

JACKSON STATE UNIVERSITY
Jackson, Mississippi

S

T

A

F

F

HANDBOOK

Prepared by

Office of Human Resources

ESTER W. STOKES
Director

Reprinted: July, 2001

TABLE OF CONTENT

| | |
|---|----|
| PURPOSE OF HANDBOOK | 1 |
| JACKSON STATE UNIVERSITY | 3 |
| DEFINITION OF STAFF | 4 |
| ADMINISTRATIVE ORGANIZATION | 5 |
| Board of Trustees | 5 |
| President | 5 |
| Non-Instructional Personnel | 5 |
| Organizational Chart | 6 |
| | |
| POLICY STATEMENT | 7 |
| I. EMPLOYMENT | 8 |
| Recruitment | 8 |
| Applicant Screening | 8 |
| Employment Offers | 9 |
| Employment Eligibility Verification | 9 |
| Personnel File | 9 |
| Review of Personnel File | 9 |
| Changes in Employment Record | 9 |
| Employee Orientation | 10 |
| Job Information and Instruction | 10 |
| Probationary Period | 10 |
| Evaluation of Non-Instructional Employees | 11 |
| Promotions | 12 |
| Transfers | 12 |
| Seniority | 12 |
| Work Week | 13 |
| Work Schedule | 13 |
| Re-Assignment of Clerical/Secretarial Personnel | 14 |
| Work Record - Time Card - Time Sheet | 14 |
| Lunch Periods | 14 |
| Wash Period | 14 |
| Resignation | 15 |
| Exit Interview | 15 |
| Re-Employment | 15 |
| | |
| II. BUSINESS POLICIES AND SERVICES | 17 |
| Contracts | 17 |
| Outside Employment | 17 |

| | |
|--|----|
| III. COMPENSATION AND PAYROLL SERVICES | 18 |
| Wage Payment | 18 |
| Salary Payment | 18 |
| Delivery of Paychecks | 18 |
| Payroll Deductions | 18 |
| Garnishment and Tax Liens | 19 |
| Error in Pay | 19 |
| Payroll Computation | 19 |
| Salary Advances | 20 |
| Overtime Pay | 20 |
| Compensatory Time Off | 20 |
| Holiday Pay | 20 |
| Overtime-Regular Employees Who Drive | |
| University Vehicles | 21 |
| Weekend Work | 21 |
| Compensation During Attendance at Seminars, | |
| Outside Meetings and Travel | 21 |
| Terminal Pay | 22 |
| Death of an Employee | 22 |
| IV. TRAVEL POLICIES | 23 |
| Lodging | 23 |
| Meals | 23 |
| In-State/Out-of-State Travel | 24 |
| Travel Itinerary | 24 |
| Travel Advances | 24 |
| Travel Vouchers | 24 |
| Rental of Automobiles | 24 |
| Multi-Employee Attendance at Convention Meetings | 24 |
| Foreign Travel | 24 |
| Travel Within the City Limits of Jackson | 25 |
| Other Expenses | 25 |
| V. UNIVERSITY LEAVE AND HOLIDAYS | |
| POLICIES AND PROCEDURES | 26 |
| Personal Leave | 26 |
| Vacation for Administrative Officers and | |
| Twelve-Month Staff | 27 |
| Major Medical Leave | 27 |
| Other University's Paid Major Medical | |
| Leave Policies | 28 |
| Family Medical Leave | 30 |
| Coverage Eligibility | 30 |
| General Leave Requirements | 30 |
| Length and Purpose of Leave | 30 |

| | |
|---|----|
| Compensation During Leave | 30 |
| Spouses Employed by the University | 31 |
| Job and Benefits Protection | 31 |
| Limitations on Leave | 31 |
| Exemption for Highly Compensated Employees | 31 |
| Medical Certification for Serious Health Conditions | 31 |
| Employees' Duty to Give Prior Notice | 31 |
| Intermittent or Reduced Leave | 32 |
| Holidays | 32 |
| Qualifying for Paid Holidays | 33 |
| VI. OTHER UNIVERSITY LEAVE POLICES | 34 |
| Absence From Assignment | 34 |
| Tardiness | 34 |
| Jury Duty | 34 |
| Elections | 35 |
| Death in the Family | 35 |
| Military Leave | 35 |
| Leave of Absence | 35 |
| VII. Employee Benefits | |
| Social Security | 36 |
| Worker's Compensation | 36 |
| Unemployment Insurance | 36 |
| Group Life Insurance | 38 |
| State Retirement | 38 |
| State Deferred Compensation Program | 39 |
| Flexible Benefits/Cafeteria Plan | 40 |
| Dental Insurance | 40 |
| Disability Insurance | 40 |
| Tax Sheltered Annuities | 40 |
| Tuition Remission | 40 |
| Undergraduate Tuition Remission | 41 |
| Eligible Dependants | 41 |
| Grade Point Average Requirements | 41 |

| | |
|--|----|
| VIII. JUST CAUSE FOR TERMINATION OF EMPLOYMENT | 42 |
| IX. GRIEVANCE PROCEDURE | 44 |
| Charge to the Staff Personnel Committee | 45 |
| X. GENERAL POLICIES AND OPERATING REGULATIONS | 46 |
| Suspension and Dismissal of Employees | 46 |
| Personal Conduct | 46 |
| Personal Appearance | 47 |
| Termination of Employment | 47 |
| Uniform Dress | 47 |
| Cost Awareness | 47 |
| Purchasing | 48 |
| Requisition and Purchase Order Procedures | 48 |
| Inventories | 48 |
| University Publication Procedures | 49 |
| On-Campus Printing | 49 |
| Off-Campus Printing | 49 |
| Selling and/or Soliciting | 50 |
| Repair of Equipment | 50 |
| Acceptance of Personal Checks | 50 |
| Collection of Fees and Miscellaneous University Funds | 50 |
| Identification Cards | 50 |
| Personal Mail and Calls | 50 |
| Procedure for Making Long Distance Calls | 51 |
| Long Distance Calls | 51 |
| International Calls | 51 |
| Directory Assistance | 51 |
| Use of University Facilities by Outside Agencies | 51 |
| Procedures for Requesting Use of University Facilities | 52 |
| Use of University Buildings and Property | 52 |
| Adultery and Fornication | 52 |
| Alcohol Abuse Policy Statement | 52 |
| Arson | 53 |
| Automobiles Registration | 53 |
| Bulletin Boards | 54 |
| Department of Public Safety | 54 |
| Care of University Property | 54 |
| Security of Academic Classrooms and Buildings | 55 |
| Fire Prevention | 55 |
| First Aid | 55 |
| Nepotism | 55 |

| | |
|---|----|
| Political Activities | 56 |
| Policy and Regulations Governing Emergencies that Disrupt the Normal Functions of the University | 57 |
| Safety Practices | 57 |
| Smoking Limitations | 57 |
| Telephone Messages | 58 |
| Travel by Secretarial and Clerical Personnel | 58 |
| University Publicity | 58 |
| | |
| XI. DRUG-FREE WORKPLACE POLICY | 59 |
| The Policy | 59 |
| Jackson State University's Sanctions With Regards to the Drug-Free Workplace Act of 1988 | 60 |
| | |
| XII. SEXUAL HARASSMENT POLICY | 61 |
| Definitions of Sexual Harassment | 61 |
| Procedures for Handling Policy Violations | 61 |
| Initial Procedure | 62 |
| Option 1 | 62 |
| Option 2 | 63 |
| Option 3 | 65 |
| Grievance Procedure | 67 |
| Charge to the Hearing Panel | 67 |
| Corrective Action | 69 |
| | |
| XIII. AMERICANS WITH DISABILITIES ACT | 70 |
| Employment Practices Covered | 71 |
| Medical Examinations and Injuries | 71 |
| EEOC Enforcement of the ADA | 72 |
| Filing a Charge | 72 |
| Essential Functions | 72 |
| Factors Used to Determine Essential Functions | 73 |
| Reasonable Accommodations | 73 |
| Undue Hardship | 74 |
| Factors Used to Determine Undue Hardship | 74 |
| Identifying Reasonable Accommodation | 74 |
| Employee Disability Information | 75 |

| | |
|---|----|
| XIV. HIV/AIDS POLICY | 76 |
| Introduction | 76 |
| Proposed Education | 76 |
| Policy and Procedures | 77 |
| Desire and Ability to Work | 77 |
| Reasonable Accommodations | 77 |
| Where to Go for Assistance | 77 |
| Access to Facilities | 78 |
| Confidentiality of Information | 78 |
| Employment | 78 |
| Food Handlers | 78 |
| Custodial and Facilities Management Workers | 78 |
| Co-Workers and Student Concerns | 79 |
| Medical Care | 79 |
| HIV Testing | 79 |
| Admissions and Class Attendance | 79 |
| Sports/Athletic Activities | 79 |
| Institutional Committee | 79 |
| University Precautions | 80 |
| Existing Policies | 80 |
| Sanctions | 80 |
| XV. CONCLUSION | 81 |



WELCOME TO NEW EMPLOYEES

It is with pleasure that I welcome you to the staff of Jackson State University. Your appointment is one of which you can be proud. The University's primary commodity is quality service to the students, parents, faculty, staff, and the community; and they come first - which is our way of ensuring that we maintain their trust and continued desire to do business with us.

To our students, parents, faculty, staff, visitors and the community with whom you will have contact as an employee, YOU are Jackson State University. The extent to which Jackson State University is considered friendly, knowledgeable, efficient, reliable, and trustworthy will be measured by how others see these qualities in you. We hope that you will use your talents in a way that stimulates students, parents, faculty, staff, and community relations, and thereby contribute to the growth of the University. If, during the course of your employment, you find ways to improve the University's operations or services, or to save the University unnecessary costs, I and other University officers welcome your written ideas. If you need help in the presentation of your ideas, don't hesitate to seek the advice or assistance of your supervisor.

The Staff Handbook that follows has been prepared to guide you and other employees in better understanding our policies, procedures, and practices concerning employment matters. You should familiarize yourself with its contents at your earliest opportunity and keep it handy as a periodic reference source. As changes are made to the handbook, we'll endeavor to see that you get replacement pages so that your copy can be kept current.

As you start employment with the University, you will find that your associates are ready to assist you, and you will receive guidance to acquaint you with your new duties and responsibilities. Again, welcome to our team of hard-working and talented staff, and please accept my wishes for success in your new position. I look forward to meeting you in the near future.

Ronald Mason, Jr.
President

PURPOSE OF THE STAFF HANDBOOK

It is the purpose of this handbook to establish and maintain a uniform system for managing personnel matters; to comply with applicable employment laws; and to provide for the standards, terms, and conditions of employment with Jackson State University in a clear and comprehensive fashion to maximize the efficiency and orderliness of operations. It is further intended, by adoption and periodic amendment of these policies and procedures, that they serve as a guide for employees of Jackson State University in their routine work activities and relationships to the extent that the objectives of both Jackson State University and the individual employees can be achieved. Jackson State University believes that the success of the University is largely due to the quality of its employees, the development of each employee's full potential, and the University's ability to provide timely and satisfying rewards. The University also recognizes that employees differ in their skills, goals, perceptions, and values, and that it is basic to human nature that conditions may arise that are either insufficiently addressed in the policies and procedures, or that result in conflicts. In such cases, the University will endeavor to make personnel decisions that are fair and equitable, while at all times assuring that the best interest of the University is served. Jackson State University hereby asserts that it has the right to employ the best qualified persons available; that the continuation of employment is based on the need for work to be performed, availability of revenues, faithful and effective performance, proper personal conduct, and continuing fitness of employees; and that all employees are terminable at will unless otherwise specified in writing as a prescribed employment term. Conversely, employees deserve to be fully informed of their duties and responsibilities; to be provided with adequate administrative and supervisory direction; to be informed of their performance levels; to be compensated based on the value of their contributions; to be considered for promotional opportunities; and to be treated with dignity and respect at all times.

Therefore, the policies and procedures set forth in this handbook prescribe the terms, conditions, and standards of personnel operations for Jackson State University, the content of which is neither contractually binding upon the University nor restrictive in terms of amendment or interpretation by the University. Employees are expected to acquaint themselves fully with the content of this handbook and to establish an employment relationship based on a complete understanding of Jackson State University personnel requirements, expectations, and methods of conducting personnel matters.

Since it is the policy of Jackson State University to encourage employee participation in all matters that affect their work, employees are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions.

Ester W. Stokes
Director of Human Resources

Reprinted: July, 1996
Office of Human Resources

Revisions: July, 2001

JACKSON STATE UNIVERSITY

At Jackson State University, the commitment to provide quality professional education for the State of Mississippi and the nation remains the focal point of its service.

From a humble beginning in 1877 as Natchez Seminary founded by the American Baptist Home Mission Society, Jackson State University has matured into a state supported urban university providing teaching, research, service, and leadership to people from all walks of life.

Jackson State University offers a diverse career-oriented curricula with degrees on the baccalaureate through doctoral levels. Instruction is provided by a cosmopolitan faculty dedicated to excellence in teaching, research and service. The University is located in Jackson, Mississippi and housed on a scenic 120 acre tract just minutes from the downtown area and is within commuting distance for persons living in central Mississippi.

DEFINITION OF STAFF PERSONNEL

Staff personnel at Jackson State University, as in all other colleges and universities of America, are those persons engaged in supporting the mission of the institution. They are cashiers, clerks, secretaries, custodians, carpenters, cooks, electricians, public safety officers, painters, plumbers, laboratory assistants, editors, technicians, accountants, drivers, groundsman, and other persons -- skilled, unskilled, professional and technical along with non-instructional administrators -- who perform the myriad tasks necessary for the efficient conduct of the teaching, research and service programs.

ADMINISTRATIVE ORGANIZATION

BOARD OF TRUSTEES

The Board of Trustees of State Institutions of Higher Learning consists of thirteen members who, according to the constitutional amendment of 1944, are nominated by the Governor and confirmed by the Senate. Each governor appoints four members per term who serve for twelve years.

The Board has general supervision of the affairs of all public senior institutions of higher learning. By policy, it contracts with all vice presidents, deans, professors, other teaching personnel, and heads of budget units for their services.

The Board elects one of its members president and one vice president for one year or until successors are named. The Board appoints a non-member as Commissioner of Higher Education. Other office personnel of the Board are appointed by the commissioner upon the approval of the Board.

Further information concerning policies of the Board can be found in the ***By-Laws and Policies, Board of Trustees of State Institutions of Higher Learning, State of Mississippi, 1993 (continually revised)***.

The Board's office is located in the Education and Research Center, 3825 Ridgewood Road, Jackson, MS 39211.

THE PRESIDENT

The President of Jackson State University is the sole agent of the Board of Trustees on the campus. Full authority to manage the institution is conferred upon the President, in accordance with policies and procedures established by the Board with certain laws specifically applicable to the institution. In conferring full authority, the Board requires full responsibility; the President alone reports to the Board; and, in turn delegates limited and specific authority to several administrative officials, each with responsibility commensurate with the delegated authority. The President's specific responsibilities include the physical plant and real property; recruiting, contracting with and supervising all personnel; recruitment, admission, and instruction of students; and relationship with people or units outside the institution. All functions of the University as it conducts teaching, research, and services are the President's responsibilities (see Organizational Chart).

NON-INSTRUCTIONAL PERSONNEL

It is the policy that the President nominate for election by the Board all subordinate employees of the institution. Non-instructional divisions of the University are generally organized with department heads in charge. The heads, subject to the approval of their superiors, are responsible for recommending the hiring of personnel and for supervising their performance. The organizational chart of the University shows how the departments relate to the President.

**Organizational Chart
2001-2002**

POLICY STATEMENT

It is the policy of Jackson State University to provide Equal Employment Opportunities to all applicants for employment and to all employees throughout their careers with the institution beginning with selection and placement through training and development, compensation, transfer, promotion and other conditions and privileges of employment. Equal Employment Opportunity shall be without regard to race, color, religion, sex, national origin, age, marital status, disability (except where such disability renders the person incapable of doing the job).

The University takes affirmative action:

- I. To recruit, hire, and promote persons in all job classifications without regard to race, color, religion, sex (except where sex is a bona fide occupational qualification), national origin, age, or disability (except where such disability renders the person incapable of doing the job);
- II. To insure that the promotion decisions are in accord with the principles of equal employment opportunity by imposing only valid requirements for promotional opportunities;
- III. To insure that all personnel actions, such as compensation benefits, transfers, layoffs, returns from layoffs, University-sponsored training education, tuition assistance, and social and recreational programs, will be administered without regard to race, color, religion, sex, national origin, age, or disability; and
4. To employ and advance in employment disabled veterans at all levels of employment.

The Affirmative Action Plan, combined with the University's good faith efforts, is aimed at ensuring that Equal Employment Opportunity is maintained. It enables the University to demonstrate that it is responsible in the community in which it operates.

We would like to think that we work in an environment free of discrimination. But if you feel that you are having a problem, request a meeting with your supervisor, dean, area vice president or the Director of Human Resources to clarify misunderstandings which can arise from time to time.

This policy is actuated and implemented through the authority of the Chief Executive Officer, derived from the Board of Trustees of Higher Learning in the State of Mississippi and delegated to the Director of Human Resources.

EMPLOYMENT

Jackson State University continually upgrades its employment procedures in an effort to find the very best, most qualified applicant through intensive screening procedures.

When seeking employment at the University, each applicant is asked to complete an Application for Employment in the Office of Human Resources prior to an interview. On this form, the applicant provides information necessary for careful consideration of the applicant's previous experience and physical and educational qualifications for the particular position or job in which he/she is interested.

The application also serves as a legal document and must be retained for the period prescribed by law.

RECRUITMENT

It is Jackson State University's policy to fill all job vacancies with the best qualified person available.

Before looking elsewhere, supervisors must make certain that vacancies cannot be filled by someone who is already a member of the University community whether in the immediate area or elsewhere at the University.

