

# Fontbonne University

## Policy Manual Volume V

### Personnel Policies for Administrators and Staff



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**PERSONNEL POLICIES FOR ADMINISTRATORS AND STAFF**

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## **Volume V**

# **PERSONNEL POLICIES FOR ADMINISTRATORS AND STAFF**

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## **5.0 INTRODUCTION**

This Volume V of the Fontbonne University Policy Manual is intended to provide employees with a general understanding of our personnel policies for Administrative and Staff employees. Employees should read, understand and comply with the provisions of this Volume V as well as Volume III (University-Wide Employment Policies) and Volume II (Campus Community Policies). For persons who have an employment contract, the policies apply to the extent that they supplement, but do not conflict with, the specific terms and provisions of the contract.

Volume V is designed to acquaint employees with Fontbonne University and provide them with information about working conditions, employee benefits, and employment policies of the University. Neither this Volume V nor any volume of the University Policy Manual can anticipate every situation or answer every question about employment.

The University reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this Volume V at any time and from time to time, except for its policy of employment-at-will (see section 5.1.1). The University shall inform employees of any such changes. Volume V of this Manual should not be considered an all-inclusive list of the University's policies. The only recognized changes from the stated policies are those approved by the President's Cabinet. This Volume V supersedes all prior written or oral policies pertaining to the subjects covered herein.

Policies and benefits set forth in Volume V of this Manual are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the University and any of its employees.

Please sign and return the Acknowledgement and Receipt form that is provided in Appendix 5.0.1 to indicate that you will review, understand, and comply with the contents of these Manuals.

## **5.1 EMPLOYMENT STATUS**

### **5.1.1 At Will Employment**

Employment with Fontbonne University is voluntarily entered into. The employee is free to resign at will at any time, and the University may terminate the employment relationship at will at any time, with or without notice or cause.

None of Fontbonne's policies, procedures or practices, including those set forth in this Volume V of the Policy Manual, are intended to create a contract, nor should they be construed to create a contract of employment between Fontbonne University and any of its employees. Any such agreement or promise shall not be enforceable unless set forth in writing and signed by the President of the University or his/her designee.

## 5.1.2 Salary Basis Policy

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department of Labor's regulations.

### Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$455 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Computer employees who earn at least \$27.63 an hour may be classified as exempt and paid on a salary basis. Computer employees earning less than \$27.63 an hour must meet the criteria to be classified as an exempt employee.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work.

Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

### Circumstances in Which the University May Make Deductions from Pay (Exempt Employees)

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions (as set forth in these manuals). Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

### Fontbonne University's Policy

It is Fontbonne University's policy to comply with the salary basis requirements of the FLSA. Therefore, the University prohibits all managers from making any improper deductions from the salaries of exempt employees. Fontbonne University wants employees to be aware of this policy and that the company does not allow deductions that violate the FLSA.

### **5.1.3 Other Employee Classifications**

#### **1. Regular Full-Time**

All staff or administrators who are not in a temporary status and who are regularly scheduled to work a minimum of 30 hours or more per week for 12 months. Regular full-time employees normally work a 40-hour week.

#### **2. Academic Year Full-Time**

All staff and administration who are not in a temporary status and who are regularly scheduled to work 30 hours or more per week for 9 or 10 months during the academic year. Full-time employees normally work a 40-hour week.

#### **3. Regular Part-Time**

All staff and administration who are not in a temporary status and who are regularly scheduled to work less than 30 hours per week for anywhere from 9 to 12 months of the year. Part-time employees are not eligible for benefits unless otherwise stated.

#### **4. Temporary Employees**

All staff and administration hired for a specific project or as interim replacements to temporarily supplement the workforce whose employment will terminate upon completion of the project or employees hired for a fixed period. These employees are not eligible for any benefits.

## **5.2 EMPLOYEE CLASSIFICATION SYSTEM**

Fontbonne University employs a job classification plan for all staff and administrative positions. Each position is graded according to the requirements of the plan and placed in the appropriate classification level. Each level has an associated salary range appropriate to positions in that classification. Existing positions can be re-graded as described in the plan. Additional information about job classifications and the associated plan are available in the Human Resources Office.

