

# *The University of Oklahoma Staff Handbook*



## *Office of Human Resources*

Norman Campus (405) 325 - 1826  
OUHSC Campus (405) 271 - 2180  
Tulsa Campus (918) 660 - 3190

## *Table Of Contents (02/2009)*

### **0.0 PREFACE**

#### **1.0 THE UNIVERSITY: HISTORY AND INTRODUCTION**

### **2.0 UNIVERSITY GOVERNMENT AND ADMINISTRATION**

- 2.1 Oklahoma State Regents For Higher Education
- 2.2 The University of Oklahoma Regents
- 2.3 Administrative Organization
- 2.4 President
- 2.5 Staff Governance Organizations
- 2.6 Councils and Committees

### **3.0 STAFF EMPLOYMENT POLICIES**

- 3.1 Staff Employees
- 3.2 Benefits Designation
- 3.3 Hiring New Staff Employees
  - 3.3.1 Hiring Policies
  - 3.3.2 Definitions
  - 3.3.3 Promotions and Transfers
  - 3.3.4 Testing
- 3.4 Benefits Eligibility
- 3.5 Probationary Period
- 3.6 Reemployment
- 3.7 Termination of Employment
- 3.8 Reduction In Work Force
- 3.9 Compensation
- 3.10 Work Schedules
  - 3.10.1 Flexible Scheduling
- 3.11 Leaves of Absence With Pay
  - 3.11.1 Paid Leave and Extended Sick Leave Policy
  - 3.11.2 Holidays
  - 3.11.3 Jury Duty
  - 3.11.4 Voting
  - 3.11.5 Military Leave
  - 3.11.6 Reemployment Rights
  - 3.11.7 Returning From Leave
  - 3.11.8 Funeral Leave
  - 3.11.9 Emergency Leave
  - 3.11.10 Administrative Leave
  - 3.11.11 Disciplinary Leave
  - 3.11.12 Shared Leave Policy
- 3.12 Leaves Without Pay
  - 3.12.1 Personal
  - 3.12.2 Interim Family and Medical Leave Policy
- 3.13 Staff Policies: Authority and Administration
- 3.14 Access To Personnel File Policy
- 3.15 Patent Policy
- 3.16 Copyright Policy
- 3.17 Transfers Between Campuses
- 3.18 Service Credit Transfer
- 3.19 Governance Activities
- 3.20 Training and Development
- 3.21 Performance Evaluation
- 3.22 Positive Discipline
- 3.23 Staff Grievance Procedure
- 3.24 Driver's License Policy

### **4.0 PAY AND BENEFITS**

- 4.1 Retirement
  - 4.1.1 Programs Available
  - 4.1.2 Social Security (FICA)
  - 4.1.3 Teachers' Retirement System Of Oklahoma
  - 4.1.4 Defined Contribution Plan
  - 4.1.5 Phased Retirement
  - 4.1.6 Retirees Returning To Work
- 4.2 Insurance Benefits
  - 4.2.1 Liability Insurance
  - 4.2.2 Personal Vehicle Use
  - 4.2.3 Leased/Rented Vehicles
- 4.3 Pay
  - 4.3.1 Overtime
  - 4.3.2 Compensatory Time
- 4.4 Supplemental Retirement Option
- 4.5 Income Tax Withholding
- 4.6 Enrollment of Faculty and Staff In University Courses
- 4.7 Identification Card
- 4.8 Breaks