APPLICANT SCREENING

The Office of Human Resources is responsible for the preliminary screening of applicants. After applicants have been screened by the Office of Human Resources and determined to have the appropriate skills for the job, application forms and credentials of possible candidates will be passed on to the hiring supervisor for interviewing purposes.

The hiring supervisor will evaluate an applicant's knowledge, skills and ability for the position, document these procedures and apply it uniformly to all applicants. After interviewing candidates, the supervisor will select and recommend the final candidate for the position. No final offer is to be made until the Office of Human Resources completes the background check.

Background checks conducted by the Office of Human Resources will consist of calling and/or writing previous employers listed by the applicant, verifying previous employment, and any other information that the prior employer is willing to release.

The educational level claimed by the applicant will be verified by a certified transcript. For sensitive positions, criminal conviction records will be checked.

Reference information obtained by the Office of Human Resources shall be treated in strictest confidence and kept on file in the Office of Human Resources. Conversely, reference information may be given to inquiring and verified employers by the Office of Human Resources, only when a written request and authorization has been obtained from the employee.

EMPLOYMENT OFFERS

Neither supervisors nor department heads have the authority to offer employment to any applicants; only the President or his/her does. All offers of employment are conditional, subject to satisfactory results of a background investigation, reference check, and sufficient documents to demonstrate identity and authorization to work in the United States as required by the Immigration Reform and Control Act.

EMPLOYMENT ELIGIBILITY VERIFICATION

Jackson State University is required by the Board of Trustees of State Institutions of Higher Learning and the United States Department of Justice, Immigration and Naturalization Service to provide the age, birth date and citizenship of all personnel employed. A new employee must provide the Office of Human Resources with an original social security card, and a second form of identification. An alien must present either a United States Passport, Certificate of United States Citizenship, Certificate of Naturalization, unexpired foreign passport with attached Employment Authorization, or Alien Registration Card with photograph. No employee will be allowed to work if he/she does not have the appropriate documents for employment authorization.

PERSONNEL FILE

A personnel file will be established and maintained in the Office of Human Resources for each employee. All pertinent information such as application forms, job descriptions, performance evaluations, salary data, commendations, references, and disciplinary notices will be retained in this file. This information will be kept confidential. Newly-hired employees will be required to complete an Employee Data Form which will be used for personnel purposes. This form will become part of the personnel file. The Office of Human Resources has ultimate discretion to determine what documents should go into each employee's personnel file.

All personnel inquiries should be referred to the Office of Human Resources. No information will be released on oral requests. Without written authorization, the Office of Human Resources will only release the dates of employment and the last position held.

REVIEW OF PERSONNEL FILE

Employees upon reasonable advance notice, may review their own personnel file at any reasonable time during normal office hours.

CHANGES IN EMPLOYMENT RECORD INFORMATION

It is important that personal information on employees be updated periodically. Changes, such as name, address, telephone number, marital or family status, tax

exemptions (state or federal), or the name of the person to be notified in case of emergency, should be reported promptly to the department head or the immediate supervisor with a copy of the same to the Office of Human Resources. Failure to notify the Office of Human Resources of these changes may cause a delay in receipt of important correspondence(s).

EMPLOYEE ORIENTATION

Jackson State University believes that a smooth and thorough orientation of new employees results in a positive integration into the University's operation, and will lead to a more productive and satisfying employment relationship. For this reason, new employees should report to the Office of Human Resources for orientation promptly upon their report date to receive a thorough orientation. Each employee will receive information about the University's fringe benefits and complete related documents for payroll purposes.

JOB INFORMATION AND INSTRUCTION

It is the policy of the University to aid each employee in every possible way to become a skillful, efficient, and cooperative member of the working force. To this end, an employee will be provided the necessary information with respect to the purpose and responsibilities of the employee's job or position by his/her supervisor.

Each supervisor will observe the employee's performance and ascertain how well the employee understands and follows instructions. The employee will be provided additional instructions by his/her immediate supervisor when new procedures or methods are adopted.

PROBATIONARY PERIOD

Each new employee will be required to serve a six-month probationary period before becoming a regular University employee. During that period, the employee's work will be observed by his/her immediate supervisor. Before the expiration of the probationary period, the supervisor will make an evaluation of the employee's general productivity, job knowledge, dependability, cooperation, initiative, and general character.

If, at any time prior to the completion of the probationary period, the employee's performance has not been satisfactory, the supervisor may after counseling with the employee, recommend termination of the employee's services with a one-week notice.

Upon the completion of the probationary period, the employee will become a regular employee of the University's staff in a nine (9), ten (10), eleven (11) or twelve (12)-month position entitled to all privileges enjoyed by regular non-instructional University employees. Nine, ten, and eleven-month employees are entitled to all fringe benefits on a pro rata basis.

EVALUATION OF NON-INSTRUCTIONAL EMPLOYEES

Evaluation is a continuing process in which both the supervisor and employee participate. Supervisors of non-instructional employees will be required to appraise the job performance of each staff member.

- A. At the end of the six (6) months of employment for:
 - 1. Probationary non-instructional personnel (newly hired employees).
 - 2. Staff employees who have been transferred or promoted to either a new position or to another organizational unit of the University.
- B. Once per year (March) for regular non-instructional employees, and
- C. At the time of non-instructional employee's termination.

Supervisors will meet with each non-instructional employee and complete performance evaluations for part-time, temporary, and regular employees. The meeting shall give the employee the opportunity to respond to the supervisor's judgement of his/her performances as well as offer a personal analysis of his/her performance for the year or the time for which he/she is being evaluated. The rating will be completed by the immediate supervisor on a Performance Evaluation Form authorized by the University.

After the Performance Evaluation Form has been completed and signed by the immediate supervisor and the non-instructional employee being rated, the original copy should be forwarded to the Office of Human Resources, a copy retained for the employee's department file, and a copy provided to the employee.

An employee's signature on the form does not imply that he/she is in total agreement with the supervisor's judgement. It is merely a confirmation that the appraisal interview has taken place. An employee may attach any comments to the Performance Evaluation Form at any time.

Employees are invited to initiate interim evaluations with the supervisor. These evaluations will enable the employee to discuss the various aspects of the job and provide the opportunity to analyze problems encountered and allow the employee to ask questions concerning his/her role on the job.

PROMOTIONS

In filling a position within a department, first consideration should be given to present employees. When all other factors such as efficiency, special requirements of the job assignment, employee's ability, fitness, and employment records are substantially equal, seniority within each job group of employees will govern promotions. Vacancies are filled by the employment of new personnel "only" when their qualifications are more specifically suited to the requirements for the positions or when they are superior to the qualifications of employees available within the department.

Employees should let their immediate supervisor know what position(s) they are interested in, and that he/she would like to be considered for advancement in a particular area. Employees themselves should also inform the Office of Human Resources of their interest in writing.

When an employee is promoted to another position, he or she is required to serve a six months probationary period in the new position. An employee within a promotional probational period whose performance or other employment conditions are determined to be unsatisfactory, may request to be reinstated to the former position if it is still vacant, or a comparable position, if there is a vacancy, or he/she may be released from the University..

TRANSFERS

In the event an employee desires to transfer to a new or vacant position, the procedures listed below will follow:

- A. The employee must meet the qualification requirements of the position for which he/she wishes to be considered.
- B. The employee must submit a letter of interest to the Office of Human Resources for the position for which he/she wishes to be considered.
- C. The employee is recommended for employment by the supervisor of the department to which he/she desires to transfer.
- D. The employee must submit a request to his/her present supervisor inclusive of the date he/she wishes to transfer to the new position for his/her approval, and forward a copy of the letter of request with the Supervisor's signature of approval to the Office of Human Resources.
- E. An employee whose request for a transfer is honored will be transferred as soon as possible, but no later than fifteen (15) working days after being selected, and
- F. Upon approval for a transfer, the employee will be notified by the Office of Human Resources.

A transfer request will be honored to the extent practicable and at the discretion of the department head having the opening. The transfer request shall be consistent with the needs of the department, the employee's qualifications for the position opening, and the employee's record of performance in his/her present position.

When an employee transfers to another position, he or she is required to serve a six months probationary period in the new position. An employee within a transfer probational period whose performance or other employment conditions are determined to be unsatisfactory, may request to be reinstated to the former position if it is still vacant, or a comparable position, if there is a vacancy, or he/she may be released from the University.

The transfer from one department to another within the University has no effect on the leave privileges or potential retirement benefits of the individual employee who is on a probationary or regular employment basis unless the new status is a promotion or a demotion.

SENIORITY

The seniority policy of the University will apply after the employee has met the requirements of becoming a regular employee. The employee's seniority shall be determined by the aggregate of all time served at the University.

In the event of a layoff, after an employee qualifies as a regular employee, employees with the least seniority will be first laid-off. If additional employees are needed, those laid off who had at least a rating of "good" will be eligible for rehire within six (6) months in the reverse order in which they were laid off before new employees are hired.

To determine eligibility, the former employee must file an employment application with the Office of Human Resources.

Seniority shall cease upon:

- A. Voluntary resignation
- B. Justifiable discharge
- C. Refusal of an offer of re-employment within a period of six (6) months

WORK WEEK

Staff employees are ordinarily assigned to a five day work schedule of forty hours per week. A work day for regular employees shall be governed by the head of the respective department. However, basis for payment for hours worked during any one work week shall be in keeping with the Fair Labor Standards Act and applicable state and federal labor laws.

For bi-weekly employees, the work week begins at 12:01 a.m. on Thursday and ends at 12:00 midnight on Wednesday, and for monthly employees, who are governed by the Minimum Wage Law, the work week begins at 12:01 a.m. on Monday and ends at 12:00 midnight on Sunday.

WORK SCHEDULE

Generally, the regular work schedule at Jackson State requires coverage of eight working hours per day. Customary working hours are from 8:00 a.m. until 5:00 p.m. Departments may require that jobs be covered five, six or seven days a week, depending upon the nature of the work. An employee is assigned a specific schedule of work and is expected to maintain his/her schedule.

Work schedules will be established for each employee by his/her supervisor, who may change such schedules based on the needs and requirements of the work unit. Supervisors may also require an employee to work an unscheduled day in place of a scheduled day within the same work week, in which case the unscheduled day worked shall be treated as a modified work schedule and not subject to overtime compensation on the basis of a changed work day.

Employees may request a detailed copy of the work schedule which sets forth their duties and the time they are to be performed. The supervisor in charge will explain an employee's work schedule and give specific instructions should temporary and permanent changes become necessary.

RE-ASSIGNMENT OF CLERICAL/SECRETARIAL PERSONNEL

In cases of emergencies or extended illness of secretarial personnel, it shall be the policy of the University to reassign secretarial personnel as needed with the consultation of administrators involved and approval of the chief administrator of the area. (Revised 2002)

WORK RECORD - TIME CARD - TIME SHEET

A payroll record of time worked is necessary to comply with the Minimum Wage Law and for the Payroll Office to compute the amount of pay due each employee. Time cards and time sheets are provided for this purpose.

It is the responsibility of the employee to punch his/her time card each day when he/she begins work and again when he/she stops work.

If an employee punches another employee's time card, this will be considered sufficient cause for dismissal of both employees -- the employee whose time card is punched and the employee punching the card.

LUNCH PERIODS

In accordance with applicable law, non-instructional personnel are entitled to and encouraged to take their lunch period. Employees are encouraged not to consume food at their work station.

The regular work day (8:00 a.m. - 5:00 p.m.) for all employees on an eight-hour schedule must be broken by a lunch period of not more than one hour between the hours of 11:00 a.m. - 2:00 p.m. Employees are not paid for time allowed for lunch. Employees must schedule their lunch period with their respective supervisor and may not alter lunch periods without prior approval of their supervisors.

Evening and night work schedules provide one-hour lunch periods, scheduled as nearly as possible in the middle of the work period. Schedules requiring coverage from 12:00 midnight to 8:00 a.m. are eight straight hours of work without a scheduled lunch period.

WASH PERIOD

The University recognizes that some of its employees are engaged in manual and mechanical work which requires periods of washing and clothing changes. Employees engaged in such work are permitted such time off as designated by the supervisor to attend to these personal tasks; however, it is expected that normal time allotted for such tasks will not exceed ten minutes.

RESIGNATION

Staff personnel intending to resign will write a letter of resignation to the President with a copy to the head of the department, the Office of Human Resources and the chief administrator of the area no later than two weeks before the date of resignation.

Administrators and supervisory personnel are requested to give a thirty (30) day notice. Before the staff member who has resigned is given final clearance from his/her area of employment, he/she must complete and leave with the head of the department an Exit Interview Form which can be obtained from the Office of Human Resources.

For a staff member whose contract or appointment terminates June 30, the effective resignation date will normally be the termination of the current year, i.e., June 30. In such case, the accrued personal leave time will normally be granted in the month of June.

EXIT INTERVIEW

The department head will arrange an exit interview with all employees under their supervision who are terminating employment from the University for any reason.

The purpose of this interview is to:

- A. Collect all University property (keys, handbook, credit cards, diskettes, etc.);
- B. Arrange for payment of salary; and
- C. Answer any questions that the employee may have regarding his/her termination.

As an employee, if you leave the University for any reason, your comments and opinions are valued. Therefore, your supervisor or the Director of Human Resources welcome the opportunity to discuss your observation to help improve the University and retain talented and competent employees.

When an exit interview is not held, the immediate supervisor will provide whatever information he/she can, based on knowledge of the employee. It will be noted in the employee's file that no interview was held and the reason cited.

All employees, at the time of their termination of employment, must return all uniforms, keys and other property and equipment to the University before their final paycheck is disbursed. Failure to return the property of the University will result in charges against the employee's final payroll check.

RE-EMPLOYMENT

When the University grants an employee maternity leave, personal or major medical leave, leave without pay, or a leave due to an injury, it does so with the intention of reemploying the person upon the termination of the leave of absence. A leave is officially terminated when the President approves a recommendation from the supervisor to terminate such a leave. The University does not guarantee re-employment in the same position held prior to a leave of absence; however, every attempt will be made to rehire in a similar or comparable position.

The University will place employees who have been on maternity or medical leave back on duty at a time that is feasible with respect to the physical condition of the employee and needs of the University. Requests to return to work must be supported by documentation from the employee's physician stating that he/she is physically able to return to work and the date which the employee may return.

BUSINESS POLICIES AND SERVICES

CONTRACTS AND EMPLOYMENT LETTERS

Administrative officers and staff personnel with the responsibility of an identifiable budget within the University's budget receive contracts for the fiscal period of July 1 through June 30. Secretarial and other staff personnel receive employment letters for the fiscal period July 1 through June 30.

OUTSIDE EMPLOYMENT

The policy of the Board of Trustees of State Institutions of Higher Learning and Jackson State University is very clear that outside employment by members of the faculty and staff is permissible ONLY if such employment has been given PRIOR approval by the President AND IF such employment in no way interferes with your institutional duties. In addition, individuals may not engage in any business or profession that would in any way compete with a similar business or profession over which the employee would have supervision, inspection, or purchasing authority within the University, since that would create a conflict of interest.

While it is recognized that economic pressures may deem it necessary or advisable for individuals to supplement their income through outside employment, approval should be sought and received before such employment begins. Persons who do not receive prior approval are in violation of the University's policy and subject to corrective action. In addition, if it should be determined subsequent to approval that an employee's outside employment does conflict directly or indirectly with the University's mission, the employee will be asked to make a decision as to whether to continue JSU employment or to maintain the outside employment.

The intent of this regulation is to ensure that University employees are keeping Jackson State University as their top priority. The University expects nothing less from each staff member.

All employees who are NOT in compliance with the University's policy on Outside Employment may be subject to termination. (REVISED 2/07/2001)

COMPENSATION AND PAYROLL SERVICES

WAGE PAYMENTS

The pay period for bi-weekly employees covers two weeks ending at 12:00 midnight Wednesday. Payment is made by check on the next Friday at 4:00 p.m. following the close of the period. Bi-weekly employees shall secure their checks from their respective departmental chair or director and sign the computer printout.

SALARY PAYMENTS

Monthly administrative and support staff shall be paid on the last working day of each month. The prior working day will be payday in the event the last day of the month falls on a Saturday, Sunday, or a holiday. Employees may have their paycheck direct deposited in their bank account (checking or savings). Employees not electing to direct deposit their paycheck, shall secure their checks from their respective department chair or director and sign the computer printout.

DELIVERY OF PAYCHECKS

All employee checks will be issued to their respective departments. The employee will obtain his/her check from the person designated by their department chair and sign the computer printout.

Exception:

Husband and Wife -- It can be arranged upon the presentation of a written statement granting such permission and signed by both parties that either spouse will be able to obtain the other's check.

The computer printout list and all unclaimed checks are to be returned to the Office of Financial Services by 4:30 p.m. the day of issuance. All unclaimed checks must then be obtained directly from the Office of Financial Services.

PAYROLL DEDUCTIONS

Deductions from each employee's gross pay are of two types: mandatory and voluntary. Mandatory deductions are those required to be made by Jackson State University by law, court order, or other legally compelling influence on payroll. Such deductions include state and federal income tax withholding, retirement, social security taxes, levies and garnishments.

Mandatory deductions in accordance with applicable legal requirements will be made automatically by Jackson State University. However, such mandatory deductions as state and federal income taxes where Jackson State University must rely on information provided by an employee, will be the sole responsibility of the employee to provide accurate information within legal limitations.

Voluntary deductions will not be made without the employee's written request or authorization.

GARNISHMENT AND TAX LIENS

Upon receipt of a lawful order from a court of competent jurisdiction, the University is required to assess the amount prescribed in that order against the wages or salary of the employee named in the garnishment or tax lien proceedings.

Garnishment orders should be received by department heads; however, all garnishment orders shall be forwarded to the Office of the Human Resources. Upon receipt of garnishment orders, the Office of Human Resources will notify the employee of receipt of the garnishment order and forward it to the Payroll Office for processing.