### **5.2.1 Faculty Status**

Employees who hold faculty rank but serve in non-faculty positions are subject to the terms and conditions of employment specified in Volume V and in Volume III of the University Policy Manuals with respect to their non-faculty appointments. Such persons do not accrue any rights to continuing employment or any greater rights than those specified in this Volume V and in Volume III of this Policy Manual with respect to such non-faculty positions.

### **5.2.2 Re-Employment**

Employees who resign or are terminated, other than for a temporary layoff or approved leave of absence, are considered to be new employees if they are rehired at a later date. They will be subject to the same requirements as other new employees in determining their eligibility for benefits, unless plan documents dictate otherwise.

### **5.2.3 Introductory Period**

New employees and transferred employees are placed on an introductory status for of up to three months (90 days) (“Introductory Period”). This Introductory Period is designed to give the

supervisor and the employee an opportunity to evaluate that employee's ability to perform the required duties and interest in the work.

Prior to the completion of the Introductory Period, the supervisor will conduct an evaluation, and advise the employee in writing of that employee's suitability for continued employment, giving copies to the employee and the Office of the Human Resources, for placement in the employee's personnel file.

Prior to or at the conclusion of the Introductory Period, the supervisor's options for the employee are: (1) continuation of employment beyond the Introductory Period; (2) termination of employment; or (3) extension of the Introductory Period for up to three additional months.

If the supervisor elects to extend the Introductory Period, the Human Resources Director must be notified. At the end of the extended Introductory Period, another performance evaluation is completed. The employee's employment is then either continued or terminated.

The Introductory Period and the provision of this Section 5.2.3 do not apply to members of the University's executive administrators.

### **5.3 EMPLOYEE SELECTION AND ASSIGNMENT**

The Office of Human Resources is responsible for coordinating recruitment efforts and assisting supervisors in determining whether an applicant meets the minimum requirements for a given position.

Supervisors initiate recruitment by completing an Employee Requisition form. Forms are available in the Office of Human Resources. The supervisor is responsible for reviewing and updating the job description for the position. If there is no job description available, the supervisor in conjunction with the Human Resources Director, should complete a Job Analysis Questionnaire for the position. The supervisor, appropriate Vice President, or the President of the University must sign the completed employee Requisition form, with the advertising statement attached. Supervisors should not recruit applicants directly unless specifically authorized to do so by the appropriate Vice President.

A notice of the position vacancy must be posted for 10 working days on the Human Resources bulletin board and may be posted on the University's website. Any employee who knows of available candidates for the position is encouraged to recommend them to the supervisor seeking the candidate.

Position announcements will be distributed by the Office of Human Resources to recognized sources of candidates, according to the type of position. Advertisement in newspapers, professional publications and listing services will be placed by the Office of Human Resources in an effort to obtain a pool of qualified candidates.

Before any final selection is made, the appropriate Vice President is responsible for ensuring that a thorough check of references and qualifications has been accomplished through normal procedures, including but not limited to a criminal background check. The criminal background check will be requested by Human Resources. Background checks, including references should not be conducted unless proper signed authorization from the finalist has been obtained.

## **5.4 INTERNAL PLACEMENT POLICY—STAFF**

From time to time, opportunities may arise for internal movement from one position to another. Employees are encouraged to apply, especially if the advertised position is a promotional opportunity. Internal applicants must satisfy the following requirements:

- The employee must have been employed with Fontbonne University for a minimum of one (1) year;
- The employee must not be the subject of a disciplinary action or action plan;
- The employee must submit credentials and notice of interest to Human Resources;
- If employee is selected for an interview, current supervisor should be notified. Such notification may be given by the employee/candidate or the employee may request that Human Resources notify the supervisor.
- If selected, the hiring department will cooperate to ensure a smooth transition from one department to the new department.

While current employees will, in many cases, receive at least a courtesy interview, the hiring supervisor reserves the right to determine the suitability of internal candidates against external candidates to select the best candidate for the position.

Human Resources and the hiring department reserve the right to request a background credit check if the employee is moving to a position where there is responsibility for cash handling or accounting if it has not been done in the past.

### **5.4.1 Promotions**

It is the preference at Fontbonne University to fill existing vacancies by promoting present employees when the employee's qualifications and abilities justify such a promotion. Employees must meet the criteria in 5.4 and be in their current position for at least six months in order to be eligible for a promotion. The University gives preference to internal applicants when internal and external applicants are equally qualified for a given position.

