formats like large print or braille; and
- making the workplace readily available to and usable by people with disabilities

Undue Hardship
An accommodation that would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the University, program or department. Undue hardship is determined on a case-by-case basis considering all factors including the nature and cost of the accommodation, the impact on the operations of the University, program or department. The University is not required to provide an accommodation that would impose an undue hardship.

7.5.2 Procedure for Reasonable Accommodation

Most accommodation requests are initiated by the applicant for employment, candidate or employee. However, all individuals with a qualifying disability may not want, nor are they

required to request a reasonable accommodation. An individual may have a disability that does not limit the employee's ability to perform the essential functions of the job or require a workplace modification. Each reasonable accommodation request will be handled on an individual basis.

In rare instances when a disability and associated need for an accommodation is obvious, such as a mobility-impaired employee unable to physically access a facility or inability or a visually-impaired applicant unable to access an applicant tracking system, the hiring manager or manager may initiate the reasonable accommodation process and begin the interactive discussion with the person with a disability. The University may also be able to address an employee's disability-related needs outside the reasonable accommodation process.

7.5.3 Steps for Requesting a Reasonable Accommodation

1. The applicant for employment or employee requests a reasonable accommodation by submitting the USM Reasonable Accommodation Request Form and corresponding documentation to the Office of Affirmative Action & Equal Employment Opportunity. The employee may also notify his or her supervisor or manager of the need for a reasonable accommodation. The Office of Affirmative Action & Equal Employment Opportunity should be contacted immediately for assistance. Forms can be found at the departmental website: http://www.usm.edu/aa-eeo.

2. If medical documentation is not provided with the request, or is not sufficient to determine a qualifying disability, the Office of Affirmative Action & Equal Employment Opportunity will provide the employee with the USM Medical Inquiry Form to be completed by the treating physician. If additional medical information is requested, the time frame for completing the accommodation stops when the medical information is requested, and resumes on the day the documentation is received. The employee has ten (10) working days to return the form.

3. The Interactive Process is initiated among the Office of Affirmative Action & Equal Employment Opportunity, the employee and his or her direct supervisor or manager. This will include discussing options, pricing and implementation of the accommodation.

4. Once it is determined a reasonable accommodation is necessary, and an appropriate accommodation is selected, the accommodation request is approved. The employee is notified of the approval through the USM Reasonable Accommodation Approval Form. The employee's supervisor is notified through the USM Reasonable Accommodation Notice to Supervisor Form.

5. Once approved, the accommodation will be provided within thirty (30) days of receipt of the request, or as short a period as reasonably possible depending on the accommodation. The Office of Affirmative Action & Equal Employment Opportunity will work with the supervisor or manager to implement the accommodation including modifying policies or procedures, acquiring services and ordering equipment.

6. If more than one accommodation is acceptable, the supervisor or manager may choose an accommodation among the available options. Supervisors and managers are encouraged to communicate openly with the employee about available option. If the employee refuses the option offered by the supervisor, manager or the Office of Affirmative Action & Equal Employment Opportunity will record the employee's rejection of the accommodation. The employee must submit a new request in order to receive an accommodation.

7. If it is determined a reasonable accommodation is not necessary, or cannot be granted, the employee will receive the USM Reasonable Accommodation Denial Form. The form will explain both the reasons for the denial and the process for appealing the decision.

Employees dissatisfied with the resolution of a reasonable accommodation request can submit an appeal using the USM Reasonable Accommodation Appeal form to the Office of Affirmative Action & Equal Employment Opportunity within ten (10) days or receiving the denial form.

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Chapter 8: Other University Information E

8.1 University Committees

The Committee on Committee (COC) is charged by the University President with maintaining a current and complete list of University standing committees and members to ensure that they are fairly governed and fulfilling their charges and to assist with recruiting. For a complete list of comprehensive rules for standing committees, University standing committees, and University representative groups, please visit the website https://www.usm.edu/university-committees/committee-committees

8.2 Retiree Privileges

Employees of The University of Southern Mississippi are provided a number of special privileges upon official retirement from the University. These special privileges are over and beyond benefits provided by the Public Employees' Retirement System and other outside organizations such as AARP.

Permanent Retiree Photo Identification Card:

- **Description** - Each USM retiree is entitled to receive a permanent retiree photo identification card.
- **How to obtain this benefit** - The permanent retiree photo ID card may be obtained by completing the application form in the Office of Human Resources; McLemore Hall Room 301.
- **Cost to retiree** – None
- **Additional information** - None

Permanent Retiree Parking Decal:

- **Description** - Each USM retiree is entitled to receive one permanent parking permit number, which permits parking in all zones except for reserved areas, no parking areas, service areas, fire lanes, fire hydrants, handicap parking, handicap curb cuts, sidewalks/grounds and visitor parking on campus.
- **How to obtain this benefit** - These decals are available in the Department of Parking Management; McLemore Hall 1st Floor. Retiree must show university photo ID card to obtain decal. Register online at www.usm.edu/parking
- **Cost to retiree** – $75 onetime fee
- **Additional information** - Contact the Department of Parking Management at 601.266.4943 or 601.266.5447; or visit the web site.

Credit Courses:

- **Description**- Each USM retiree may take up to six hours each semester as long as the retiree satisfies admission or readmission requirements.
- **How to obtain this benefit** - A retiree must be admitted by the Admissions Office or readmitted by the Registrar's Office (both of these offices are located in

Kennard-Washington) and then obtain the necessary permit from the Department of Human Resources located in McLemore Hall Room 301.