Employees are discouraged from placing their personal financial matters into their employment relationship with Jackson State University. Where personal financial matters become administratively burdensome to the University, the affected employee may be subject to reimbursing the University an amount commensurate to actual processing costs. (Revised 2002)

ERROR IN PAY

If an employee feels that there is an error in his/her earnings, he/she should report his/her claim to the immediate supervisor, who will contact the Office of Human Resources.

PAYROLL COMPUTATION

The following illustrated method is used in computing pay for staff personnel for periods less than one month and for overtime pay:

Computation of overtime rate for staff employees: In order to compute an overtime rate, the employee's hourly rate must be determined and multiplied by 1 1/2 times the hourly rate.

EXAMPLE: Jane Doe, a secretary was hired September 1, 1994, at an annual salary of \$12,000 or \$1,000 per month. She worked eight (8) hours overtime during registration for the Fall Semester.

COMPUTATION:

Step 1

Weekly Rate: Divide annual salary of \$12,000 by 52 weeks hours to determine the weekly rate.
 $\$12,000 \text{ divided by } 52 \text{ weeks} = \230.70

Step 2

Hourly Rate: $\$230.70 \text{ divided by } 40 \text{ hours} = \5.77

Step 3

Overtime Rate: Hourly rate times 1 1/2 for overtime
 $\$5.77 \times 1 \frac{1}{2} = \8.66

Step 4

Earnings: Overtime rate x number of hours worked
 $\$8.66 \times 8 \text{ hours} = \69.28

SALARY ADVANCES

Salary advances will **NOT** be made.

OVERTIME PAY

Jackson State University operates under the Federal Minimum Wage Law. Staff employees who are covered by the Minimum Wage Law are paid at the rate of time and one-half for all hours worked in excess of forty (40) hours per week.

Overtime pay will be calculated on the basis of actual hours worked over forty (40) hours in a workweek; therefore, paid time off such as vacation, personal leave, major medical leave, and holidays do not count as hours worked for the purpose of determining overtime pay.

Overtime should be requested only in cases of extreme emergencies and then only with the permission of the chief administrator (Executive Vice President, Vice President for Academic Affairs, vice President for Finance, Vice President for Research and Development, and Vice President for Student Affairs) of the major areas.

All cases of extreme emergencies requiring overtime must be reported to the Office of the President. Prior approval from the President or appropriate designee must be obtained by the immediate supervisor in all cases involving overtime work.

In case of necessity for work beyond the regular work week, compensatory time off should be given first consideration.

COMPENSATORY TIME OFF

Compensatory time off for overtime work is to be given at the rate of time and one-half for all hours worked in excess of forty (40) hours per week during the week in which it occurs. If the overtime occurs, administrators and/or department heads must secure permission from the Office of the President to compensate the employee for overtime hours or to allow compensatory time off later.

The determination as to whether an employee will receive pay or paid time off shall be made by the supervisor. Compensatory time off will be earned and should be recorded on the basis of one and one-half hour off for each overtime hour worked.

Earned compensatory time off must be taken by the employee, with approval of the supervisor, in the same payroll period it is earned.

It is the responsibility of the supervisor to maintain records on compensatory time.

HOLIDAY PAY

Where a designated holiday occurs on an employee's regularly scheduled day off, and the employee works the holiday, the employee will be compensated for the holiday hours worked at the overtime rate provided the holiday work hours are in excess of forty (40) hours worked in the workweek in which the holiday falls. Alternatively, the employee may be scheduled a different day off during the workweek in which a holiday falls, whereby the employee would receive compensation for actual hours worked on the holiday unless such hours exceed forty (40) hours worked for the workweek.

OVERTIME - REGULAR EMPLOYEES WHO DRIVE UNIVERSITY VEHICLES

Persons employed on a full-time basis who drive University vehicles will be given time and one-half while traveling. For example, if an employee's trip begins at 6:00 p.m. and ends at 10:00 p.m., the employee will be given credit for six (6) hours overtime. It is also understood that time will be allowed to make adjustments upon arrival at the destination.

A driver will be given straight time during the course of a regular work day while on a trip. Credit will not be given for other time accumulated while away on a trip.

It is mandatory that drivers of University vehicles keep an accurate record of all regular and overtime driving time while they are away on a trip. Drivers are required to report such time on the Travel Report Form and submit three copies of the same to the Director of Facilities Management after each trip.

WEEKEND WORK

Employees who work on a Saturday or Sunday are not automatically eligible for overtime compensation. Work assigned on a Saturday and/or Sunday may be part of an employee's normal work schedule, thereby compensable only at the employee's basic pay rate. Hours worked on weekend days will therefore qualify for overtime compensation only if the hours worked on such days meet the standards cited.

COMPENSATION DURING ATTENDANCE AT SEMINARS, OUTSIDE MEETINGS AND TRAVEL

Periodically, it may be necessary to the benefit of Jackson State University and/or the individual employees to attend or participate in activities outside the normal work location. Such activities may include attendance at meetings, training programs, or conferences, etc. Attending or participating in these activities may be either at the request of an employee or required by the University, but in no case will it be regarded as an officially authorized activity until advance written approval has been granted by the department chair or director. Employees seeking approval must submit a written request detailing relevant information upon which a decision can be rendered such as the date, hours, location, costs expenses, nature and purpose of activity, and justification for attending.

Employee attendance at Jackson State University approved seminars, conferences, business-related meetings, and training programs will be considered hours worked for non-exempt employees and compensable in accordance with the payment provisions contained in this manual for all employees.

Where the employee's attendance constitutes an expense to Jackson State University, the employee will submit a travel itinerary itemizing costs in connection with attendance, whereby the University will reimburse the employee upon submission of receipts. Customary expenses may include, but not necessarily be limited to, registration fees, materials, transportation, and parking.

TERMINAL PAY

An employee who is terminated will be entitled to pay for the unused portion of his/her earned personal leave not to exceed thirty (30) days.

No payment will be made for accrued major medical leave unless the employee presents medical evidence that his/her physical condition is such that he/she can no longer work in a capacity with the University. In such case, the employee may be paid for not more than 120 days of earned major medical leave.

Grant employees should be allowed to utilize up to thirty (30) personal leave days prior to the termination of their employment.

DEATH OF AN EMPLOYEE

In the event of death of an administrator or staff member in active service, the University will pay to the beneficiary or estate the salary for the days worked in the month in which he/she dies. In addition, the beneficiary or estate will be paid for the employee's accumulated personal leave days. Such payments will be in full settlement of salary and personal leave entitlement. In the absence of a designated beneficiary, monies will be paid to the beneficiary of such employee as recorded with the Public Employee's Retirement System of Mississippi.

TRAVEL POLICIES

The official duty station for Jackson State University employees shall be the main campus. Actual mileage to and from the official duty station while on official business will be reimbursed at the rate approved by the state. After normal working hours, the employee's residence will be the official duty station.

LODGING

Reimbursement for overnight lodging will be made when travel circumstances prevent departure and return travel in one day. Generally, an employee is eligible for reimbursement for overnight lodging if the distance one way is greater than 75 miles from his or her duty station. Reimbursement for lodging expenses will be made for the amount actually paid, when supported by a receipt. When an employee has a choice, good judgement should be exercised in selecting lodging to avoid unreasonable charges. Only single room rates are allowable. Unless otherwise approved, all expenses for lodging should be billed to the employee and not the University. The lodging receipt shall be marked paid. Employees are required to secure special, convention and state employee rates when possible.

MEALS

Employees shall be reimbursed the actual cost of meals incident to official travel, not to exceed the daily maximums. Traveling personnel should contact the Office of Financial Services for current meal rates.

The breakfast meal will be allowed when the departure time is prior to 7:00 a.m. The lunch meal will be allowed when the departure time is prior to 11:00 a.m. and return to the campus is after 3:00 p.m. or overnight travel is involved. The dinner meal will be allowed when the employee returns to his official duty station later than 8:00 p.m. or overnight travel is involved. Meal receipts will not be required.

IN STATE/OUT-OF-STATE TRAVEL

In state travel must be approved one week prior to travel. Out-of-state travel by an employee must have prior approval of the President. Request for out-of-state travel must be approved two weeks in advance.

Other actual expenses which will be reimbursed if accompanied by a receipt include parking fees, taxi fares and rental car charges. Tips are not chargeable as a separate item.

TRAVEL ITINERARY

In-state travel requests must be approved by the respective department chair or the director, the school dean and the appropriate vice president.

Out-of-state travel must include a reasonable estimate for the actual (total) cost including travel, lodging, and subsistence. Travel budgets will be encumbered based on the approved itinerary.

Employees who travel regularly as a part of their duty should file a Travel Itinerary Form in triplicate for approval for each month in advance.

Walk-through requests should occur only in emergency situations.

TRAVEL ADVANCES

Travel advances are not allowed.

TRAVEL VOUCHER

A Travel Voucher for Reimbursement should be submitted to the department chair or director for his/her approval and forwarded to the Office of Finance Services for reimbursement within seven (7) working days after returning from trip.

Travel Vouchers for Reimbursement that exceed the approved itinerary amount will be returned to the appropriate department chair or director for justification and budget confirmation. If the request is for out-of-state travel reimbursement, the original approval process is required (department chair or director, school dean or dean, and the appropriate vice president). (Revised 2002)

RENTAL OF AUTOMOBILES

The rental of automobiles for travel within the state is prohibited except when the use of a personal vehicle will exceed the cost of a rental car and a University-owned vehicle is not available. Approval to rent an automobile must be secured in advance to making the trip. The rental of automobiles is permitted for out-of-state travel only after the primary destination has been reached, and only if official duties require mobility beyond that which may be accomplished through the use of taxis, city buses, and intra-city-railways. The rental of an automobile should be anticipated and approval obtained before the rental is made.

MULTI-EMPLOYEE ATTENDANCE AT CONVENTIONAL MEETINGS

If more than one employee is attending the same convention or meeting, especially within the state, group travel arrangements are encouraged. Where two (2) or more employees travel in one (1) privately-owned automobile, only one (1) travel expense allowance at the authorized rate per mile will be allowed for any one (1) trip.

FOREIGN TRAVEL

Travel outside the continental United States must be approved by the Board of Trustees of State Institutions of Higher Learning and meet the requirements as set forth

by state statute. All requests for foreign travel must be submitted to the Office of the President at least 45 days prior to anticipated travel. (Please note that travel to Canada and Mexico is foreign travel).

TRAVEL WITHIN THE CITY LIMITS OF JACKSON

Employees required to make routine trips within the city limits may receive reimbursements at the rate approved by the state. Only one travel voucher per month is required. A log of these trips indicating the purpose and destination must accompany the travel voucher. The President must authorize such routine use of an employee's vehicle. The following individuals, department or offices are authorized to receive reimbursement for travel within the city limits if a University vehicle is not available:

- A. Faculty who conduct student teacher visitation
- B. Purchasing Department
- C. Office of Publications
- D. Division of Continuing Education and Extension Services
- E. Office of Research and Development

OTHER EXPENSES

Additional expenses which will be reimbursed if accompanied by a receipt include:

- A. Long distance telephone charges provided the calls relate to official business.
- B. Postage used for mailing provided the mailings relate to official business.
- C. Minor supplies to support the activity engaged in where official business of the University is concerned.
- D. Equipment repair (University-owned) when time constraints prevent the equipment from being repaired through normal procedures.
- A. Employees who purchase meals for other officials should charge the cost to a food for person line item.

All University travel is subject to the above policies and procedures, regardless of the source of funds (state, federal, grant, etc.). No voucher for reimbursement will be approved for payment unless the above procedures are followed.

UNIVERSITY LEAVE AND HOLIDAYS POLICIES AND PROCEDURES

It shall be the responsibility of the department chair or director to maintain and certify personal and major medical leave records and to administer the leave in accordance with policy. It is the responsibility of the department chair or director to inform those working under their supervision of the leave policy.

PERSONAL LEAVE

The rules of personal leave apply to all 12-month employees and staff personnel.

- A. Employees are allowed credit for personal leave computed on the basis of continuous service at the following monthly and annual rates:

| Continuous Service <i>(Monthly)(Annually)</i> | Accrual Rate | Accrual Rate |
|---|---------------------|---------------------|
| 1 month to 3 years | 12 hours | 18 days |
| 37 months to 8 years | 14 hours | 21 days |
| 97 months to 15 years | 16 hours | 24 days |
| Over 15 years | 18 hours | 27 days |

- B. Personal leave may be used for vacation and personal business and shall be used for illness of the employee requiring absences of one day or less. Personal leave shall also be used for the first day of an employee's illness requiring absence of more than a day.
- C. There is no limit to the accumulation of earned personal leave.
- D. Upon termination of employment, each employee shall be paid for unused personal leave not to exceed 30 days.
- E. Unused personal leave in excess of 30 days shall be counted as creditable service for purposes of the retirement system.
- F. Should an employee die having accumulated personal leave credit, the wages and salary for the total unused personal leave time shall be paid to the person designated by the employee for this purpose or, in the absence of such designation, to the beneficiary of such employee as recorded with the Public Employee's Retirement System.
- G. Temporary and/or part-time employees who work less than a full work week shall be allowed credit for personal leave computed on a pro rata basis.
- H. Employees who terminate their services at the University and immediately become employed at another state agency, may transfer accumulated personal leave to the employing agency.

VACATION FOR ADMINISTRATIVE OFFICERS AND TWELVE-MONTH STAFF

Scheduling vacation is a part of the University's planning process. Therefore, to plan for continuous coverage of offices, all administrative officers and department heads are requested to submit through the appropriate channel to the Office of Human Resources a schedule of vacation(s) for employees under their supervision by March 1. The Vacation Report Form, which can be purchased from the Department of Procurement and Inventory, should be completed and forwarded to the Office of Human Resources for final approval.

Where possible, all vacations should be scheduled during the months of May, June, July and August. **No vacations should be scheduled during the time of registration or on the day of Faculty and Staff Seminar.**

Should an employee desire to change his/her vacation after a report has been submitted and approved, should the bottom portion of the Vacation Report Form to request approval for a change before the date the vacation is to begin.

Please note that the source of vacation days is the balance of personal leave. Employees with six (6) to 12 months of continuous service may use six (6) days for vacation. Employees with 12 months to 60 months may use 15 days for vacation and employees with 61 months or more may use up to 18 days for vacation during each calendar year (January 1 - December 31). **In no case may the vacation days exceed an employee's personal leave balance.** Neither should an employee schedule vacation time that extend over into the next year.

When an approved vacation has been consummated, the vacation leave time used is to be reported on the Report of Absence of University Employees Form through the appropriate channel to the Office of Human Resources.

Persons requesting to continue their services during the normal time for the vacation may not receive extra pay for such services. In such cases, the department chair or director will arrange for a suitable vacation to begin at some other time. (Revised 2002)

MAJOR MEDICAL LEAVE

- A. Employees are allowed credit for major medical leave computed on the basis of continuous service at the following monthly and annual rates:

| Continuous Service | Accrual Rate <i>(Monthly)</i> | Accrual Rate <i>(Annually)</i> |
|---------------------------|---|--|
| 1 month to 3 years | 8 hours | 12 days |
| 37 months to 8 years | 7 hours | 10.5 days |
| 97 months to 15 years | 6 hours | 9 days |
| Over 15 years | 5 hours | 7.5 days |

- B. Major medical leave may be used for illness or injury of an employee or members of the employee's immediate family, only after the employee has used one day of personal leave for each absence due to illness, or leave without pay if the employee has no accrued personal leave. However, major medical leave may be used,

- C. without prior use of personal leave, to cover regularly scheduled visits to a doctor's office or a hospital for the continuous treatment of a chronic disease, as certified in advance by a physician (doctor of medicine, osteopathy, dental medicine, podiatry, or chiropractic).
- D. For each absence due to illness of 32 consecutive working hours (combined personal leave and major medical leave) major medical leave shall be authorized only when certified by the attending physician.
- D. There is no limit to the accumulation of earned major medical leave.
- E. Unused major medical leave shall be counted as creditable service for purposes of retirement.
- F. An employee may use up to three (3) days of earned major medical leave for each occurrence in any calendar year because of a death in the immediate family requiring the employee's absence from work. No qualifying time or use of personal leave will be required prior to use of major medical leave for this purpose. The immediate family is defined as spouse, parent, step-parent, sibling, child, stepchild, grandchild, grandparent, son/daughter-in-law, mother/father-in-law or brother/sister-in-law. Attendance must be verified.
- G. Temporary and/or part-time employees who work less than a full work week shall be allowed credit for major medical leave computed on a pro rata basis.

OTHER UNIVERSITY'S PAID MAJOR MEDICAL LEAVE POLICIES ARE AS FOLLOWS:

- A. A medical leave shall be granted by the President upon written request and the presentation of a doctor's statement from the employee's physician. All requests for medical leave must be approved by the department chair or director, the dean, the chief administrator of the area, the Office of Human Resources, and the President as soon as possible after the employee becomes aware of the necessity of the leave.
- B. An employee who is pregnant shall be permitted to work as long as she is physically able to perform her duties, provided she submits to the Office of Human Resources, the chief administrator of her area and her department chair or the director a statement from her physician three (3) months prior to the effective date of the maternity leave, giving the last date the physician recommends that she works. The employee will then be required to go off duty on the date recommended by her physician.
- C. No employee shall be granted more than a total of twelve (12) weeks of leave for maternity purposes, including major medical leave and personal leave time with or without pay unless certified by a physician to be a medical necessity.
- D. Two (2) weeks prior to returning to duty from a medical leave, the employee must

furnish his/her department chair or director and the Office of Human Resources with a signed statement from his/her physician certifying that he/she is physically and emotionally able to return to work.