### **5.4.2 Transfers**

A transfer is a change in work assignment at the same or lower job grade. A transfer to a position in a lower job grade may result in a lower rate of pay, as determined by the current position wage structure.

An employee who is interested in applying for an opening in another department should first discuss such an intention with the employee's supervisor before being interviewed by the applicable supervisor and/or the Director with the vacancy.

Depending on the circumstances and business need, the University may transfer employees to other assignments at its discretion. Furthermore, an employee may be required to help in another department which is in need of temporary assistance. The employee must have been employed by Fontbonne or in a current position for at least six months to be considered for a transfer.

### **5.4.3 Introductory Period for Promotions and Transfers**

Any individual who is promoted or transferred to a new job will be placed on an introductory status for up to three months (90 days) ("Introductory Period"). (See section 5.2.3) If the



employee is unable to satisfactorily fulfill the requirements of the new job, the employee may be considered for other job openings that exist, or employment may be terminated.

## 5.5 VACATION AND LEAVES

### 5.5.1 Vacation

For regular full-time employees, the length of annual paid vacation is determined by classification of employment, and years of continuous service earned through a current fiscal year (July 1 through June 30). Vacation must be taken by September 30<sup>th</sup> following fiscal year end.

	<u>Years of Continuous Service</u>	<u>Annual Vacation</u>
Regular Full-Time Exempt Staff	1 – 5 years	3 weeks (15 days)
	start of 6+ years	4 weeks (20 days)
Regular Full-Time Nonexempt Staff	1 – 2 years	2 weeks (10 days)
	start of 3 – 10 years	3 weeks (15 days)
	start of 11+ years	4 weeks (20 days)

Eligibility for movement to the next level of vacation length is calculated from the anniversary of the employee’s date of hire if it occurs in the first six months of the fiscal year. If the anniversary occurs in the second half of the fiscal year, the next level of vacation will be awarded on July 1<sup>st</sup> of the next fiscal year following the anniversary.

Academic Year Full-Time staff (who are not in a temporary status and who are regularly scheduled to work 30 hours or more per week for 9 or 10 months during the academic year) are granted an annual vacation according to the same schedule with the amount of vacation time being 9/12 or 10/12 of the vacation time given to a Regular Full-Time employee.

Each employee’s vacation time accrues on a monthly basis. This rate of vacation accrual is calculated by taking the total number of annual vacation hours allowed, dividing by 12, and multiplying by the number of months employed during a fiscal year. If an employee begins employment after the 15<sup>th</sup> of the month, that employee will begin vacation accrual the following month.

An employee may, with the permission of the employee’s supervisor, request and take more vacation hours than the employee has accrued at a given time during the fiscal year (following 90 days of employment), as long as the hours of vacation time requested and taken do not exceed the total number of annual hours of vacation time that the employee is permitted.

If an employee requests and takes more vacation than the employee has accrued, and that employee later terminates employment at Fontbonne, regardless of the reason for such termination, the vacation hours already taken in excess of those accrued at the time of termination shall be reclassified as personal leave without pay. An appropriate deduction will be withheld from such employee’s final paycheck. An authorized payroll deduction form must be signed by each employee at the beginning of employment. See Appendix 5.4.1.1 for the

Authorized Payroll Deduction Form. An employee who refuses to sign such form shall not be permitted to take vacation hours in excess of those that the employee has actually accrued.

Employees are encouraged to take vacation during the fiscal year that it is earned. Employees may carry over vacation time accrued during one fiscal year to September 30<sup>th</sup> of the following fiscal year. If an employee does not take all accrued vacation days by September 30<sup>th</sup>, the employee “loses” those accrued vacation days and is not paid for such unused accrued vacation.

University holidays are not counted as vacation days if they fall within the employee’s vacation period. For payroll purposes, if an employee has scheduled vacation that occurs simultaneously with an unexpected closing of part or all of the University due to an emergency (such as a power outage), the employee will be considered to have used vacation time since the time off was requested in advance of the emergency closing.

At the time of voluntary termination, an employee will receive compensation for unused and accrued current fiscal year vacation if

- employed for at least six months
- notice of at least two weeks is given, (four weeks preferred for exempt employees), and
- notice period is worked (vacation in lieu of notice is not acceptable).