- **Cost to retiree** - Tuition is waived. However, the retiree must supply textbook(s) and all other necessary supplies and fees for each course.
- **Additional information** - The retiree must maintain a minimum of a 2.0 grade point average to continue this benefit.

Use of Libraries:

- **Description** – All retirees of the university may use the libraries on the same basis as currently employed faculty and staff.
- **How to obtain this benefit** - Retiree must show university retirement ID card.
- **Cost to retiree** - None
- **Additional information** – None

Scholarships for Children of Retirees:

- **Description** - Undergraduate tuition remission is available for children (who have not reached their 25th birthday) of retirees as well as the children of current faculty and staff. The amount of the tuition remission is discounted at 50%.
- **How to obtain this benefit** - An application for the tuition remission scholarship is available in the Department of Human Resources and also on the HR website. The application must be verified by Human Resources before being process by Financial Aid.
- **Cost to retiree** – 50% discount on tuition. However, the retiree must supply textbook(s) and all other necessary supplies and fees for each course.
- **Additional information** - Once the scholarship is awarded, it is continued automatically on a semester-by-semester basis as long as the student remains in good academic standing.

Use of Health Services:

- **Description** - All university retirees may use the University health clinic located on campus.
- **How to obtain this benefit** - The retiree's permanent photo ID card is required to verify eligibility for this benefit.
- **Cost to retiree** - The retiree must pay the same charges as current faculty and staff. The charges must be paid by cash or check at the time of service.
- **Additional information** - The Clinic does not file for Medicare or Medicaid. Office hours are 8:00 A.M. to 5:00 P.M. on weekdays during the Fall semester. 8:00 A.M. to 11:30A.M., and 1:00 P.M. to 4:00 P.M. weekdays during the Spring and Summer semesters.

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Use of the USM Post Office Box:

- **Description** - All university retirees may rent a mailbox at the university Post Office
- **How to obtain this Benefit** -The retiree's permanent photo ID card is required to verify eligibility for this benefit
- **Cost to retiree** - The charge to the retiree is the same as that charged to a current faculty or staff member. Payment is due at time of rental. Cash or check only.
- **Additional Information** – None

University Fitness Center (Payne Center)

- **Description** - Exercise programs and equipment are available to all university retirees.
- **How to obtain this benefit** – All retirees should visit the Payne Center to fill out membership application and for a tour of the facility.
- **Cost to retiree** - Reduced cost memberships are available to all university retirees.
- **Additional information** - All retirees must show university retirement ID card.

Season Tickets for Athletic Events:

- **Description** - All university retirees may purchase two season tickets at the faculty and staff discounted rate for the sports of football, men's and women's basketball and baseball.
- **How to obtain this benefit** - Contact The Pat Ferlise Center, located at the intersection of Fourth Street and Sunset Drive or call the Southern Miss Ticket Office at 601-266-5418.
- **Cost to retiree.** - The tickets are available at the current faculty/staff rate of 20%.
- **Additional information** - Discounts are not available for single games.

Tickets to USM Cultural events:

- **Description** - All university retirees may purchase reduced price tickets.
- **How to obtain this benefit** -Tickets may be purchased at The Pat Ferlise Center, located at the intersection of Fourth Street and Sunset Drive or call the Southern Miss Ticket Office at 601-266-5418.
- **Cost to retiree** - Reduced price tickets are available at the faculty/staff rate.
- **Additional information** - Many of the University cultural events are free.

1. **The DMA (Don't Mention Age) Club:**

- **Description** - The purpose of DMA is to promote fellowship, fun, and information-sharing. All USM retirees are eligible for membership in DMA.
- **How to obtain this benefit** - Letters of invitation for membership are mailed to USM retirees in the early fall each year.
- **Cost to retiree** - Cost includes the annual dues and the costs for luncheons.

- **Additional information** - DMA luncheons are held four times annually.

OLLI – Osher Lifelong Learning Institute:

- **Description** - The program is available to all persons who are seeking stimulating learning experiences while developing new friendships.
- **How to obtain this benefit** – For more information regarding membership please call 601-264-2780.
- **Cost to retiree** – OLLI membership carries an annual fee and also costs for specific courses, seminars, and other activities**.**
- **Additional information** – OLLI is a member of the Elderhostel Institute Network.

Annual Retirement Luncheon:

- **Description** - This luncheon is an annual event associated with the end of year DMA business meeting.
- **How to obtain this benefit** - An invitation is sent to each official retiree.
- **Cost to retiree** - None
- **Additional information** - None

USM Credit Union:

- **Description** - Memberships are available to all university retirees
- **How to obtain this benefit** - Contact the Credit Union to apply for membership. The Credit Union is located at 3318 Hardy Street.
- **Cost to retiree** – There is a fee to start an account. Contact the Credit Union at 601-450-5373
- **Additional information** – None

8.3 Pertinent University Policies

Institutional policies can be found on the website https://www.usm.edu/institutional-policies. Pertinent policies include:

Consensual Relationships
Alcohol and Drug Policy
Tobacco-Free USM
Campus Solicitation Policy
Parking Regulations
Signage Policy
Gift Card and Gift Certificate Purchases
Hospitality Policies (Allowable and Prohibited)
New Employee Moving Policies
Petty Cash Policy
Catering and Non-Eagle Dining Restrictions