- E. An employee granted a maternity leave who does not return to duty within 12 weeks including major medical leave, leave without pay, and personal leave shall automatically have his/her services terminated.
- F. Employees who terminate their services at the University and immediately become employed at another state agency, may transfer accumulated personal and major medical leave to the employing agency.
- G. When an employee is injured in the course of employment, the employee may use major medical leave time, earned personal leave time or leave without pay to cover the period of absence from duty.
- H. No income is payable if disability results from engaging in any criminal act, intentionally self-inflicted injury, or working for another employer.
- I. An employee will not be paid for unused major medical leave beyond termination of employment or resignation from the University.
- J. In case of illness, after all accumulated major medical leave days have been used, an employee may then use personal leave time to continue receiving his/her salary. When all major medical leave and personal leave time have been used, a request for a leave of absence without pay or a termination of employment must be initiated.
- K. If illness occurs which prevent an employee from reporting to work, the employee will notify his/her supervisor or an alternate designated by the supervisor. This must be done as far in advance as possible, but in no case later than one (1) hour after the time the employee ordinarily reports to work.
- L. Any major medical leave in excess of three (3) days duration must be substantiated by a physician's certificate. If a pattern of personal or medical leave becomes unusual, the employee will be notified in writing of this fact by his/hersupervisor. After such notification, the employee may be required to present a doctor's certificate for each of the next three (3) medical leave absences.
- M. An employee on major medical leave shall accrue personal and major medical leave time, but not while on leave without pay.
- N. An employee may be disciplined or released for abuse of personal or major medical leave privileges regardless of the amount of unused leave time accrued.
- O. When a regular University holiday occurs during a period of personal or major medical leave, only working days will be counted.
- P. In counting days absent from work for personal or major medical leave purposes, only working days will be counted.

- Q. The Office of Human Resources maintains the official personal and major medical leave accruals and usage record on employees. Use of leave time must be recorded on an Absent From Duty Form which can be purchased from the Department of Procurement and Inventory. The form must be signed by both the employee and supervisor and must be submitted to the Office of Human Resources through the appropriate channels within one week after the employee returns to work.
- R. The Office of Human Resources will provide each supervisor with the leave balances for all employees under their supervision by January 31 each year.

FAMILY MEDICAL LEAVE

Coverage Eligibility

To be eligible for family medical leave, an employee must have been employed by Jackson State University at least 12 months and must have worked at least 1,250 hours (approximately 24 hours per week) over the previous 12 months.

GENERAL LEAVE REQUIREMENTS

****Length and Purpose of Leave***

Jackson State University shall provide eligible employees up to 12 weeks of leave per 12-month period for the birth of a child, the placement of a child for adoption or foster care, or the serious health condition of the employee or an immediate family member.

“Child” (called “son or daughter” under the Family and Major Medical Leave Act of 1993) means a child either under 18 years of age, or 18 years of age or older but incapable of self-care.

“Serious health condition” means an illness, injury, impairment, or a physical or mental condition that involves inpatient care or continuing treatment by a health care provider (doctor of medicine, osteopathy, dental medicine, podiatry, or chiropractic).

“Immediate family member” means the employee's child, spouse, or parent. “Parent” means the person who acted as the employee's parent when the employee was a child. The term does not include a parent-in-law.

****Compensation During Leave***

Although leave may be unpaid, Jackson State University will continue to provide coverage under its group health plan during the 12 weeks leave period, under the same terms offered to employees not on leave. The University may recapture any premiums paid if the employee fails to return to work for reasons other than the serious health condition of the employee or an immediate family member.

The University is not required to provide paid medical or sick leave in any case where such leave would not normally be provided. For example, if the University normally provides paid sick leave for an employee's own illness, then sick leave will not be substituted for any part of leave taken under the Act to care for an immediate family member.

****Spouses Employed by the University***

If both spouses work at the University, they are entitled to an aggregate of 12 weeks of leave per 12-month period for the birth of a child, placement for adoption or foster care of a child, or to care for a sick parent. However, if the leave is because of the illness of a child or the other spouse, each spouse is entitled to twelve (12) weeks.

****Job and Benefits Protection***

Employees are not entitled to benefits other than health care or seniority accrual during the leave, but may not lose any benefits or seniority accrued prior to leave.

LIMITATIONS ON LEAVE

****Exemption for Highly Compensated Employees***

Under certain circumstances, the University may refuse to reinstate a salaried employee who is among the highest paid 10 percent of all employees within 75 miles, so long as such refusal is necessary to prevent substantial and grievous economic injury to the University's operations.

****Medical Certification for Serious Health Conditions***

Jackson State University will require certification from the employee's or family member's health care provider for leave based on a serious health condition which must include the date on which the condition began, the probable duration, medical facts regarding the condition, a statement that the employee is needed for the care of the ill person, and in the case of intermittent leave, the dates and duration of the treatment to be given.

A second medical opinion may be required at the University's expense. If there are conflicting opinions, the University may request a third and final opinion at its expense to offer a binding decision and may require subsequent recertification "on a reasonable basis."

****Employee's Duty to Give Prior Notice***

Whenever possible, employees must give a 30-day notice to his/her immediate supervisor before taking leave; otherwise, the employee must notify the supervisor as early as is practicable.

If an employee takes leave based on the serious health condition of his/her self or to care for a family member, the employee must make a reasonable effort to schedule treatment so as not to disrupt unduly the University's operations.

****Intermittent or Reduced Leave***

An employee may take leave intermittently or on a reduced leave schedule -- that is, leave that reduces the employee's usual hours per work week or work day -- for the birth or placement for adoption or foster care of a child only with the supervisor's consent. Otherwise, intermittent leave is permissible when "medically necessary." The University may require the employee to transfer temporarily to an equivalent position that accommodates recurring periods of leave. The medical certification for intermittent leave or leave on a reduced leave schedule must include the expected dates for, and the planned duration of, the medical treatments, as well as a statement of the necessity for the intermittent leave or leave on a reduced leave schedule.

If an employee is otherwise exempt under regulations issued pursuant to the Fair Labor Standards Act, the University may provide unpaid leave on a reduced leave schedule without affecting the employee's exempt status.

JACKSON STATE UNIVERSITY WILL NOT INTERFERE WITH AN EMPLOYEE'S RIGHTS UNDER THE ACT OR DISCRIMINATE AGAINST ANY EMPLOYEE FOR OPPOSING UNLAWFUL PRACTICES UNDER THE ACT OR FOR PARTICIPATING IN ANY PROCEEDINGS RELATED TO ENFORCEMENT OF THE ACT.

HOLIDAYS

The recognized holidays for which all University employees will be compensated are: (1) Martin Luther King's Birthday, (2) Good Friday, (3) Memorial Day, (4) Fourth of July, (5) Labor Day, (6) Thanksgiving holidays (Thursday and Friday), and (7) Christmas Eve through New Year's Day (December 24 through January 1 inclusive).

The following legal holidays will be recognized by the Post Office employees: (1) New Year's Day, (2) Washington's Birthday, (3) Memorial Day, (4) Fourth of July, (5) Labor Day, (6) Columbus Day, (7) Veteran's Day, (8) Thanksgiving Day, and (9) Christmas Day.

Administrative and staff personnel will receive the basic holidays recognized by the University. Additional holidays may be designated by the President of the University. **Student holidays are not to be confused with official holidays for employees.**

All administrative and staff personnel of the University are expected to render such service as necessary for the effective operation of their respective departments and the University during holidays. Should it become necessary for a staff employee to work on a holiday, the employee will be compensated at the overtime rate provided the holiday work hours are in excess of forty (40) hours worked in the work week in which the holiday fall. Alternatively, the employee may schedule a different day off at a time mutually agreeable to the employee and supervisor during the work week in which a holiday falls, whereby the employee would receive compensation for actual hours worked on the holiday unless such hours exceed forty hours worked for the work week. **Compensatory time off will be given first consideration.**

In the event a holiday falls on a Sunday, the following Monday will be observed as a holiday. Likewise, when one of the University's recognized holidays fall on a Saturday, the preceding Friday will be observed as a holiday.

If an employee's work schedule requires continuous coverage daily throughout the year, the employee will be paid the regular hourly rate for all hours worked on a holiday. If there is a desire to be relieved of duties schedule to be performed on holiday, it is the employee's responsibility to make satisfactory arrangements with his or her immediate supervisor at least twenty four hours prior to the holiday.

QUALIFYING FOR PAID HOLIDAYS

To qualify for paid holidays, employees are required to work both the working day before and after the holiday occurs. The work day before and after the holiday would be defined as the regularly scheduled work day for each employee's job.

Personal and major medical leave **MAY NOT** be used in lieu of days taken before or after a paid holiday unless the employee is on an approved leave of absence, a medical leave, or vacation.

OTHER UNIVERSITY LEAVE POLICIES

ABSENCE FROM ASSIGNMENT

In case of illness or anticipated absence from duty, the University employees should notify the department chair or director as close to the start of the normal working day as possible. The department chair or director should therefore be updated daily with regard to the employee's condition and expected date of return to work unless the employee is on an approved leave of absence. Failure to notify the department chair or director of such absences or to make daily updates, may result in suspension and/or termination. If necessary, the department chair or director will then confer with the dean of the school or chief administrative officer so that adequate substitution may be provided for the employee's official responsibilities.

A salary deduction will be made for all absences from duty except those absences in which the employee is officially excused.

Absence of an employee for professional purposes (official business of the University) shall be allowed with full pay when approved in advance by the appropriate administrative office and the President of the University, or when occasioned by emergencies so recognized by the President of the University.

Administrative officers, deans, directors, coordinators, department heads and division chairpersons, etc., **are required to report all absences** of employees from regular duty, whatever the cause may be. Reports of absences shall be made and processed through normal channels to the Office of Human Resources. If a deduction in salary is required, a copy of the Report of Absence from Duty form will be forwarded to the Payroll Office for the salary deduction.

Report of Absence From Duty Forms should be completed no later than the day following the return of the employee. If no report for absence is made, at the request of the supervisor, the Office of Human Resources will make an automatic deduction from the salary of the employee.

TARDINESS

Each job is an essential part of Jackson State University's operations. Because your work is important, we expect you to make every effort to be at work on time. Being on time means being at your work station and ready to work at the appointed starting time. If an emergency causes tardiness of more than one-half hour, the employee should telephone the supervisor and give the expected time of arrival. Continuous tardiness may be cause for dismissal.

JURY DUTY

Jury duty is recognized as a civic responsibility. Regular employees, when summoned for jury duty, shall be given time off with pay.

ELECTIONS

The polls are open a sufficient number of hours and most employees live or work close enough to the polls to assure the opportunity for every eligible employee to vote before or after working hours. However, if a situation arises where an employee can only vote at a time when he/she is scheduled to be at work, the immediate supervisor may make an exception.

DEATH IN THE FAMILY

In the event of death in the immediate family (spouse, parent, child, sibling, brother, or sister, grandparent) of both employee and spouse, an employee may use three (3) days medical leave time with pay. **If the period exceeds three days in any one occurrence, the excess will be charged to personal leave or deducted from the employee's salary.**

MILITARY LEAVE

Jackson State University employees who have regular employment status with the University and who are called to active duty on a short notice, as a result of national emergencies may be granted military leave of absence without pay beginning on the date of the call to military services.

Jackson State University employees who are members of the reserve components of the United States Armed Forces may be allowed fifteen (15) working days for military leave within a calendar year.

LEAVE OF ABSENCE

Administrators and supervisors shall not grant a leave of absence to any University employee with or without pay for any reason other than medical. Nor shall an employee be allowed to return to work from a medical leave of absence without a doctor's release and written approval from the Director of Human Resources. (Revised 2002)

EMPLOYEE BENEFITS

Full-time employees are eligible for all University benefits. Part-time employees working less than nineteen (20) hours per week and/or four and one-half months are not eligible for any University benefits. However, they do qualify for unemployment and worker's compensation.

SOCIAL SECURITY

Employees and Jackson State University are required to contribute toward Social Security benefits from the first day of employment. The amount deducted from an employee's wages are considered a social security tax used, together with the University's contribution, to fund benefits. Employees need not apply for this benefit or payroll deduction -- it is taken automatically by the University. Both the employee's and Jackson State University's contribution rates are established by law and represent a percentage of earnings up to a maximum amount.

Social Security provides four basic benefit provisions consisting of retirement income, disability, death, and health care. Eligibility varies among benefits, and entitlements are subject to individual circumstances too detailed for explanation here. Booklets explaining these details are available at your nearest Social Security Office.

WORKER'S COMPENSATION

Jackson State University pays the entire amount of the worker's compensation insurance premium that provides benefits to employees who experience injury or illness in connection with their employment. Eligibility automatically begins on the first day of employment. The University maintains standard worker's compensation insurance coverage in accordance with Mississippi State laws which, in general, prescribe the amounts of indemnity payable for the degrees of disability, temporary or permanent, and for death if the injury or disability occurs on the job. These laws also provide for medical expenses, including doctor's visitation, treatment, surgery, drugs, hospitalization, and weekly compensation for the period of disability.

All injuries, regardless of how minor, should immediately be reported to the employee's supervisor. The supervisor should complete a Report of Injury Form and direct the employee to the University's Health Center to complete a B-3 Form.

Major medical leave and personal leave will be used when an employee is injured on the job.

UNEMPLOYMENT INSURANCE

The University contributes to the Mississippi State Unemployment Insurance Plan. Employees may be eligible for unemployment benefits upon termination of service with the University, depending on state law and circumstances connected with termination. This benefit is paid entirely by Jackson State University.

GROUP HEALTH INSURANCE

During the 1972 Regular Session of the Mississippi Legislature, House Bill 455 passed. This bill established the State Employee's Health and Life Insurance Plan. This bill made it possible for all state employees to participate in a health and life insurance program. The state uniformly pays 100% of the cost of the basic health plan and 50% of the cost of term life insurance for the employee from their beginning date of employment.

Health insurance is available to all full-time and part-time employees who work 20 or more hours per week and a total of four and one-half months. Unmarried dependent children of employees up to 23 years of age, if a full-time student, are eligible for health insurance coverage. Spouses of employees may also be included. The cost of health insurance premiums for dependent children and spouses must be paid entirely by the employee. Rates for these plans, and benefits under the respective plans, are outlined in a booklet that is available in the Office of Human Resources.

The following is a summary of the coverage under the basic plan:

- 1) The comprehensive insurance plan provides health care coverage to each dependent with automatic restoration.
- 2) Out-of-pocket expenses for usual and customary charges: During each calendar year the employee pays the first \$250 or \$500 (\$250 if enrolled in a network waiver for accidents), the insurance pays 80% or 85% (if an employee uses a provider network) and the employee pays 15% or 20% of charges up to \$1,500, then the plan pays 100 % of additional charges up to \$1,000,000.
- 3) In-hospital care for usual and customary charges: The employee pays the first \$250 or \$500 (\$250 if they are enrolled in a network) of charges for each confinement. For additional charges, benefits are payable as shown above for out-of-pocket expenses.

Several optional insurance endorsements to the basic state plan coverage are available to employees who elect the coverage and pay the full cost of the endorsements selected as follows:

- 1) *Catastrophic Illness Endorsements.* A choice of two plans is available to cover cancer, poliomyelitis, spinal meningitis, diphtheria, scarlet fever, smallpox, leukemia, encephalitis, tetanus, rabies, tularemia and typhoid.
- 2) *Hospital Indemnity Endorsement.* This option may be selected as a supplement to one of the catastrophic illness endorsements to provide an additional \$100 direct payment to the insured for each day while confined to a hospital with one of the stated diseases.
- 3) *Intensive or Coronary Care Endorsements.* A choice of two plans is available to provide a direct payment to the coverage for ICU (Intensive Care Unit) or CCU (Coronary Care Unit) hospitalization. This coverage begins on the first day for an accident, on the second day for an illness, and may continue for a maximum of 15 days.

The period of enrollment for health insurance without having to furnish evidence of insurability is within the first thirty (30) days of employment.

Employees on approved leaves of absences without pay or who are laid off from time-to-time, may apply for continuation of health insurance coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Premium payments for COBRA should be made to the health carrier's third party administrator by personal check or money order. Employees on a nine (9) month contract will have the cost of 12 monthly premiums for health insurance consolidated into nine (9) monthly payments.

Requests for changes in coverage (adding or deleting dependents, marriage, etc.) may be filed on the Application for Change which may be obtained from the Office of Human Resources. Changes must be made within one month of occurrence.

Employees are issued identification cards shortly after enrolling in the plan. The card should be carried at all times and presented to the physician or hospital whenever medical service is sought.

Claims are processed by the hospitals or physicians who are members of the Providers Network and mailed to the third party administrator for direct payment to either the provider of medical care or the patient.

Claim Forms may be obtained from the Office of Human Resources.

GROUP LIFE INSURANCE

Life insurance is through the State and is available to all regular employees at 50 percent of the premium cost paid by the employee and 50 percent paid by the University. The amount of term life insurance for each active employee shall not be in excess of one hundred thousand dollars (\$100,000.00), or twice the amount of the employee's annual salary rounded to the next highest one thousand dollars (\$1,000.00), whichever may be less, but in no case less than thirty thousand dollars (\$30,000.00). The monthly premium is \$.30 per \$1,000.00 of life insurance coverage. The coverage is double the face amount for accidental death. The life insurance also provides for accidental dismemberment. The schedule of dismemberment coverage is provided in the life insurance booklet available in the Office of Human Resources. Coverage is effective upon the beginning date of the insurance application.

Internal Revenue Service regulations require special treatment of group term life insurance coverage that exceeds \$50,000.00. For certain employees, the increase in life benefits may impact your taxable income, depending upon your age and new level of coverage. You should contact your Payroll Office or the Office of Human Resources if you have questions regarding your specific situation.

STATE RETIREMENT

The Public Employee's Retirement System, enacted by the 1952 Legislature, includes all employees of the University employed full-time or part-time (at least 20 hours per week, 80 hours per month and four and one-half months per year). The system combines the benefits with the benefits of social security to give employees an excellent state retirement program. All full-time and part-time employees must contribute to the retirement program from the first day of employment. Retirement system contributions are shared by the employee and the University at rates based upon annual earnings up to a maximum amount as determined by state law. Employees earn vested rights for future benefits after four years of creditable service in the system. Should an employee terminate service with the University and the State of Mississippi,

he or she may terminate membership in the retirement system by applying for a refund of contributions deducted from his/her salary while employed. Forms for Refund of Accumulated Contributions may be obtained from the Office of Human Resources.