Failure to meet the above requirements will result in forfeiture of vacation pay on termination.

Vacation pay is the employee’s rate of pay in effect at the time the vacation is taken. Vacations must be scheduled with and have the advance approval of the supervisor. Lunch may not be used in lieu of vacation time to “make up” time taken off as part of a partial day.

### **5.5.2 Medical Appointments**

Regular and Academic Full-time employees may take up to two hours off per month with pay for the purpose of a medical or dental appointment that cannot be scheduled during non-working hours.

The appointment may be for the employee or for a dependent child. However, every effort should be made to schedule such appointments early or late in the day or during non-working hours.

The employee’s supervisor may request a physician’s or dentist’s statement as evidence of the appointment. Failure to provide such requested documentation may result in loss of this paid benefit to the employee.

Part-time employees are not eligible for this benefit. However, subject to the supervisor’s approval, part-time employees may reschedule work hours to allow for medical and dental appointments, as long as this rescheduling does not result in incurring overtime.

### **5.5.3 Sick Leave**

Because each employee is an essential member of our community and teamwork is important, we expect employees to meet all attendance requirements. Employees who are unable to report to work due to illness are expected to notify their supervisor before their scheduled work time. When an employee is returning to work after an illness of over three days, a medical release from the doctor may be requested.

An absence for a period of three consecutive days without contacting a supervisor will be considered job abandonment.

When reporting an absence, the employee must personally call in to the supervisor. Only in extreme circumstances will a call from a spouse or child be acceptable. If a message is left for the supervisor, the employee should call back and speak personally to the supervisor to ensure that the message was received.

Regular Full-Time and Academic Year Full-Time employees will receive six (6) days of sick leave per fiscal year, with a maximum accrual of fourteen (14) days. No compensation will be paid for accumulated sick leave when an employee resigns, retires, or is involuntarily terminated.

An employee may use no more than the actual number of days that employee has accrued. The sick leave benefit is to prevent loss of income for the employee in time of personal illness, or in certain cases, for medical tests that require advance preparation or anesthesia. Sick leave may be granted for medical tests/scheduled procedures at the discretion of the supervisor and Human Resources. It is anticipated that most employees will have only infrequent need of this benefit. Sick leave is not intended for care of sick family/relatives.

Sick leave may not be taken during the first 90 days of employment. Abuse of the sick leave benefit will be considered a serious offense and may result in disciplinary action, up to and including termination. The University reserves the right to require a physician's statement and/or limit availability of sick time, if excessive.

If an employee has worked a full fiscal year and uses no sick days during a fiscal year, that employee will be given one (1) extra vacation day.

## **5.6 PERFORMANCE APPRAISAL AND EVALUATION**

Each employee receives an annual performance appraisal (usually in April or May). The appraisal is done in conjunction with a review of the employee's job description. Each employee submits a self-evaluation to his/her supervisor. The supervisor completes the evaluation, discusses it with the employee and gives the employee the opportunity to make oral and written comments. The employee must sign the evaluation acknowledging the employee has received a copy. If an employee should refuse to sign a performance evaluation, the supervisor should notify the Human Resources department and note the refusal to sign on the form with a witness present.

Each staff performance evaluation results in a numerical overall performance rating. Upon completion of the performance appraisals for staff, the overall performance ratings are used to guide recommended pay raises in the next fiscal year as part of the University's Pay for Performance Plan. All performance appraisals are stored electronically by the Human Resources Department.

## **5.7 EMPLOYEE RIGHTS AND RESPONSIBILITIES**

### **5.7.1 Standard of Performance**

Generally accepted standards of conduct for a business setting must be maintained. Punctuality, attendance, job appropriate dress, and courteous behavior are expected from all employees. Generally these standards are recognized and observed by individual employees without any need for action by the supervisor.

## **5.7.2 Personal Appearance**

Fontbonne University believes that the success of the institution is determined in part by establishing and maintaining a proper business atmosphere, which is determined by the image an employee projects as well as business conduct.

Employees are therefore, expected to dress in a manner consistent with the nature of work performed. If there are questions as to what is appropriate, employees should consult with supervisory personnel. Employees who are inappropriately dressed, in the opinion of supervisory personnel, may be sent home, with or without pay, and required to return to work in job appropriate attire.

Employees are also expected to observe good habits of grooming and personal hygiene at all times, and to avoid any personal practices or preferences that may be offensive to others.