### **5.0 GENERAL POLICIES**

- 5.1 Loyalty Oath
- 5.2 Nepotism
- 5.3 Outside Employment and Extra Compensation Within The University, Norman Campus
- 5.4 Extra Compensation as Adjunct or Other Special Faculty
- 5.5 Contacts with Reporters
- 5.6 Advertising and Educational Information
- 5.7 University Seal and Coat of Arms
- 5.8 Parking Regulations
- 5.9 Use of State Vehicles For Private Purposes
- 5.10 Travel Reimbursement
- 5.11 Candidacy For Political Office
- 5.12 Keys
- 5.13 Fund Raising
- 5.14 Employee Assistance Program
- 5.15 Smoking In Public Places
- 5.16 Communication With State Officials
- 5.17 Conflicts of Interest Policy
- 5.18 Policy on Prevention of Alcohol Abuse and Drug Use
- 5.19 Racial and Ethnic Harassment Policy
- 5.20 Sexual Harassment/Assault Policy
- 5.21 Consensual Sexual Relationships Policy
- 5.22 Discrimination Policy (Other Than Sexual or Racial/Ethnic Harassment)
- 5.23 Reasonable Accommodation Policy
- 5.24 Grievance Procedure for: Discrim., Sex. Harassment/Assault, Consensual Sexual Rel. or Racial/Ethnic
- 5.25 University Ombuds Service
- 5.26 Communicable Disease Policy
- 5.27 Bright Idea Suggestion Program
- 5.28 Employee Financial Obligations
- 5.29 Health and Safety Policy
- 5.30 Bicycle Policy
- 5.31 Media Sanitization Policy

**0.0 PREFACE** - The *Staff Handbook* has been prepared by the Office of Human Resources as an easy-to-read reference for present and prospective staff members. It contains useful information about employment policies, procedures, conditions and opportunities. For the most part, contents concerning University of Oklahoma employment policies and procedures are presented as summaries of Regents' and administrative policies and procedures as well as applicable state and federal law. While every effort is made to present the key elements of these references accurately, **the actual text of the policy, procedure or law is to be consulted as the authoritative source of information. Copies of these documents are available for review in the offices of Human Resources.** Policies contained in this handbook have been approved by the president and/or the Board of Regents of the University of Oklahoma, effective September 1995. The information contained in this handbook is current only at the time of publication and may change from time to time by action of appropriate segments of the institution. An attempt has been made either to include enough detail to answer questions or to identify sources where detailed information may be found. The Office of Human Resources is available to lend additional interpretation or to provide additional information as needed. This handbook is not intended to create any contractual rights in favor of the employee or the university. The State of Oklahoma and the University of Oklahoma are at-will employers. An employment relationship may be terminated at the will of the employee as well as by the employer. While policies and procedures have been established to provide guidance for university administrators and employees, the policies herein shall not be construed to limit or abrogate the rights of the University of Oklahoma or its employees under the employment-at-will relationship. The university reserves the right to change the terms of this handbook at any time.

**1.0 THE UNIVERSITY: HISTORY AND INTRODUCTION** - Seventeen years before Oklahoma became a state, the University of Oklahoma was founded through action of the first legislature of the Territory of Oklahoma. Approved in 1890 and adopted in its main provisions by the first legislature of the state in 1907, the act said the purpose of the university was "to provide the means of acquiring a thorough knowledge of the various branches of learning connected with scientific, industrial and professional pursuits."

Norman was selected as the original site for the university on condition that Cleveland County residents would donate a 40-acre campus within a half mile of downtown Norman and vote bonds to provide \$10,000 to help finance the construction of a building. When the territorial legislature refused to accept the bonds and demanded cash, the bonds were sold for \$7,200. The remaining \$2,800 requirement was promised by Norman business people, and the 40-acre site was purchased for \$1,500. Students were accepted for the first time in the fall of 1892, and the first two graduates received the degree of pharmaceutical chemist in 1896.

Over time, the university has experienced tremendous growth. The Norman campus has expanded from its original 40 acres to approximately 3,000 acres on which are located about 200 permanent buildings. The Oklahoma City campus was added in 1910. It is the state's principal center for health sciences and has coordinated programs with private and public health-care organizations occupying a 200-acre location near the state capitol. The university serves as the nucleus for the Oklahoma Health Center. In 1974, the University of Oklahoma College of Medicine in Tulsa accepted its first students. It is housed on 11 acres of land located south of downtown Tulsa. Other research and study facilities include the University of Oklahoma Biological Station on Lake Texoma, the Oklahoma Geophysical Observatory at Leonard near Tulsa, and the Aquatic Biology and Fisheries Research Center in Noble near Norman.