STATE DEFERRED COMPENSATION PROGRAM

The State Retirement Board operates a deferred compensation program for all state employees, whereby employees may elect to deduct a minimum of \$15.00 per month from their payroll checks and invest it in one or more of five annuity program options. No state or federal income tax is withheld from the portion of salary that is deducted from monthly or bi-weekly payroll checks. Employees interested in this program should contact the Office of Human Resources or the Public Employee's Retirement System for details.

UNIVERSITY HEALTH CENTER

The University is anxious for the health of employee to be safeguarded in every practical way. On all medical and health matters, employees, for a nominal fee of \$2.00 per month for single coverage and \$5.00 per month for family coverage, are entitled to services provided by the Z. T. Hubert Health Center located on the campus.

The Health Center, staffed by physicians, a registered nurse and licensed practical nurses, is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. The Health Center's staff have consultation hours on Monday, Tuesday, Wednesday, and Friday from 9:00 a.m. to 10:00 a.m. and Monday through Friday from 1:00 p.m. to 2:00 p.m.

Employees may call the Health Center for names of private physicians or specialists, but this will imply no obligation on the part of the University. Details of benefits that employees are eligible for through the Z. T. Hubert Health Center can be obtained from the Health Center. All employees who request services must be on the Health Center's Plan prior to services being rendered.

U. S. SAVINGS BOND PROGRAM

The University participates in the payroll deduction plan which permits employees to purchase Series EE U.S. Savings Bonds by deducting the cost of one or more bonds from payroll checks on a monthly or bi-weekly basis. The savings bonds earn variable, market-based interest and the U.S. Treasury regulations permit an employee to report interest earned on U.S. Savings Bonds only when they are cashed in. The best rates will be obtained if bonds are held for at least five years; but they may be redeemed prior to that at a reduced schedule of interest. An employee may elect to withhold the cashing of bonds until retirement, thereby causing the earned interest to be taxed at a lower rate.

FLEXIBLE BENEFITS/CAFETERIA PLAN

The University has a flexible benefits/cafeteria plan which was established under provisions of Section 125 of the Internal Revenue Code. The Cafeteria Plan allows staff members to pay certain insurance premiums, major unreimbursed medical expenses before tax rather than after tax dollars. Employees may choose to participate in the plan at the time of employment or at the

annual enrollment which is held just prior to July each year.

Staff members who choose to participate in the Flexible Benefits/Cafeteria Plan must agree to remain in the plan for the plan year (July 1 through June 30). The only exception to this rule involves having a major change in family status such as employment, marriage, divorce, death, or ineligible dependents.

DENTAL INSURANCE

Optional dental insurance plans, with the premium paid by the employee, are available for those who desire the coverage. Employees who elect the coverage may pay the full premium by payroll deduction, and may insure a spouse and dependent children from birth to 23 years of age, if a full-time student.

DISABILITY INSURANCE

Optional disability insurance plans may be obtained from a designated company with full premium cost paid by the staff member.

TAX SHELTERED ANNUITIES

Employees of the University are eligible to participate in a tax sheltered annuity plan provided by Section 403(b) of the Internal Revenue Code of 1954, as amended. The amount of annuities which an employee may authorize the University to purchase for him/her in lieu of a portion of the salary otherwise payable directly to him/her is determined by a formula prescribed by the Internal Revenue Code and Regulations. The amount of such annuity premiums is not reported annually as taxable income on the employee's Form W-2, and payment of Federal/State income tax on these funds is not required until the annuity contract matures, is cancelled, or is determined to be taxable under the regulations.

Tuition Remission

Staff members are encouraged to take advantage of the vast number of academic courses offered by the University. These courses offer a variety of opportunities for personal and professional/career development.

Full-time staff of Jackson State University who qualify for admission may, with the approval of the immediate supervisor, have tuition and general fees remitted for two courses (including accompanying laboratory) per semester or per summer session.

Supervisors are authorized to allow employees to take course work during their lunch hour, whenever possible (provided the course does not exceed the one hour allotted for lunch which should be taken between the hours of 11:00 a.m. - 2:00 p.m.).

UNDERGRADUATE TUITION REMISSION

Eligible Dependents

The **dependent tuition waiver policy** applies to all **single, dependent** children of **full-time** faculty and staff and **full-time** employees of the Board.

In order to receive a waiver for 50 percent of the total tuition, the dependent must gain admission to the university and make a formal written request to the Office of Human Resources.

Single dependent children of continuing employees hired prior to July 1, 1977, are eligible for full waiver of undergraduate tuition because of the grandfather clause included in the April 28, 1977, minutes of the Board of Trustees of State Institutions of Higher Learning.

Employee not carrying dependent children on their health insurance, may verify that a child is a dependent by showing a copy of their current tax return. (Revised 2002)

Grade Point Average Requirements

A **single, dependent** child may receive an undergraduate tuition waiver (consistent with the continued employment of the parent or guardian) which may be continued if the student maintains a 2.5 cumulative grade point average until the degree requirements for one baccalaureate degree are met or until **age 25**, whichever come first. The tuition remission is automatically renewable on a semester-by-semester basis provided a 2.5 grade-point average is maintained. (For part-time students, the requirement is a 2.5 grade point average on each accumulation of 12 semester hours). In the event the student fails to maintain the required 2.5 grade point average, he/she will be ineligible for the tuition remission until he/she can demonstrate a 2.5 overall grade-point average. (Revised 2002)

NOTE: Changes to this policy were approved by the Board of Trustees of State Institutions of Higher Learning in March 1999.

JUST CAUSE FOR TERMINATION OF EMPLOYMENT

The University's rules concerning termination are intended to be general guidelines to good judgement and fair treatment. Just cause for termination is not limited to those violations that follows as there may be other offenses committed that may warrant this action depending on a number of factors. The University reserves the right to make changes to the listing contained in sub-paragraphs A and B at any time.

- A. *Violations which may be cause for immediate termination:*
1. Falsification of personnel records, including time cards, and Application for Employment;
 2. Inexcusable neglect of duty, insubordination or disobedience;
 3. Unauthorized possession or drinking of any alcoholic beverage or unauthorized use or possession of narcotics, barbiturates, hallucinogenics, amphetamines, marijuana on University property;
 4. Unexcused absence of three (3) days without notification or reasonable cause;
 5. Theft, unauthorized use, removal or destruction of University property;
 6. Unauthorized possession of fire arms, knives or explosives;
 7. Stealing from fellow employees, students, university officials, or others on University property;
 8. Immoral or indecent conduct on University premises or the conviction by a court of law for such conduct off the job;
 9. Threatening, intimidating, coercing or interfering with fellow employees, students or others on University property;
 10. Conviction of a criminal offense, including: murder, armed robbery, arson or assault, whether on or off University property; and
 11. Any act of fighting on University property.
- B. *These offenses may result in dismissal for repeated offenses:*
1. Wasting time or loitering;
 2. Leaving the University premises or work area without permission during working hours;
 3. Misuse of sick leave privileges and benefits;
 4. Tardiness, failure to report to work on time;
 5. Failure to record time accurately,
 6. Negligence in the performance of duty-productivity not up to standards;
 7. Negligence or abuse in the use of University property and equipment;
 8. Failure to report an incident and/or injury to a student, another employee, self or visitor on University property;
 9. Sleeping during work hours;
 10. Falsifying time reporting of another employee;
 11. Violation of or disregard for safety of fire or common safety practices;

12. Reporting for work under the influence of alcohol or when suffering from an alcoholic hang-over, and/or reporting to work under the influence of narcotics, barbiturates, hallucinogenics, amphetamines or marijuana;
13. Discourteous treatment of visitors;
14. Gambling on University property;
15. Absenteeism; or
16. Neglect of duty.

Where termination is brought about by the violation of the civil law, the University may institute prosecution of employees.

Discharge due to unfavorable conduct does not provide for pay in lieu of notice.

Termination of employees during the probationary period for reasons other than those previously cited carries no provision for pay in lieu of notice.

GRIEVANCE PROCEDURE

A grievance is defined as the claim of an individual employee that there has been a violation, misinterpretation or misapplication of a rule, policy or procedure in relation to personnel policies, including working hours, working conditions, leaves, promotions and other conditions of employment. These procedures are available to employees who have completed the probationary period of employment.

Jackson State University assures prompt and impartial consideration to any complaints which its employees may have within the course of their work. When the circumstances require, employees are encouraged to submit complaints or grievances in accordance with the procedures outlined below. Employees may use this procedure without penalty or fear of reprisal. Particular attention must be given to the time period shown for each step.

When employees have complaints or any difficulty on their job or in working relationships, the grievance procedures outlined below should be initiated within (5) working days following the incident which caused them to feel that a grievance should be filed; or if the grievance is connected with termination, within ten (5) working days following termination from the University. Appeals to the Staff Personnel Committee may take place only after a staff employee has exhausted all other following administrative remedies as prescribed by the institution:

- A. Discuss the problem with immediate supervisor, department chair and/or director;
- B. If "A" is not considered desirable by the employee, discuss it with the dean (if applicable);
- C. If "A" and "B" are not considered desirable by the employee, discuss it with the appropriate area vice president;

If these steps have not led to a mutually satisfactory settlement of the problem, at the written request of the employee, the Director of Human Resources will place the matter before the Staff Personnel Committee. The committee's purpose is to review the problem thoroughly and make a decision which is appealable to the President. Upon completion of the hearing, the committee will have five (5) working days in which to make a decision. The decision will be promptly communicated within five (5) working days to the Director of Human Resources in writing. The Director of Human Resources will review the recommendation and determine the legality and practicality of the recommendation and will announce the decision of the committee to the employee and the administration in writing. The decision of the committee will be subject to review by the President. The decision of the President shall be final.

The Staff Personnel Committee will be comprised of three full-time, non-academic employees appointed by the President of the University.

CHARGE TO THE STAFF PERSONNEL COMMITTEE

If a Staff Personnel Committee is needed to hear a grievance, it is charged with seeing that:

1. The complainant and the alleged offender understand that they may bring an advisor of their choice to the hearing at no expense to the University. This advisor may be an attorney-at-law, a faculty member, another staff member, a relative, or a citizen-at-large. If the parties involved wish to have legal counsel present at the hearing(s), they must inform the President of the University at least three days prior to the hearing. The advisor may address the committee only with the consent of the committee's chairperson.
2. The hearing is closed because of the sensitive nature of the information involved.
3. The majority vote carries, with opportunity for a negative vote and/or minority report.
4. Retaliation against the person who seek relief, the complainant, or any advisor is forbidden.
5. All sides of the complaint are heard.
6. Appropriate avenues are explored to look actively for witnesses and to verify or disprove information given in the hearing by any witness.
7. Only one witness appears before the panel at a time.
8. Each witness is instructed not to discuss the hearing or the identity of the person(s) making the complaint or the accused with anyone who does not need to know.
9. The hearing moves forward promptly.
10. Fairness and consistency are exercised in recommending corrective action.
11. Meetings are to take place on regular work days during working hours.
12. Corrective action recommended is based upon the nature of the offense and should be considered when the violation otherwise impairs the working exchange.
13. Any written records of the hearing, together with the findings and recommendation report, and a record of corrective action taken are placed in the confidential files in the Office of the Director of Human Resources.

GENERAL POLICIES AND OPERATING REGULATIONS

SUSPENSION AND DISMISSAL OF EMPLOYEES

A staff employee who fails to adequately and faithfully perform his/her duties, who violates and/or fails to conform to University regulations and the accepted codes of conduct will be subject to disciplinary action which may lead to suspension or dismissal. Supervisors will address disciplinary matters promptly and consistently, with proper documentation and take all the known facts into consideration. Except in cases which call for immediate termination, the following steps will be followed:

- A. First offense -- oral warning
- B. Second offense -- written warning
- C. Third offense -- written warning or suspension of up to five days without pay, and
- D. Fourth offense -- discharge

No prior notice needs to be given to an employee who is discharged for cause.

All employees, at the time of their termination of employment must return all uniforms, keys and other equipment to the University before their final pay check is disbursed. Failure to return the property of the University will result in charges against the employee's final payroll check.

PERSONAL CONDUCT

Professional conduct, respect for authority and for one another is basic to the general welfare and personal dignity of all persons with whom an employee comes in contact and are essential to the success of Jackson State University. All members of the University are expected to conduct themselves in a professional manner. They should respect the privacy and reputation of co-workers and all other persons.

Tact, courtesy, and kindness should be practiced among and with all employees. When in contact with the community, employees should:

- A. Practice courtesy and exercise good judgement in all professional situations;
- B. Render every possible assistance to persons seeking information or service;
- C. Receive and acknowledge all questions, suggestions, and criticisms about the University's services;
- D. Direct any questions to the proper person when an answer cannot be given immediately; and
- E. Notify the appropriate supervisor of all complaints received. Professional confidence must be observed at all times.

PERSONAL APPEARANCE

Personal neatness and appropriate dress are necessary to present a well-groomed appearance. While employees should use their own judgement in determining what is appropriate attire, they should take into consideration where they work and if they will be in contact with the public.

Even though Jackson State University does not dictate appropriate dress for employees, we do expect everyone to take pride in representing the University as well as him/herself.

TERMINATION OF EMPLOYMENT

The University may terminate the employment of regular staff personnel on notice of one month, except when there is cause for immediate termination (SEE **Just Cause for Termination**).

UNIFORM DRESS

The University requires uniform dress of three groups of staff personnel, namely (1) Food Service personnel, (2) Facilities Management personnel, and (3) Public Safety personnel.

Food Service personnel are furnished five uniforms and Facilities Management personnel are furnished four uniforms. The uniforms are laundered and maintained by the employee. The employee is required to sign for each uniform issued.

Public Safety personnel are furnished six complete uniforms; three for summer dress and three for winter dress. On a regular periodic basis, the uniforms are laundered and pressed. The employee is required to sign for each uniform issued.

Uniforms are maintained on inventory within the department. Replacement of uniforms will be made by the University upon recommendation by the Director in charge of the department.

All personnel required to be in uniform shall wear the entire uniform. Substitution of other types of clothing for parts of the uniform is permitted only when clearly authorized by the immediate supervisor. The uniform and employee shall be clean and neat at all times.

No employee shall wear the uniform except in the performance of duty and travel to and from work. Uniforms issued by the department are the property of Jackson State University; therefore, failure to return the uniforms upon termination of employment will result in charges against the employee's final payroll check.

COST AWARENESS

All employees are expected to be cost conscious. Employees are to avoid waste in business activities -- supplies, time, photocopies, telephone usage, electricity -- to name a few. Since we are charged for WATS and long distance telephone usage, the WATS line is to be used ONLY for business purposes.

Employees are encouraged to turn off the lights and other equipment when leaving at the end of the day. The University does not assign this responsibility to any particular employee. Each individual is expected to do his/her part.

PURCHASING

As a state institution, the University operates under laws enacted by the Legislature of the State of Mississippi for purchasing or provided by the Mississippi Division of Purchasing Supervision. The Director of Procurement and Inventory and the Purchasing Agent are the only agents of the University duly authorized to obligate the University for materials or services.

University requisitioning and purchasing procedures require the initiation of a requisition for purchase of goods and/or services, budget approval and issuance of a purchase order prior to receipt of good and/or services.

REQUISITION AND PURCHASE ORDER PROCEDURES

The purchasing procedure starts, in each case, with a need that is established within the department. Requests for supplies, and professional services must be confirmed through the submission of a properly authorized requisition. Based upon the approved requisition, a purchase order must be issued by the Purchasing Department to cover all purchases before acquisition of materials or services can be made. Requisitions initiated within the various departments must be processed far enough in advance of the need for the purchase to permit investigation of sources of supply and securing of competitive prices, when warranted.

Purchasing procedures fall within state guidelines under provisions of state law. In addition, internal guidelines are published to provide good internal and budgetary controls. procedures must be applied to all expenditures regardless to sources of funds (i.e., Grants and Auxiliaries).

Current purchasing laws require a minimum of three (3) bids to accompany purchases of \$500 up to \$5,000. All purchases over \$500 require competitive bidding. In some cases, exceptions are granted. The Office of Procurement and Inventory should be consulted for assistance on any purchasing matters.

INVENTORIES

All employees of the University who have equipment and/or supplies assigned to them must keep an accurate inventory. All department heads are personally responsible for equipment and supplies. A general inventory will be kept for each month of the year. Unless reasonable cause can be shown, loss should be reported immediately to the Director of Procurement and Inventory. Persons leaving the employment of the University are required to submit an inventory list and obtain a release form from the Director of Procurement and Inventory before they receive their last check. New employees should secure an inventory list from the Department of Procurement and Inventory.

UNIVERSITY PUBLICATION PROCEDURES

All University printing requests should be processed through the Office of Publications. The principle objective of this office is to provide its customers with accurate, timely and quality service and through the printed document, protect and reflect a positive image of Jackson State University. To that end, it is essential that the University community assess its printing needs and plan accordingly. Also essential is the prompt return of job proofs. The turnaround time for job completion is reduced immensely when proofs are returned promptly.

Since 1995, customers have been able to utilize the newly installed Super Card System to pay for services rendered in the Office of Publications. The easy-to-use system has reduced considerably the number of requisitions generated for printing services and increased the start-to-finish job completion rate. Customers using the Super Card as their method of payment experience virtually no delay getting into the production schedule. In addition to the Super Card System, customers may pay for services by cash, check, money order or requisition.

Customers not using University funds (personal checks, credit cards, etc.), will be charged a seven percent sales tax unless tax exempt status can be verified in accordance with sales tax policies for the State of Mississippi.