### **5.7.2.1 UNIFORMS**

Physical plant, environmental services, and public safety employees are required to wear uniforms and have their I.D. cards readily available. Uniforms for physical plant, housekeeping and public safety are provided by the University.

## **5.7.3 Work Schedule**

The regular working hours at Fontbonne University are either from 8:00 a.m. to 4:30 p.m. or 8:30 a.m. to 5:00 p.m., Monday through Friday, unless dictated otherwise by the department.

For non-exempt employees, an unpaid one-half hour lunch break and two paid fifteen minute rest breaks are a part of the daily schedule. The lunch break may be extended for up to one hour, at the request of the employee and the approval of the supervisor, if the rest periods are not taken. (When this is done, the combined rest periods taken at the lunch hour are still paid.) For full-time employees, the normal work day is eight hours and the normal work week is forty hours. Due to the different needs in some of the service areas (housekeeping, physical plant, public safety and public relations), the determination of the daily and weekly work schedule will be set by the appropriate administrator. Lunch "hour" may not be used to make up time except when attending a class during normal business hours.

It is expected that all employees will follow the schedule as set by their supervisors. A non-exempt employee may not shorten the normal work day by not taking full meal or rest periods. Likewise, non-exempt employees cannot shorten the work week by coming in early daily and leaving early on Friday. Hourly employees who take smoke breaks are expected to reduce their lunch period to one-half hour since periodic smoke breaks will be taken during the day. Supervisors reserve the right to set departmental work hours and smoke/break policies.

## **5.7.4 Staff Association**

Recognizing that the staff is an integral part of the Fontbonne University community, the Fontbonne Staff Association exists to provide a forum for the expression of ideas, the dissemination of information, the support of professional development, and the representation of all staff members.

All staff employees of Fontbonne University excluding the President and Vice Presidents are, by virtue of their employment, entitled to become members of the Fontbonne Staff Association. All members of the organization have a voice and vote.

The Fontbonne Staff Association holds meetings monthly and gives advance announcement of their meeting dates. (See Volume I, section 1.7.6). Participation as an officer of FSA may necessitate periodic use of University time to perform FSA responsibilities. However, excessive use of work time which interferes with job performance may be subject to scrutiny by the employee's supervisor.

### **5.7.5 Outside Employment**

Employees may hold outside jobs as long as they meet the performance standards of their job with the University. All employees will be judged by the same performance standards and will be subject to the University's scheduling demands, regardless of any existing outside work requirements.

If the University determines that an employee's outside work interferes with performance or the ability to meet the requirements of the University as they are modified from time to time, the employee may be asked to terminate the outside employment if the employee wishes to remain with the University.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the University for materials produced or services rendered while performing their University jobs.

## **5.8 SEPARATION FROM EMPLOYMENT**

### **5.8.1 Types of Separation**

#### **5.8.1.1 RESIGNATION**

If an employee wishes to voluntarily resign, a letter of resignation must be submitted to the supervisor and a copy sent to the Human Resources Director. If possible, executive administrators are requested to give 60 days' notice, and all other staff and administration are requested to give two weeks' notice.

#### **5.8.1.2 RETIREMENT**

Employees retiring from the University are requested, if possible, to give at least 30 days' notice so that appropriate arrangements can be made for retirement paperwork.

#### **5.8.1.3 BUDGET CONSTRAINTS/PROGRAM CHANGES**

The University may eliminate positions due to budgetary constraints, program changes, or for other reasons, at its discretion. Effort will be made to give employees 30 days' notice of such terminations.

#### **5.8.1.4 UNACCEPTABLE CONDUCT / DISCIPLINARY ACTION / INVOLUNTARY TERMINATION**

Employees are expected to abide by the policies in the University's Policy Manuals, to perform their work duties to the satisfaction of their immediate supervisors and University's management, and to conduct themselves in accordance with the behavior expected of a Fontbonne University employee. Employees are expected to observe basic rules of good conduct. Listed below are examples of serious violations.