## 2.0 UNIVERSITY GOVERNMENT AND ADMINISTRATION

**2.1 OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION** - The University of Oklahoma is part of a state-wide educational program called the Oklahoma State System of Higher Education. Having been established by constitutional authority in 1941, the state system is younger than the University of Oklahoma and is made up of all institutions of higher education supported wholly or partially by legislative appropriations. The coordinating body, called the Oklahoma State Regents for Higher Education, is composed of nine members. Following appointment by the governor and confirmation by the state senate, board members serve nine-year terms. One member of the board is replaced each year. Responsibilities of the Oklahoma State Regents for Higher Education include setting standards of higher education (including requirements for the admission of students), determining the functions and courses of study at each institution, granting degrees and other forms of academic recognition, recommending higher education's funding needs to the legislature, allocating state appropriations to individual institutions, and determining the fees of all institutions of the system. (Article III-A, Sections 2 and 3, Constitution of Oklahoma)

**2.2 THE UNIVERSITY OF OKLAHOMA REGENTS** - By constitutional authority, the government of the university is vested in the Board of Regents of the University of Oklahoma. The board is composed of seven members appointed by the governor with the advice and consent of the Oklahoma Senate. Each member serves a seven-year term unless appointed to fill an unexpired term. One member is replaced each year. Meetings are held monthly, except during the month of August, to conduct the university's business. The powers and duties of the board are set out in the Oklahoma statutes. (Article XIII, Section 8, Constitution of Oklahoma; Title 70, Section 3301, et seq., Oklahoma Statutes, 1991)

**2.3 ADMINISTRATIVE ORGANIZATION** - The administrative organization exists to provide leadership and to facilitate University of Oklahoma goals, objectives and services. As an operating philosophy, the university's purposes can best be achieved in an atmosphere

of shared governance, mutual planning and implementation of decisions, and the recognition and encouragement of contributions by members of the university community.

**2.4 PRESIDENT** - As the chief executive and academic officer of the university, the president is responsible to the board of regents of the university for the administration of the institution. All authority delegated by the regents is administered through the president, who may in turn delegate responsibility and authority to other institutional administrative officials.

**2.5 STAFF GOVERNANCE ORGANIZATIONS** - Governance organizations for staff employees exist on the Norman campus and at the Health Sciences Center. The Staff Senate represents staff employees on the Norman campus. Its representatives are selected by five member groups known as the Council of Administrative Officers, the Administrative Staff Council, the Managerial Staff Association, the Professional Staff Association and the Hourly Employees Council. Staff employees on the Oklahoma City and Tulsa campuses elect representatives of specified geographical areas to their governance organization, known as the Employee Liaison Council. The purpose of the staff governance organizations is to provide staff employees a means to participate in decisions regarding policy matters of the university affecting working conditions of its employees. Both governance groups function as an advisory and policy-referral body to the university administration and to the staff employees represented. (Charter and Bylaws of the Staff Senate for the University of Oklahoma, approved 11-11-71, as amended; Charter and Bylaws of the Employee Liaison Council, as amended)

**2.6 COUNCILS AND COMMITTEES** - A system of councils and committees is essential to the operation of the university. They are basic to a collegial environment and assure participation by all segments of the university community in the interest of achieving institutional goals and objectives. They also serve to keep the faculty and staff advised of current issues; utilize the unique talents and expertise available on the campuses; and provide interaction among faculty, students, staff and administrators.