To obtain printing, customers should adhere to the following:

- A. Assess printing needs for your department/office to determine a dollar amount your department/office will possibly utilize. Process a requisition to have that amount placed into your Super Card account. After the transaction is complete, you need only your Super Card to receive services in the Office of Publications.
- B. Provide the Office of Publications with a typed hard copy of the document(s) to be produced. A price quote and any other needed assistance will be furnished.
- C. Process a requisition form through the Office of Financial Services (if Super Card System is not utilized) and receive an assigned Requisition Order (RO) Number. Once the requisition is received in the Office of Publications with an assigned RO Number, the request is placed in line to be processed. Customers paying by cash, check or money order should do so at the cashier's window in Financial Services, obtain a receipt, and present the receipt to the Office of Publications prior to receiving service.
- D. Following the design and formatting process, a proof copy and a referral is given to the customer for any necessary corrections, changes, etc. The customer reviews the document, checks any other action he/she desires, signs the referral and returns it to the Office of Publications. Once this process is completed, the document is ready to be produced in its final form.

SELLING AND/OR SOLICITING

Individuals or groups not affiliated with the University **MAY NOT** advertise, solicit, or sell on campus without prior written permission from the Vice President for Fiscal Affairs.

In general, the University or none of its agencies, offices or organizations may favor any commercial enterprise for purchasing or contracting for purchase. The University's Purchasing Department will be used in all such transactions in accordance with state purchasing regulations. The acceptance by the University employees of gifts, discounts, or other emoluments from commercial agencies in exchange for special privileges regarding commercial transaction with the University, its students or its employees is to be considered conflict of interest and is forbidden.

REPAIR OF EQUIPMENT

Needed repairs to equipment and buildings should be reported immediately to the Director of Facilities Management. The reports should be written and not given orally so that a system of repairs and maintenance of equipment can be established.

ACCEPTANCE OF PERSONAL CHECKS

The University accepts personal checks for the payment of actual fees owed the University. The University does not cash personal checks. A fee will be assessed if a check is returned by the bank unpaid due to insufficient funds.

COLLECTION OF FEES AND MISCELLANEOUS UNIVERSITY FUNDS

Staff employees are not permitted to collect regular or miscellaneous fees from students. All fees should be collected by the Office of Financial Services and properly receipted. In the case of student class dues and assessments, the faculty sponsor of all such projects should receipt each student for fees collected and will be held responsible for all such fees.

IDENTIFICATION CARDS

Identification cards are issued at no charge to employees through the I.D. Center. These cards are used for identification purposes on and off campus.

Employees are required to return the identification card to their immediate supervisor upon termination of employment with Jackson State University.

PERSONAL MAIL AND CALLS

The University conducts a large amount of business by mail. In order to limit volumes, employees are encouraged to have all personal mail sent to their home. Because serious misunderstandings may arise from the use of the University's letterhead and postage, Jackson State University stationery and postage should not be used for personal correspondence or in connection with outside activities.

Telephones are intended for business purposes; therefore, personal calls should be kept to a minimum both in frequency and in length of conversation.

PROCEDURE FOR MAKING LONG DISTANCE CALLS

For approved administrative personnel, the procedure for making long distance calls for University business are:

Long Distance Calls

Dial * + 9 + 1 + area code + seven digit number; wait for a dial tone, then enter your PSC Number.

International Calls

Dial * + 9 + 011 + country code + city code + telephone number, then you will receive a constant dial tone, then enter your PSC Number.

Directory Assistance

Within Mississippi

Dial * + 9 + 1 + 601-555-1212, then enter your PSC Number.

Outside Mississippi

Dial * + 9 + 1 + area code + 555-1212, then enter your PSC Number.

USE OF UNIVERSITY FACILITIES BY OUTSIDE AGENCIES

It is the policy of the Board of Trustees not to make available the buildings and other facilities of the Institutions of Higher Learning to outside organizations. Exceptions to this policy may be approved by the President of the University. No exceptions shall be approved for commercial enterprises, political or sectarian meetings, without specific approval of the Board.

It is also the policy of the Board that alcoholic beverages not be served in any form on campuses of institutions of higher learning.

Permission may be secured from the President of the University for all outside use of University facilities. All University organizations sponsoring outside speakers should have the approval of the President of the University.

It is the policy of Jackson State University to permit education, civic, religious and other community organizations to use certain facilities of the University, provided such use does not interfere with the established educational program of the University. The University does not rent its facilities for purely commercial purposes.

Jackson State University will not rent or otherwise permit the use of its facilities for any activity which is inimical to the purpose of the University as a tax-supported institution. The University will make a reasonable charge when there are direct expenses such as custodial services, lights, heat, etc. Full charges will be made regardless of the time used.

The waiver of all or part of fees for the use of the facilities must be approved by the President of the University.

The University assumes the responsibility for furnishing its own employees and all

custodial services for the proper operation of equipment, lights and parking. The organization may furnish its own ticket agency and its own ushers. An extra charge will be made for public safety officers as required at the prevailing rate per officer for each shift.

PROCEDURES FOR REQUESTING USE OF UNIVERSITY FACILITIES

The requesting organization should write a letter to the President requesting the use of the facility, stating clearly the name of the organization making the application, the purpose of the activity, and the charge of admission, if any. They should state clearly the date and time for the activity, and probable number of persons who will be expected to attend.

Upon initial approval from the President, an Application for the Use of University Facilities by Non-Campus Organizations must be obtained from the Events Coordinator. This form must be completed fully and returned to the office of the manager of the facility desired for signature. A copy of the application, properly signed, will be returned to the applicant by the Events Coordinator.

USE OF UNIVERSITY BUILDINGS AND PROPERTY

University property must not be used for private purposes without written approval of the President of the University. Persons interested in the use of University property for any purpose should secure, complete, and have properly signed the standard form for the use of University Facilities. This form may be secured from the Office of the Executive Vice President.

ADULTERY AND FORNICATION

“If any ...teacher and ...pupil of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined any sum, not more than five hundred dollars (\$500) each, and the teacher shall be imprisoned not less than three (3) months nor more than six (6) months.”

SECTION 200.5, MISSISSIPPI CODE (1958)

ALCOHOL ABUSE POLICY STATEMENT

Jackson State University recognizes that alcoholism is a chronic, progressive illness, which if untreated is potentially fatal. The University assures employees that, if problem drinking and/or other drug abuse is considered to be the cause for unsatisfactory job performance, they will receive an offer of assistance to help resolve such problems in an effective and confidential manner. It is the official position of the University that:

- A. Employees having substance abuse problems which may affect work performance are encouraged to seek assistance voluntarily on a confidential basis by contacting their unit head;

- B. Employees are assured that their job, future, and reputation will not be jeopardized by utilizing any of the treatment options;
- C. The employee has the right to accept or refuse help as he/she chooses; however, individual work performance must meet acceptable standards or be subject to existing personnel policies for below standard performance; and
- D. Implementation of this policy will not interfere with, or negate, any other University practices, policies or procedures.

ARSON

Any person who willfully and maliciously sets fire to, or burns, or causes to be burned, or who is a party to destruction by explosion from combustible material, who aids, counsels, or procures the burning or destruction of any state-supported school building in that state, whether in use or vacant, shall be guilty of arson in the first degree and upon conviction thereof, shall be sentenced to the penitentiary for not less than two (2) nor more than twenty (20) years.

Any person observing or witnessing the destruction by fire or any state-supported school building, whether occupied or vacant, which fire was the result of his or her act of an accidental nature, and who willfully fails to sound the general alarm or report such fire to the local fire department or local authorities, shall be guilty of felony and, upon conviction thereof, shall be sentenced to the penitentiary for not less than two (2) nor more than ten (10) years.

Any person, who by reason of his age comes under the jurisdiction of the juvenile authorities and who is found guilty under Section I (Subsection 1 hereof) of this act, shall not be eligible for probation unless and until six (6) months of confinement has been served in a state reform school."

SECTION 97-17-1, MISSISSIPPI CODE ANNOTATED (1972)

AUTOMOBILE REGISTRATION

All motor vehicles operated on campus by staff personnel **MUST** be registered with the Department of Public Safety. The registration fee for each vehicle is \$25 per year. Registration fee for a reserved parking space is \$75 per year. Upon payment of fees, staff employees are issued a decal which must be placed on the employee's vehicle according to the instructions. The decal permits the driver to park in certain designated areas, marked "Faculty and Staff". Upon the first day of employment, decals must be secured and placed on vehicles. Fees for parking decals may be payroll deducted in one, two, three or four installments.

If for any reason you cease to own or operate that vehicle on the campus, you should remove the decal and take it to the Department of Public Safety to exchange it for a new one. In case of

a wreck in which the vehicle is a total loss, some proof (a copy of the accident report) must be presented before a new decal can be issued.

If needed, and an employee fails to present physical evidence of once having purchased a parking decal, another purchase will be necessary.

Drivers not conforming to regulations will receive a traffic citation. The violator shall be subject to a penalty of \$15 which shall be paid within seven (7) days from the date the citation is issued. The University reserves the right to restrict or withdraw campus driving privileges to violators.

The University also reserves the right to have vehicles in violations of regulations towed at the owner's expense for infractions such as failing to park in designated areas, non-registered vehicles, or failing to display a University decal. To ensure that you are in compliance, request a *Traffic Rules and Regulations* brochure from the Department of Public Safety.

BULLETIN BOARDS

Bulletin boards are conveniently located throughout the campus of Jackson State University for faculty, staff, and student use. All University-recognized faculty, staff, and student organizations are granted the privilege of using campus bulletin boards.

The bulletin board between the parking lots adjacent to Dansby and Ayer Hall is designated specifically for student use. However, the Office of Public Information must approve announcements for placement on bulletin boards.

University employees and students are urged to read the announcements posted on bulletin boards daily, especially those posted on bulletin boards of the respective schools and departments. Bulletin boards should be checked daily to keep the public well informed.

DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety was organized under legislature authority granted by Senate Bill No. 1710, approved 1962. The Department of Public Safety's powers and responsibilities are described in the Higher Education Laws of the State of Mississippi which assert:

Any Act, which, if committed within the limits of a city, town or village, or in any public place, would be a violation of the general laws of the state, shall be criminal and punishable if done on the campus, grounds or roads of any of the State Institutions of Higher Learning; and the State Institutions of Higher Learning are vested, with the powers and subject to the duties of a constable for the purposes of preventing and punishing all violations of law on university or college grounds and for preventing order and decorum thereon.

CARE OF UNIVERSITY PROPERTY

The University appreciates each employee taking pride in working and in using the machines, tools, and other equipment while at work.

The University has a large investment in plant and equipment; each employee should endeavor to keep this equipment in good working condition. The University will regard gross carelessness or willful destruction of property as cause for dismissal.

SECURITY OF ACADEMIC CLASSROOMS AND BUILDINGS

The University has amassed a considerable collection of equipment and materials in its departments for teaching, research and general operation. These materials and equipment are for the total educational process and are to be utilized by the faculty, staff and students for educational goals.

As a security precaution:

- A. All classrooms, storage rooms, and other repositories containing University academic equipment and teaching materials must be kept locked when not in use;
- B. When a classroom, storage room, or materials repository is used, the facility must be in charge of a responsible supervisor; and
- C. A public safety officer shall patrol the areas and secure the buildings.

FIRE PREVENTION

Every University employee should be fire conscious at all times. An employee should investigate any suspicion of a fire; alert all occupants of the immediate area and/or building at once; call the Departments of Facilities Management and Public Safety; and get the nearest fire extinguisher and use it.

Employees are to keep places clean and tidy, using the containers provided for scrap and refuse. Highly flammable materials should be placed in metal containers only. Entrances, aisles, stairways, fire extinguishers, valves and electrical control boxes or rooms should be kept clear of any obstructions.

FIRST AID

Any injury while on the job, no matter how minor, should be reported promptly to the employee's immediate supervisor or the department head. Aside from the desirability of reporting an injury so that it may be properly treated, it is important that the Office of Human Resources be furnished immediately with a Report of Injury Form with complete information regarding the employee's injury. Prompt reporting of an injury will tend to insure the appropriate protection of the employee.

NEPOTISM

A unit of the University may not employ any person in any capacity if such person is related by marriage or blood to any other employee in the same unit if either one of two related employees in the same or different units will have a direct effect on the individuals progress, performance, or welfare.

Relatives are defined as husbands, wives, parents, children, brothers, sisters, cousins, and any in-laws of any of the foregoing within the third degree.

This policy does not apply to any employee who shall have been in said department prior to the time his/her kinsman within the third degree, became the head of said department. An employee affected by this policy shall have all matters dealing with progress, performance, welfare assignment, salary, or promotion decided by the next highest administrative officer.

POLITICAL ACTIVITIES

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

Guidelines governing the use of University facilities and resources for political purposes:

- A. In correspondence, statement, or other material relating to personal political activity, the University title of a staff employee shall be used only for identification. If such identification might reasonable be constructed as implying either the support or opposition of the University with regard to such personal political purpose or activity, the identification shall be accompanied by an explicit statement that the individuals are speaking for themselves and not as a representative of the University or any of its offices or units.
- B. The name, insignia, seal, or address of the University or any of its offices or units or a University telephone number shall not be used for personal political purpose or activity.
- C. University offices shall not be used as a headquarters or office in connection with the organization of personal political activity.
- D. University equipment, supplies and services (i.e., typewriters, duplicating machines) shall not be used for political purpose or any activity.
- E. University sites or facilities shall not be used on a regular or continuing basis for organizing and maintaining personal political activities.
- F. The display or distribution of political materials -- including political posters, notices, hand-bills and banners -- shall conform to campus regulations.
- G. When undertaking personal political activity in conjunction with other faculty, staff, or students, staff members shall establish clearly the voluntary nature of such activity and maintain the clear separation of personal political activity from education program and from University operations and resources.

POLICY AND REGULATION GOVERNING EMERGENCIES THAT DISRUPT THE NORMAL FUNCTION OF THE UNIVERSITY

In the regular operation of every institution, it is inevitable that there will be occasions when routine operations are interrupted, and in extreme instances suspended altogether. These occasions may be due to weather, fires, strikes, or organized student demonstrations. In all such situations, it is important for staff, faculty and students of the University to see that all functions and service go on insofar as possible.

In case of a disturbance, all employees and students of the University should report to their classes and posts of duty whether the perpetrators of the disturbance report for classes/duty or not. The University's basic expectation of the employee is that the employee will carry out official assigned responsibility. This also includes student employees.

SAFETY PRACTICES

The University does everything within reason to protect each employee on the job, but there is a certain amount of protection which the employee must take. Employees are requested to cooperate with administrative personnel by observing safety rules, by working carefully, by promoting safety among fellow workers.

It is the responsibility of employees of the University to see, first, that they are not through their own carelessness, contributing to the creation of an unsafe condition, and second, either remove or report to the supervisor any condition that they feel might be without loss of time from an employee's regular work duties.

Employees who are involved in preventable accidents or other safety violations will be subject to disciplinary action.

SMOKING LIMITATIONS

Smoking is permitted only in certain sections of dormitories and other fireproof buildings. Smoking is not permitted in classrooms, lecture rooms, general assembly rooms and auditoriums.

Under the Standard Fire Prevention Code ordained by the Council of the City of Jackson, Mississippi, Jackson State University has designated certain areas "**NO SMOKING**" areas. The "**NO SMOKING**" areas are designated with legally required "**NO SMOKING**" signs.

It is unlawful for any person to remove, mutilate or destroy any legally required "**NO SMOKING**" signs.

Further, under the Standard Fire Prevention Code, any person violating the "**NO SMOKING**" ordinance shall be guilty of a misdemeanor, and upon conviction thereof, may be punished by the imposition of a fine not to exceed three hundred dollars (\$300) or by imprisonment for a period of time not to exceed ninety (90) days, or both.

TELEPHONE MESSAGES

Emergency telephone messages will be transmitted to employees at the earliest possible time. Should an employee be expecting such a message, the employee should instruct the caller to talk directly to the office or the department in which the employee works. Outgoing personal calls should not be made during work time, except for emergencies.

TRAVEL BY SECRETARIAL AND CLERICAL PERSONNEL

Secretarial and clerical personnel will not be approved for travel with supervisors.

UNIVERSITY PUBLICITY

Copies of all publicity representing the University must be submitted to the **Director of University Relations** and subsequently to the President for approval before it is released to the news media. No administrator, faculty or staff member has the authority to make official statements to the news media regarding the institution without the approval of the President of the University.

DRUG-FREE WORKPLACE POLICY

This policy statement is intended to express the commitment of the Board of Trustees of State Institutions of Higher Learning of Mississippi and Jackson State University to maintaining a drug-free workplace in conformity with state and federal laws as set forth in the Uniform Controlled Substances Law of the State of Mississippi and the Drug-Free Workplace Act of 1988.

THE POLICY

The Board of Trustees of State Institutions of Higher Learning acknowledges and supports the laws of the State of Mississippi as set forth in Section 41-29-101-185 of the Mississippi Code of 1979 (1988 Supp.) which prohibit the sale, distribution, manufacture, possession, or use of a controlled substance in this state. As a result of this law and of the policy of Jackson State University, to be a drug-free workplace, faculty and staff members are specifically prohibited from using, selling, distributing, or in any other way involving themselves with controlled substances except as permitted in the relevant legislation. The term "controlled substances" shall mean those drugs and substances set forth in Schedule I through V of Section 2102 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15. For purpose of this policy, the term "faculty and staff member" shall specifically include all personnel employed by Jackson State University, whether full or part-time.

- A. Jackson State University will make available to all staff members a copy of this policy and will notify staff members that, as a condition of employment, the employee must abide by the requirements of this policy.
- B. Staff members are reminded that confidential assistance with substance abuse problems is available through several centers for alcohol and drug education in the greater Jackson area.
- C. Supervisors must confidentially refer for counseling any person under their supervision who appears to be having difficulty with substance abuse.
- D. Any staff member who has been convicted of a criminal drug statute violation occurring in the workplace must notify his/her immediate supervisor no later than five (5) days after the conviction.
- E. Upon notification of such a conviction, Jackson State University will initiate appropriate personnel action (SEE "JSU Sanctions" next page) within thirty (30) days of such notification.
- F. Upon notification of such conviction, Jackson State University is required by law to notify the applicable funding agency(s) within ten (10) days if the staff member is working in a position that is funded by federal monies.