- Insubordination, such as refusal to follow the instruction of a supervisor.
- Unsatisfactory performance, failure to do acceptable quality or quantity of work.
- Leaving the University property during work hours without permission.
- Leaving the University property without clocking out, if required to do so.
- Theft, or unauthorized possession, misuse, or destruction of property belonging to the University, another employee or student, regardless of the value of such property.
- Disregard of safety rules and procedures.
- Failure to report an accident or injury.
- Inattention to duties, carelessness or neglect of duty.
- Absences or tardiness.
- Falsification of University records, unauthorized removal of University records.
- Unauthorized use, misuse or release of confidential information.
- Falsifying, concealing or misstating any material fact in connection with the employee's employment, regardless of when the falsification is discovered.
- Unauthorized use, possession, or distribution of alcohol, drugs or controlled substances while on duty, while on University property, or while using University property.
- Reporting for work or attempting to work while under the influence of alcohol, drugs or controlled substances.
- Possession of a firearm or other types of weapons on University property.
- Failure or refusal to follow instructions or directions as to manner or method of performing job.
- Refusal to work any scheduled hours, including overtime, as the University may require.
- Dishonesty.
- Discourteous conduct.
- Failure or inability to get along with others.
- Disorderly, immoral or indecent conduct or behavior.
- Conviction of a felony.

- For drivers of University vehicles, a serious driving offense.
- Sexual or other unlawful harassment.
- Violence.
- Conducting personal business or affairs during working hours without a supervisor's authorization.
- Violations of any provisions or policies contained in this Volume V or any of the University's Policy Manuals.
- Encouraging or inducing another person to engage in any conduct which violates any provisions or policies of any of the University's Policy Manuals.
- Engaging in conduct on University property which is in violation of any existing laws, ordinances or regulations.
- Failure to return from an approved leave of absence on the stipulated date or taking an unauthorized leave of absence.
- Refusal to cooperate in an investigation conducted by, or on behalf of, the University.
- Three (3) days no call, no show.
- Any other act or omission of similar severity as determined by the University.
- Any other act which the University in its sole discretion considers detrimental to its legitimate interests.

Fontbonne University may, in its sole and absolute discretion, elect to apply progressive discipline prior to termination, including oral warning, written warning or suspension prior to termination. The appropriate disciplinary action for unacceptable conduct will be determined on a case by case basis by the University.

### **5.8.1.5 TERMINATION AT WILL**

As provided in the University's At Will Employment Policy (see section 5.1.1), employment with Fontbonne is voluntarily entered into, and either party may terminate the employment relationship at any time, with or without cause or notice.

## **5.9 EMPLOYEE GRIEVANCE PROCEDURES**

Any eligible employee of the University who wishes to appeal any adverse personnel action or decision, such as a disciplinary determination (other than termination of employment) should follow the following procedures. Employees who are in their Introductory Period (see section 5.2.3) are not eligible to participate in this grievance procedure.

**Step I:** Within five (5) working days of the action or decision about which the employee is complaining, the employee must provide a written grievance statement on the appropriate Grievance Form to the Director of Human Resources (a Grievance Form can be obtained from the Human Resources Director). The employee and the supervisor shall then attempt to resolve the grievance informally. The immediate supervisor will provide a written response to the grievance to the employee and the Director of Human Resources within five (5) working days. In the event the employee or the immediate supervisor is away from that person's job during the

course of the above time-frame, the immediate supervisor will receive an extension of time to make the response. Copies of both the grievance and the answer must be signed by both parties and provided to the Director of Human Resources. A copy will also be on file in the employee's personnel file. It is anticipated that most grievances can be resolved at "Step I" by the good faith efforts of both parties.

In the event the grievance is against the Director of Human Resources, the employee will submit a written grievance to the Vice President for Finance and Administration. If the grievance is against the Vice President for Finance and Administration, the Vice President for Academic Affairs will substitute for the Vice President for Finance and Administration in steps II and III.

**Step II:** The employee may appeal an unsatisfactory resolution at the first step by submitting to the Director of Human Resources and the appropriate Vice President responsible for that office or department within the next two (2) working days, a written statement of appeal, setting forth the reasons which underlie the employee's dissatisfaction with the determination made by the supervisor at the conclusion of Step I.

Within the next five (5) working days, the Director of Human Resources shall overturn, modify or uphold the Step I determination set forth in the supervisor's written response. Copies of both the employee's appeal and the Director of Human Resources' decision will be retained in the Human Resources Office and in the employee's personnel file.