Councils and committees are given clearly stated assignments in writing, and they are asked to give periodic reports to their constituencies. The committee structure of the institution is kept flexible and is subject to periodic review and revision. A current listing of councils and committees, their assignments and their membership is available in the office of the president. Councils make recommendations to the president on policy and programs in areas of vital significance to the functioning of the university as an educational institution as well as special extracurricular areas that deserve the attention of the full representation of the university community. Certain councils are created by the board of regents. Others are established upon recommendation of the Faculty Senates and approval by the president.

Standing committees provide the president and other members of the administration with advice and assistance regarding areas of university activity that are important to the fulfillment of an educational mission but are of less fundamental significance than the areas of council concern. Administrative advisory committees are established by officers of the university for subjects not covered by the council or standing committee structure. These committees are composed of members selected by the establishing official. The number and purposes of these committees are regularly reviewed by the president.

Task forces are established from time to time as ad hoc committees designed to accomplish a specific purpose. Members of a task force are selected by the appointing body or officer. Dissolution occurs when the assigned task is completed or at the discretion of the appointing body or officer. (Extracted from "Structure of University Councils and Committees" and from the "Charters and Listings of the Councils and Committees"). Administrative search committees are formed to assist in the selection of the president, vice presidents, provosts, vice provosts and academic deans. Search committees may also be used in the search for any other unique position such as administrative officers. Specific guidelines are applicable for the make-up of these committees (Sections 2.3.10 and 2.7.7, Faculty Handbook).

### 3.0 STAFF EMPLOYMENT POLICIES

**3.1 STAFF EMPLOYEES** - The information in this section gives employment policies for executive officers, administrative officers, administrative staff, managerial staff, professional staff, supervisory staff, and service and operations staff. These groups combined are known as staff employees.

**3.2 BENEFITS DESIGNATION** - University employment benefits are linked to the primary position for which an employee is hired. If an employee is hired through the staff hiring process but by virtue of his/her skills or expertise is assigned an additional academic title, benefits accrue to the primary staff title only, even though the employee's total title would reflect an additional academic appointment unless the provost, after consultation with the Director of Human Resources, specifically determines that an exception is in the best interests of the university. Example: Staff Psychologist/Adjunct Assistant Professor is assigned professional staff status and benefits. If a person is hired through the faculty hiring process and acquires a staff title because of additional responsibilities, then benefits are linked

to the primary academic title. Example: Assistant Professor/Editorial Supervisor of The Oklahoma Daily is assigned academic status and benefits.

**3.3 HIRING NEW STAFF EMPLOYEES** - This policy, approved by the board of regents, was developed to provide a means for assuring: (1) that available human resources will receive full use; and (2) that all appointments, promotions and transfers will be made on the basis of individual qualifications and merit without regard to race, creed, color, national origin, sex, age, religion, disability or status as a veteran. It is also the policy of the university not to discriminate on the basis of sexual orientation. The University of Oklahoma is committed to equal employment opportunity and to employment of only U.S. citizens and aliens authorized to work in the United States.

**3.3.1 HIRING POLICIES** - Any vacancy for a position expected to last for 90 calendar days or more must be listed with the Office of Human Resources. Recommendations for appointments, reappointments, promotions and transfers will not be approved until candidates for these positions have been processed by Human Resources. Employment of persons for less than 90 calendar days should be coordinated with Human Resources for determining an appropriate compensation level. Hourly positions must be listed for at least five working days or until three candidates have been referred. Monthly positions must be listed for at least 15 working days regardless of the number of applicants. Hiring officials should notify current employees simultaneously with, if not prior to, listing the job to give the current department staff first knowledge of promotional opportunities within the department. Upon making a hiring decision, the department should advise Human Resources of the acceptance of the candidate selected and notify all other applicants that the position has been filled. All new employees will be required to provide identification and employability information in accordance with the Immigration Reform and Control Act. All new employees must have an I-9 form on file in Human Resources. Questions regarding this issue should be directed to Human Resources. For assistance in filling a staff vacancy, refer to the current affirmative action plan or call Human Resources.