- G. Jackson State University has established a Drug-Free Awareness Program which is administered through the Office of Human Resources. This program includes supervisory training programs, drug counseling for any employee, and confidential referrals for drug problems.

**JACKSON STATE UNIVERSITY'S SANCTIONS WITH REGARD TO THE DRUG-FREE
WORKPLACE ACT OF 1988**

- A. Depending upon the facts relating to any drug conviction or use, the employee may be suspended pending further investigation; required to participate in a drug abuse assistance program; issued a written warning; terminated; or allowed to continue in a work status. For termination, the applicable grievance procedure will apply, based upon the status of the employee. Any action will be initiated within thirty (30) days after the facts become known to Jackson State University.
- B. If a staff member employed on a federal contract or grant fails to notify his/her immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction, he/she will be suspended pending investigation with termination possible.
- C. If an employee is suspected of violating any criminal drug statute in the workplace, the Department of Public Safety will be called to begin investigation of the case.

SEXUAL HARASSMENT POLICY STATEMENT

Jackson State University, in its efforts to foster an environment of respect for the dignity and worth of all members of the University community, is committed to maintaining a working or educational environment free of sexual harassment. It is the policy of the University that no member of its community shall sexually harass another. Any employee or student who violates this policy is subject to disciplinary action.

DEFINITION OF SEXUAL HARASSMENT

Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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

PROCEDURES FOR HANDLING POLICY VIOLATIONS

Procedures for prompt, appropriate corrective action are an essential part of Jackson State University's effort to deal with sexual harassment. Action on harassment complaints will be taken immediately and appropriately through administrative channels. At all stages of the presentation and processing of a complaint, the complainant and the alleged offender will be free from restraint, interference, coercion, discrimination, or reprisal.

When reporting an alleged violation, the complainant may be accompanied by a colleague, friend, or counsel. **The procedures for resolving allegations of sexual harassment include the initial procedure which has three options, and the grievance procedure, as follows.**

Initial Procedure

Any employee who feels he/she has been sexually harassed can voice a complaint and seek relief through one or more of the following options:

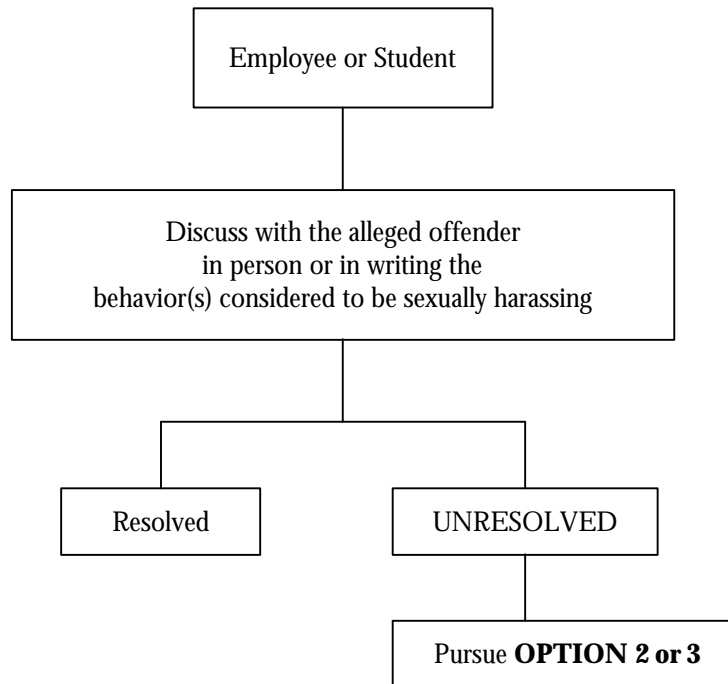
1. Discuss with the alleged offender in person or in writing the behaviors which are considered sexually harassing (see **Option 1**);
2. Discuss the alleged violation with the immediate supervisor of the alleged offender (see **Option 2**); or
3. Report the alleged sexual harassment to the designated University official (see **Option 3**).

**Initial Procedure
Option 1.**

An employee or student who feels that he/she has been sexually harassed is encouraged to discuss with the alleged offender in person or in writing the behavior(s) which are considered sexually harassing. If the harassment continues after discussion(s), or if it is impossible, for whatever reason to contact the alleged offender directly, the complainant should pursue **Option 2 or 3**; the complainant should nevertheless report the harassment. The complaint is reported and handled first through the administrative channels (see **Exhibit 1, Option 1**).

Exhibit 1

OPTION 1



Option 2. An employee or student seeking to resolve his/her complaint through the use of **OPTION 2**, should report the alleged sexual harassment to the department chairman or the director of the department of the alleged offender. The written complaint must be submitted within five (5) working days of the discussion. If the accused is a department chair or director, the complainant should pursue **OPTION 3**.

The department chair or director who receives a complaint of sexual harassment directly is responsible for holding a separate preliminary discussion with the complainant and the accused. The department chair or director will then take steps to bring the two together to resolve the complaint administratively and with confidentiality. Further, the complainant and the alleged offender will be notified that information about the case is being collected. If corrective action is necessary, the department chair or director takes appropriate action immediately. If the complaint is unresolved, the department chair or director informs the complainant and the alleged offender of options for processing the complaint and getting relief (see **Exhibit 2, OPTION 2**).

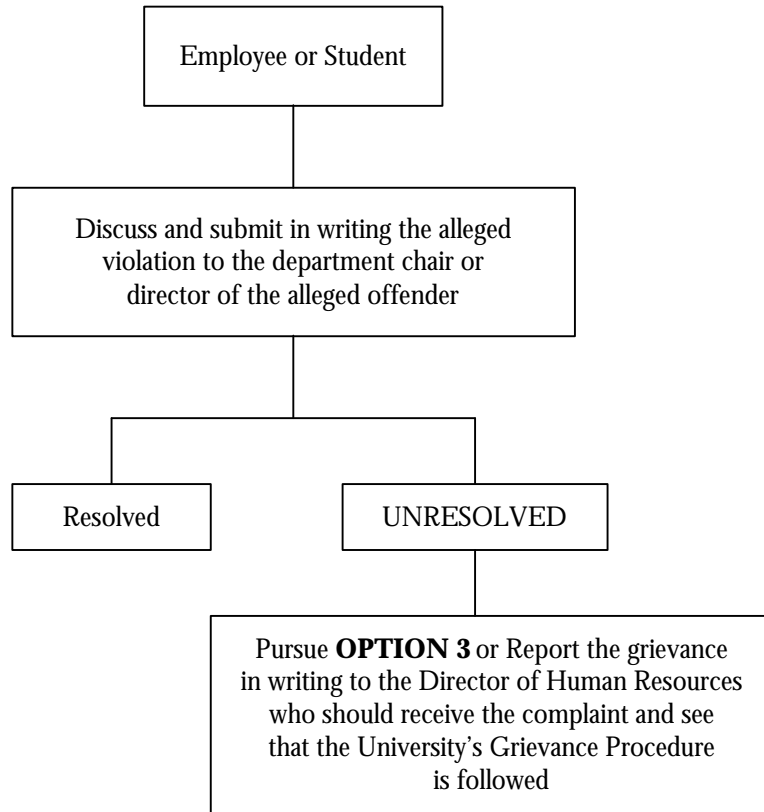
An alleged offender has the right to respond to charges made and to review the material on which charges are based. **Therefore, disciplinary action in cases of sexual harassment is possible only when the complainant is willing to make a written statement describing the specific incident.**

Because of the sensitivity of the information involved, any documents pertaining to employees and/or students sexual harassment cases and the disciplinary action taken will be transferred to and maintained in confidential files under the supervision of the Office of Human Resources and the Vice President for Student Affairs. The confidential individual case files are open only to those University personnel who have been given a "need-to-know" designation by the Director of Human Resources and at least one other top-level administrator (area vice president). In addition, a documented record to show the use of the files will be maintained.

For student sexual harassment incidents, records of suspension and termination are made a part of a permanent confidential file in the Office of the Vice President for Student Affairs until the student graduates or leaves the University. At that time, the student's file is pulled and destroyed (see **Exhibit 2, OPTION 2**).

Exhibit 2

OPTION 2



Option 3. An employee or student seeking to resolve his/her complaint through the use of **OPTION 3**, should report the alleged sexual harassment to the designated University official (see **Exhibit 3, OPTION 3**).

The person contacted is to:

- S hold a separate preliminary discussion with the complainant and with the accused;
- S facilitate a swift and confidential investigation of the allegation through administrative channels by bringing the complaint to the attention of the appropriate Dean or Vice President of the alleged offender as set forth in **Exhibit 3, OPTION 3**;
- keep communication open with the complainant and the accused during the investigation;
- S inform the complainant and the accused of existing University support services, such as the Counseling Center and the Health Center, when they are needed;
- follow through to see that the appropriate dean or director has resolved the complaint and taken prompt, appropriate corrective action when necessary; and
- S advise the complainant and the accused of the procedure to follow if the complaint is unresolved (see **Grievance Procedure**).

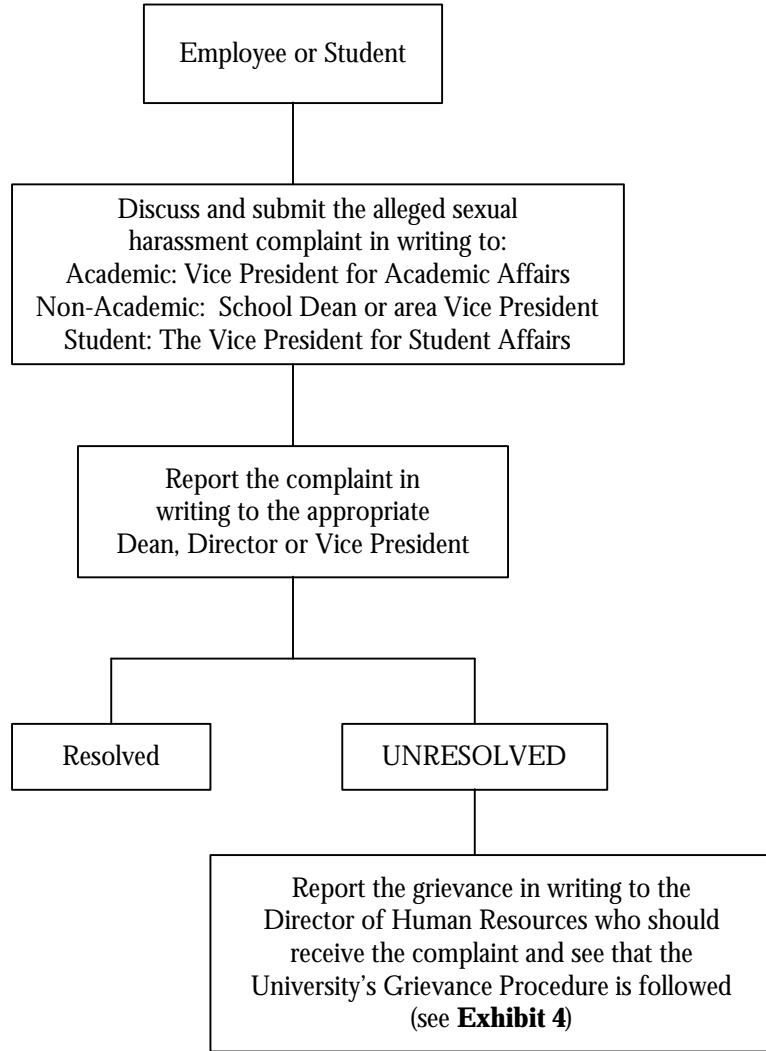
An alleged offender has the right to respond to the charges made and to review the material(s) on which the charges are based. **Therefore, disciplinary action in cases of sexual harassment is possible only when the complainant is willing to make a written statement describing the specific incident.**

All administrators and department heads are charged with keeping current on applicable laws, institutional policies, procedures, and rules; and exploring with complainant the full ramifications of their allegations.

Every effort will be made through **OPTIONS 1, 2 and 3** to resolve, with promptness and confidentiality, a sexual harassment complaint and to take appropriate corrective action. If, however, after exhausting all options, the complainant or the accused feels that the issue has not been resolved, relief may be pursued through the University Grievance Procedure as outlined in **Exhibit 3, OPTION 3**.

Exhibit 3

OPTION 3



GRIEVANCE PROCEDURE

Jackson State University assures prompt and impartial consideration to any complaint which its employees and students may have during the course of their employment or matriculation.

The procedure for handling a grievance made because of a lack of solution to a violation of the sexual harassment complaint is: When the alleged offender is an employee, administrator, or support staff, the complainant submits the complaint in writing to the Director of Human Resources (see **Exhibit 4**), who is in charge of seeing that the President is notified and the University's grievance procedure for staff is initiated and followed.

When the alleged offender holds academic rank, the Director of Human Resources shall transmit the grievance to the Vice President for Academic Affairs, who shall see that the University's grievance procedure for faculty is initiated and followed.

When the alleged offender is a student, the Director of Human Resources shall transmit the grievance to the Vice President for Student Affairs, who in turn transmits the grievance to the Dean of Students to handle. The grievance procedure for handling a complaint against an alleged student offender is the disciplinary process for students.

CHARGE TO THE HEARING PANEL

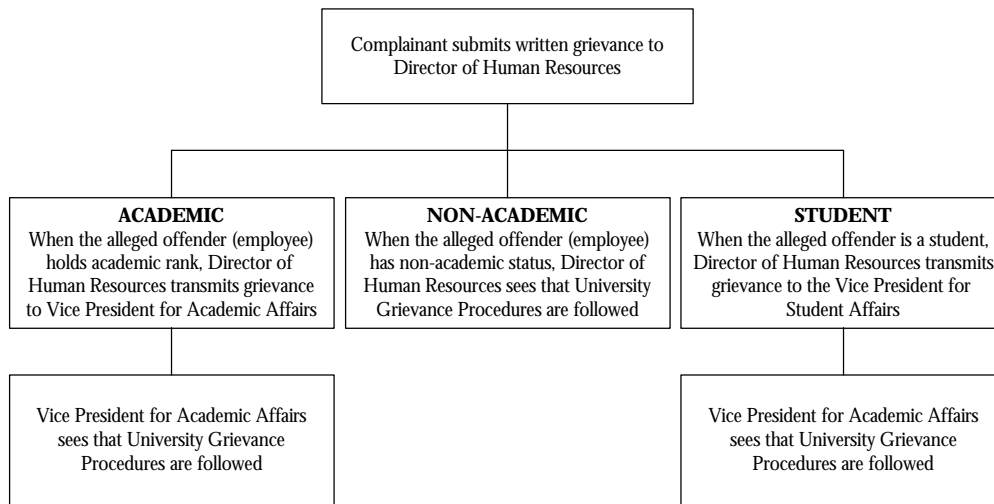
If a the Staff Personnel Committee is needed to handle sexual harassment cases, it is charged with seeing that:

1. The complainant and the alleged offender understand that they may bring an advisor of their choice to the hearing at no expense to the University. This advisor may be an attorney-at-law, a faculty member, another staff member, a relative, or a citizen-at-large. If the parties involved wish to have legal counsel present at the hearing(s), they must inform the Chairperson of the panel at least three days prior to the hearing. The advisor may address the panel only with the consent of the Chairperson.
2. The hearing is closed because of the sensitive nature of the information involved.
3. The majority vote carries, with opportunity for a negative vote and/or minority report.
4. Retaliation against the person who seeks relief, the complainant, or any advisor is forbidden.
5. All sides of the complaint are heard.
6. Appropriate avenues are explored to look actively for witnesses and to verify or disprove information given in the hearing by any witness.
7. Only one witness appears before the panel at a time.

8. Each witness is instructed not to discuss the hearing or the identity of the person(s) making the complaint or the accused with anyone who does not need to know.
9. The hearing moves forward promptly.
10. Fairness and consistency are exercised in recommending corrective action.
11. Meetings are to take place on regular work days during working hours.
12. Corrective action recommended is based upon the nature of the offense and should be considered when the harassment constrains or otherwise impairs the working or educational exchange (see **Exhibit 5, Range of Sanctions**).
13. Any written records of the hearing, together with the findings and recommendation report, and a record of the corrective action taken are placed in the confidential files in the Office of the Director of Human Resources.

Exhibit 4

GRIEVANCE PROCEDURE



CORRECTIVE ACTION

The corrective action recommended by an administrator or the Staff Personnel Committee should depend upon the nature of the offense. It may involve counseling or disciplinary action ranging from a verbal reprimand up to the termination of an offender (see **Exhibit 5**).

**Exhibit 5
RANGE OF SANCTIONS**

| OFFENSES | FIRST OFFENSES | SECOND OFFENSES | THIRD OFFENSES |
|---|---|---|--|
| I. First Level Offense Verbal threats of body harm, attempted rape, rape | Termination Dismissal Exclusion | | |
| II. Second-Level Offense Sexual assault including cornering, deliberate touching, grabbing, squeezing, kissing | Five (5) days Suspension to Termination | Termination | |
| III. Third-Level Offense Pressure for sexual favors affecting any terms, conditions, or decisions related to employment or grade | Written Warning to Five (5) days Suspension | Five (5) days Suspension to Termination | Termination |
| IV. Fourth-Level Offense Repeated sexual remarks teasing, gestures, jokes, kidding, innuendoes, leers ogling, letters, phone calls, materials, or pestering | Oral to Written Warning | Written Warning to Five (5) days Suspension | Five (5) days suspension to Termination (depending upon the offense) |

FOR INFORMATION AND/OR MATERIALS ON SEXUAL HARASSMENT, PLEASE CONTACT:

Office of Human Resources
 Jackson State University
 Post Office Box 17028
 1400 John R. Lynch Street
 Jackson, MS 39217-0228
 Telephone: (601) 968-2015

Office of Civil Rights, Region VI
 U.S. Department of Education
 101 Marietta Tower
 1200 Main Tower Building
 Dallas, TX 75202
 Telephone: (214) 767-2172

FACTS ABOUT THE AMERICANS WITH DISABILITIES ACT (ADA) AND HOW IT AFFECTS JACKSON STATE UNIVERSITY

The Americans with Disabilities Act (ADA) of 1990, that took effect July 26, 1992, prohibits private employers, state and local governments, public accommodations, transportation, telecommunications, employment agencies and labor unions from discriminating against qualified individuals with disabilities in the application process, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment.