**Step III:** The employee may appeal an unsatisfactory determination at Step II to the Vice President for Finance and Administration of the University by submitting a written appeal within the next two (2) working days to the Director of Human Resources, and providing a copy to the appropriate Vice President responsible for that office. The Director of Human Resources shall, within the next three (3) working days, submit to the Vice President for Finance and Administration the written appeal and all previous statements, responses and determinations. The Vice President of Finance and Administration's decision shall be made within ten (10) working days. The Vice President for Finance and Administration's decision shall be in writing and will be final. Copies shall be provided to the employee, the supervisor, the appropriate Vice President, the Office of Human Resources and placed in the employee's personnel file.

In all procedures, when computing response time, Saturday, Sunday and holidays are excluded. The reporting procedures outlined in Volume II, section 2.1.3 shall be followed in cases involving allegations of harassment and discrimination.

## **5.10 WORKPLACE VIOLENCE POLICY**

It is the policy of Fontbonne University to promote a safe environment for its employees. We will not tolerate any acts or threats of workplace violence including, but not limited to, physical attacks, threats, offensive acts or remarks, harassment, intimidation, coercion, menacing or aggressive behavior, or disruptive behavior by any associate, former associate or any other person against anyone in or about the University's premises. Further, Fontbonne University will not tolerate any acts or threats of violence against its employees, customers, vendors, or any other visitor on the University's premises or against anyone while engaged in business with or on behalf of the University, both on or off University premises. Individuals who engage in such behavior may be removed from Fontbonne University's premises, and may be subject to disciplinary action, up to and including termination and/or legal actions as appropriate.

Guidelines to reporting any workplace violence are as follows:



- A. Employees must report incidents or threats or acts of physical violence to their immediate supervisor. Threats or assaults, which require immediate attention by a supervisor or police, should be reported to Management or to the police at 911.
- B. Fontbonne will investigate and take prompt action, up to and including immediate termination, against any employee who engages in any threatening behavior, acts of violence, threatening language, gestures or other conduct prohibited by this policy. In addition, jokes or offensive comments regarding violent events will be taken seriously and will not be tolerated.
- C. Fontbonne will also, where possible, take action against any person who is not a University employee who engages in behavior in violation of this policy, and will, where appropriate, notify the police or other law enforcement agency and will seek prosecution of violators of the policy.

## **5.11 DRUG FREE WORKPLACE – STAFF AND FACULTY**

Fontbonne certifies that a drug-free workplace will be provided in which personnel may perform their responsibilities. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited on any University property or while conducting University business. Personnel in violation of this prohibition may be required, at the discretion of the University, to participate in a drug abuse counseling or rehabilitation program at the employee's expense, or may be subject to suspension or termination of employment without notice. Please refer to Volume II for the entire policy.

**APPENDIX 5.0.1: ACKNOWLEDGMENT AND RECEIPT OF THE  
FONTBONNE UNIVERSITY POLICY MANUAL**

I acknowledge that I have received access to the Fontbonne University Policy Manuals that are applicable to me, and I will review and comply with their contents.

I understand and agree that all provisions in the Policy Manuals must be followed at all times. I understand that the University reserves the right to make any adjustments or changes at the University's discretion.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Read, understand, sign, date and return this Acknowledgment Form to the Director of Human Resources.

**APPENDIX 5.4.1.1: AUTHORIZED PAYROLL DEDUCTION FORM**

I understand that each employee’s vacation time accrues on a monthly basis. This rate of vacation accrual is calculated by taking the total number of annual vacation hours allowed, dividing by 12, and multiplying by the number of months employed during a fiscal year.

An employee may, with the permission of the employee’s supervisor, request and take more vacation hours than the employee has accrued at a given time, as long as the hours of vacation time requested and taken do not exceed the total number of annual hours of vacation time that the employee is permitted. If an employee requests and takes more vacation than the employee has accrued, and that employee later terminates employment with Fontbonne, regardless of the reason for such termination, the vacation hours in excess of those accrued/earned at the point of termination shall be reclassified as personal leave without pay.

I hereby, with my signature below, authorize a deduction from my final paycheck the amount equivalent to such hours that may be reclassified as personal leave without pay pursuant to Fontbonne University’s Vacation Policy, as set forth in section 5.5.1 of Volume V of the Policy Manual.

I have read and understand the contents of this authorization.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_