An individual with a disability is a person who:

- ♦ has a physical or mental impairment that substantially limits one or more major life activities;
- ♦ has a record or history of a substantially limiting impairment or;
- ♦ is regarded as having a substantially limit impairment.

To be protected under the ADA, an individual must have a record of, or be regarded as having a substantial, as opposed to a minor impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working.

An individual with a disability must also be qualified to perform the **essential functions** of the job with or without **reasonable accommodation**, in order to be protected by the ADA. This means that the applicant or employee must:

- ♦ satisfy your job requirements for educational 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 or without reasonable accommodation.

The ADA does not interfere with your right to hire the best qualified applicant. Nor does the ADA impose any affirmative action obligations. The ADA simply prohibits you from discriminating against a qualified applicant or employee because of his/her disability.

As an employer, Jackson State University is required to make an accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the University.

Jackson State University is not required to lower quality or production standards to make an accommodation, nor is it obligated to provide personal use items such as glasses or hearing aids.

These facts will provide you with the basic information necessary to ensure that Jackson State University meets its obligations under the ADA and explain the part of ADA that prohibits job discrimination. All supervisors at Jackson State University play a vital role in providing a discrimination free work environment.

Questions regarding the ADA and its impact on your department are encouraged and may be directed to the Office of Human Resources. The Office of Human Resources is located on the third floor of the Administration Tower Building.

EMPLOYMENT PRACTICES COVERED

Title I of the ADA requires that all employment activities be unrelated to the existence or consequence of disability.

The prohibition makes it unlawful to discriminate against disabled individuals in all employment practices including:

- ♦ job description
- ♦ training
- ♦ testing
- ♦ promotion
- ♦ layoff/recall
- ♦ leave
- ♦ performance evaluation
- ♦ compensation and salary management
- ♦ assignment of duties
- ♦ medical examination
- ♦ disciplinary action
- ♦ benefits administration
- ♦ all other employment related activities

The ADA does not relieve an employee or job applicant with a disability from the obligation to perform the essential functions of the job.

Supervisors are prohibited from retaliating against an applicant or employee for asserting his/her rights under the ADA. The ADA also prohibits discrimination against an applicant or employee who has a relationship or an association with a disabled individual.

MEDICAL EXAMINATIONS AND INQUIRES

Supervisors responsible for interviewing job applicants for potential employment may not ask applicants about the existence, nature or severity of a disability. Applicants may be asked about their ability to perform specific job functions with or without accommodation and to describe or to demonstrate how, with or without reasonable accommodation, they will perform the duties of the job. A job offer may be conditioned on the results of a medical examination or inquiry, but **only** if the examination or inquiry is required for all entering employees in the job. Medical examinations or inquiries of employees **must** be job related and consistent with the employer's business needs.

Applicants cannot be required to take a medical examination before being offered a job. However, following a job offer, you can condition the offer on the applicant passing a required medical examination, but only if all entering employees for the job category have to take the examination. Job applicants cannot be rejected because of information about his/her disability revealed by the medical examination, unless the reasons for rejection are job-related and necessary for the conduct of the unit's business. You cannot refuse to hire a potential applicant because of his/her disability if he/she can perform the essential function of the job with an accommodation.

Once you have hired an applicant, you cannot require a medical examination or inquire about an employee's disability unless the inquiries are related to their job and necessary for the conduct of your unit's business. You may conduct voluntary medical examinations that are part of an employee health program.

The results of all medical examinations must be kept confidential and maintained in separate medical files.

EEOC ENFORCEMENT OF THE ADA

The United States Equal Employment Opportunity Commission issued regulations to enforce the provisions of the Title I of the ADA on July 26, 1991. The regulations took effect on July 26, 1992, and will cover employers with 25 or more employees. On July 26, 1994, employers with 15 or more employees will be covered.

The ADA gives responsibilities to both EEOC and the Department of Justice for employment by state and local government, these agencies will coordinate the federal enforcement effort. In addition, since some private and governmental employers are already covered by non-discrimination and affirmative action requirements under the Rehabilitation Act of 1973, EEOC, DOJ and the Department of Labor coordinates the enforcement effort under the ADA and the Rehabilitation ACT.

FILING A CHARGE

Charges of employment discrimination on the basis of disability, based on actions occurring on or after July 26, 1992, may be filed at any field office of the United States Equal Employment Opportunity Commission within 180 days of the alleged discrimination.

Field offices are located in cities throughout the United States and are listed in most telephone directories under the United States Government. Information on all EEOC-enforced laws may be obtained by calling toll free 1-800-669-EEOC. EEOC's toll free TDD number is 1-800-800-3302.

ESSENTIAL FUNCTIONS

Essential Functions are the basic job duties that an employee **must** be able to perform, with or without reasonable accommodation. You should carefully examine each job to determine which functions or tasks are essential to performance. This

must be done before taking an employment action such as recruiting, advertising, hiring, promotion or firing.

Your judgement as to which functions are essential, and a written job description prepared before advertising or interviewing for a job will be considered by EEOC as evidence of essentials.

Factors Used to Determine Essential Functions:

- ♦ 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;
- ♦ the degree of expertise or skills required to perform the function;
- ♦ actual work experience of present or past employees in the job;
- ♦ time spent performing a function; and
- ♦ consequences of not requiring that an employee perform a function.

REASONABLE ACCOMMODATIONS

Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Reasonable accommodations may include:

- ♦ acquiring or modifying equipment or devices;
- ♦ job restructuring;
- ♦ part-time or modified work schedules;
- ♦ reassignment to a vacant position;
- ♦ adjusting or modifying examinations, training materials or policies;
- ♦ providing readers and interpreters; and
- ♦ making the workplace readily accessible to and usable by people with disabilities.

It is a violation of the ADA to fail to provide reasonable accommodation to the known physical or mental limitations of a qualified individual with a disability, unless to do so would impose an undue hardship on the operation of your unit.

Undue Hardship

Undue hardship means that the accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature of operation of the unit.

If a particular accommodation is determined to cause an undue hardship, you must try to identify another accommodation that will not pose such a hardship. If cost is the factor that causes the undue hardship, you must:

- ♦ consider whether funding for an accommodation is available from an outside source, such as a vocational rehabilitation agency, and if the cost of providing the accommodation can be offset by state or federal tax credits or deductions; and
- ♦ give the applicant or employee with a disability the opportunity to provide the accommodation or pay for the portion of the accommodation that constitute an undue hardship.

Factors To Be Used in Determining Undue Hardship

- ♦ Cost of the accommodation;
- ♦ Financial resources; and
- ♦ University size;
- ♦ The nature and structure of the University.

Identifying Reasonable Accommodation

When a qualified individual with a disability requests reasonable accommodation, the appropriate accommodation is obvious. However, when the appropriate accommodation is not readily apparent, you **must** make reasonable effort to identify one by consulting informally with the applicant or employee about potential accommodations that would enable the individual to participate in the application process or perform the essential functions of the job. If this consultation does not identify an appropriate accommodation, you may contact any of the following organizations:

Equal Employment Opportunity Commission
207 West Amite Street
Jackson, MS 39201
(601) 965-4537

Department of Rehabilitation Services
1281 Highway 51
Madison, MS 39110
(601) 853-5100
(800) 443-1000 (Voice and TDD)

Equal Employment Opportunity Commission
1801 L Street, NW
Washington, DC 20507
(202) 663-4900 (Voice)
(800) 800-663-4494 (TDD for 202 Area Code)

Department of Transportation
400 Seventh Street, SW
Washington, DC 20590
(202) 366-9305
(202) 755-7687 (TDD)

Department of Justice
Office on the Americans with Disability Act
Civil Rights Division
Post Office Box 6618
Washington, DC 20035-6118
(202) 514-0301 (Voice)
(202) 514-0381 (TDD)
(202) 514-6193 (Electronic Bulletin Board)

**Architectural and Transportation
Barriers Compliance Board**
1111 18th Street, NW, Suite 501
Washington, DC 20036
1-800-USA-ABLE
1-800-USA-ABLE (TDD)

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554
(202) 632-7260
(202) 632-6999 (TDD)

EMPLOYEE DISABILITY INFORMATION

Jackson State University is committed to equal employment opportunity and affirmative action for the disabled and seeks to provide accommodations to disabled employees unless prohibited by undue hardship.

If you are covered by the American Disabilities Act and wish to identify yourself for the purpose of requesting a reasonable accommodation, please contact:

Office of Human Resources
Jackson State University
Post Office Box 17028
Jackson, MS 39217-0128
(601) 968-2015

PLEASE NOTE: This information is strictly voluntary and will not result in adverse treatment. Also, this information will be considered personal and confidential except for those with a need-to-know such as:

- ♦ supervisors regarding job accommodations;
- ♦ the health center and security personnel where appropriate; and
- ♦ governmental officials investigating compliance.

HIV/AIDS POLICY

INTRODUCTION

The following statement of policy is intended to express Jackson State University's (JSU's) commitment in enhancing the awareness of the campus community in response to the Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS) epidemic. Jackson State University is committed to the principles of equal educational opportunity, equal employment opportunity, and affirmative action. The University does not discriminate against a qualified individual with a disability with regard to job applications, hiring, advancement, discharge, compensation, training, or other terms, conditions, or privileges of employment. Equal Employment Opportunity shall be without regard to race, color, religion, sex, age, marital status, physical and mental disability (except where such disability renders the person incapable of doing the job). The University recognizes that employees and students with life-threatening illnesses -- including but not limited to cancer, HIV/AIDS, and heart disease -- and other disabilities may wish and be physically able to work a regular or modified schedule.

PROPOSED EDUCATION

Because there is no known cure and some medications are showing promising results, the most pressing need for Jackson State University is to increase awareness and provide education to prevent the further spread of the HIV/AIDS virus. It is also important that HIV/AIDS education programs be implemented to provide not only what information is available on HIV/AIDS but information relating to knowledge, attitudes, beliefs and behaviors. The following are specifics concerning HIV/AIDS as it relates to increasing awareness at JSU.

1. Comprehensive HIV/AIDS educational programs will target undergraduate, graduate and professional students.
2. HIV/AIDS will be offered to faculty and staff..
3. HIV/AIDS educational programs will play a major role in ensuring the University's educational programs will play a major role in ensuring the University's responsibility to protect its student body, faculty, and staff from the transmission of HIV/AIDS through the revision of current and accurate information.

HIV/AIDS education programs provided by Jackson State University emphasize the following:

1. Students playing a major role in the planning and implementation of HIV/AIDS Education Programs.
2. All employees and students receiving highly-structured HIV/AIDS education training on an ongoing basis.
3. Increased HIV/AIDS awareness through; the availability of film, printed materials, ongoing training and community outreach programs and workshops.

POLICY AND PROCEDURES

Desire and Ability to Work

Supervisors have the right to require acceptable performance standards of all employees and students; and recognizes that employees and students may wish to continue to engage in as many of their normal pursuits as their illness allows, including work and attending classes. Jackson State University is sensitive to the fact that continued employment and class attendance for an employee or student with HIV/AIDS may sometimes be therapeutically important in the remission or recovery process or may help to prolong that employee's life and that such an employee is valuable to the workplace and the University. Therefore, as long as these employees and students with HIV/AIDS are able to perform the essential job functions and attend class, management is sensitive to their health concerns and will ensure that they are treated as other employees are treated.

Reasonable Accommodations

The ADA and other federal and state laws require Jackson State University to provide "reasonable accommodation" to students and employees with HIV/AIDS, when informed of the need for reasonable accommodation. Reasonable accommodations are changes in the work environment or the way things are customarily done that will enable an otherwise qualified persons with HIV/AIDS to apply for a job, or to enjoy benefits and privileges of attending class or of employment equal to those enjoyed by other employees. An individual with HIV/AIDS is qualified if he or she can perform the essential functions of the job with or without reasonable accommodations.

Jackson State University has no obligation to provide any accommodation that would impose an undue hardship on the University.

Each case of reasonable accommodation should be handled separately with input from the student or employee requesting the accommodation.

Where to Go for Assistance

Employees are encouraged to seek assistance from established community support groups for medical treatment and counseling. Jackson State University has designated the Health Center as the place for students and employees to go to seek assistance. Outside of the Health Center, assistance may be available through:

- \$ Local Red Cross Chapters
- \$ Jackson State Counseling Center
- \$ Departments of Public Health
- \$ Jackson State Health Center

Access to Facilities

Jackson State University shall provide reasonable accommodations to student and employees who are HIV positive in a manner consistent with accommodation provided to persons with other handicapping conditions.

Students and employees shall not be restricted access to public facilities including, but not limited to dormitories, apartments, student unions, theaters, cafeterias, restaurants, snack areas, bathrooms, gymnasiums, swimming pools, recreational facilities or other areas.

Confidentiality of Information

The ADA and other federal and state laws protect the confidentiality and privacy of any student or employee's medical information. A student's or employee's medical information is treated personal and will be treated as confidential, and reasonable precautions will be taken to protect information regarding a student's or employee's health record.

Information attained as a result of a permissible medical examination shall be collected and maintained on separate forms and in separable medical files to be treated as a confidential medical record by the Health Center. It is the Director of Health Center responsibility to ensure that only authorized persons have access to those files.

There is no medical or legal necessity to inform other students or employees of the presence of a student with HIV/AIDS, and to do so would subject the institution to liability. Therefore, the University **will not** provide any medical information without the prior written consent of the student or employee, except where required by law.

Employment

Jackson State University shall not discriminate against a qualified individual infected with

HIV/AIDS with regard to job applications, hiring, advancement, charge, compensation, training, or other terms, conditions, or privileges of employment.

Food Handlers

The ADA provides special provision concerning employees who handle food and have communicable diseases.

Jackson State University may refuse to assign or continue to assign a person with HIV/AIDS to a job involving food handling who has HIV/AIDS and the risk of contagion cannot be eliminated through the use of reasonable accommodation. Reassignment to a job that does not involve food handling would always be a reasonable accommodation in this case.

Custodial and Facilities Management Workers

All Jackson State University employees who have responsibility for cleaning or repairing university restrooms shall wear plastic gloves when working in restrooms. This will ensure that these employees are protected from risk of infection through cuts on their hands.

Co-Workers and Students Concerns

Jackson State University is sensitive and responsive to co-workers' concerns and emphasizes employee education and information.

Only routine requests for transfers will be considered, not requests based on fear and/or discrimination. When a co-worker or student is concerned or feel threatened, they are encouraged to seek counseling through the University's Health Center.

Medical Care

Jackson State University will provide established support services of a medical, psychological and educational nature consistent with the University's health care resources. Sick leave, leave of absence, disability insurance, and all other personnel policies should be applied to those with HIV/AIDS in the same manner for any other employee with a disability or illness.

HIV Testing

Programs of screening prospective, new or current students/employees for HIV/AIDS testing shall not be implemented. HIV/AIDS testing and counseling are a voluntary procedure

and shall not become mandatory. All individuals requesting testing or counseling shall receive such a referral when appropriate to health care providers.

Admissions and Class Attendance

Jackson State University shall not discriminate against a student in the initial admissions decision. Students whether symptomatic or asymptomatic, shall be allowed curricula and extracurricular attendance and working conditions as any other students, as long as they are psychologically and physically able.

Sports/Athletic Activities

Case-by-case decision should be made with competent medical advice regarding the participation of students with HIV or AIDS in intramural or varsity sports. The Athletics Department should be award of procedures for dealing with blood that may result from athletic injuries.

Institutional Committee

It shall be the responsibility of the HIV/AIDS Institutional Committee or Health Center to act as a resource for the collection and dissemination of up-to-date information on HIV/AIDS and the monitoring of HIV/AIDS policy implementation.

The Health Center will act as a clearinghouse for information gathered from general administration and other sources and provide recommendations for campus-wide dissemination of same, where appropriate.

University Precautions

Universal precautions cover ways to protect workers on the job from blood borne germs. Jackson State University does provide employees, as required by the Occupational Safety and Health Administration (OSHA) regulations, with protective gear such as goggles, gowns, and latex, vinyl, or sterile gloves to avoid exposure to skin or mucous membranes; work protocol; and training at no cost to employees.

Existing Policies

This HIV/AIDS policy is not to substitute for or replace any existing policies, federal or state laws; but rather it is intended to supplement and work in conjunction with the existing policies, federal and state laws.

Sanctions

No student or employee shall be harassed by fellow students, co-workers, administration, faculty or staff. If such behavior is evident, appropriate disciplinary action will be taken.

Conclusion

Reasonable efforts have been made to cover all important matters and to ensure that the content of this manual is accurate; in the event that areas of policy have been omitted or are not stated clearly, or if ambiguities or inconsistencies are found to exist, Jackson State University retains inherent rights to manage, including, but not limited to, the right to determine the number, location, and manner of operations, number of employees, and assignment of work; transfer, promote, demote, layoff, or terminate for lack of work or other reasons; and to set rules, suspend, discharge or take other disciplinary measures as it deems necessary.

Although it is the intention of this handbook to reflect policies or rules of the Board of Trustees of State Institutions of Higher Learning in Mississippi and/or Jackson State University, users are cautioned that changes or additions to such policies or rules may have become effective since the publication of this manual. In the event of such a conflict, the current statement of Board policy contained in the official minutes and manual of rules, bylaws, and guidelines shall prevail.