**3.3.2 DEFINITIONS - Appointments:** (a) Initial appointment refers to placing an individual on the payroll for the first time. (b) Reappointment refers to placing a former employee on the payroll when prior service was compensated by other than special payments. (c) A continuous appointment is one that is expected to continue for six months or more. (d) A full-time (FTE or full-time equivalent) appointment is one requiring 40 hours of work per week. (e) A part-time appointment is one that requires less than 40 hours of work per week. (f) Temporary appointments are expected to last less than six months. (g) Irregular appointments may last for an undefined period of time but require work on an irregular and uncertain schedule, totaling less than full-time. **Promotion:** (a) The advancement of an employee to a classification with a higher pay range. The term does not apply to pay increases for work at the same level. (b) An internal promotion is a change to a classification with a higher pay range within the same department. **Transfer:** (a) A promotional transfer is a change to a classification in a higher pay grade within another department. (b) A transfer occurs when an employee moves from one department to another or to a different position within the same department. A transfer may be made with or without a promotion. **Trainee Status:** Employment in a position where the individual does not meet the minimum qualifications for that position. The word "trainee" appears in parentheses after the title of the position for which the person is being trained. A trainee's salary or wage should be less than the minimum rate established for that particular classification. The trainee designation will be removed from the title when the employee satisfactorily meets the qualifications for the position. The salary or wage rate should be increased to reflect the completion of the training period. A trainee should be expected to meet the basic qualifications for the position within the probationary period. **Student Status:** Applies to those employees currently enrolled full-time and regularly attending University of Oklahoma courses for credit and whose primary purpose for being at the university is to obtain an education. Student employees may not work more than 30 hours per week to be considered eligible to be exempt from paying FICA (social security and medicare taxes). By law, international students are not subject to FICA taxes; however, due to F-1 visa requirements, they cannot work more than 20 hours per week when classes are in session. The department head is responsible for determining the applicability of student status to the appointment and the work schedule to be met.

**3.3.3 PROMOTIONS AND TRANSFERS** - The university encourages the upward mobility of staff employees to positions for which they are qualified and which meet their career interests and objectives.

1. (a) Internal promotions are encouraged and may be effected without listing the job as long as underutilization of ethnic minorities and women does not exist within the department in the affected occupational category and subcategory or the department lists a lower level position. If the department intends to list a lower level position, Human Resources should be notified of the vacant position the department wishes to fill by internal promotion. Departments will notify their current employees of the vacancy prior to effecting an internal promotion. Vacancies along with all minimum qualifications required and the rate or range of pay will be made known by one or more of the following: (1) announcements in staff meetings; (2) notices posted on department bulletin boards; (3) circulating memos to staff. To be considered for an internal promotion, employees must meet all minimum qualifications of the vacant position. After the qualifications of all interested departmental employees have been evaluated and a selection has been made, Human Resources will provide an Internal Promotion Selection Report Form, which is to be completed and submitted with the Personnel Action Form for the employee selected. (b) If the department will not be listing a lower level position, a utilization analysis will be conducted to determine

whether underutilization exists. If underutilization exists, the department will be required to list the position through Human Resources. Internal candidates may apply for the position. The job must remain open for the appropriate period of time.

2. Positions that are to be filled by promotional or lateral transfers to another department should be listed in accordance with the university's Staffing Plan. Positions that result in lateral or demotional moves for employees within a department may be filled without listing.

3. Employees interested in promotional or lateral transfer opportunities should provide Human Resources with updated employment application material. Also, employees wishing promotional or lateral transfers are encouraged to discuss these possibilities with their supervisor.

4. Employees who have successfully completed the required probationary period of employment in their most recent position will be referred to promotional opportunities for which they are qualified. Employees with less than six months of service in their current classification will normally not be approved for promotion or transfer.

5. Departments accepting employees by transfer will be responsible for the employees' accumulated paid leave and extended sick leave benefits.

6. Salary increases normally will not be approved for employees moving from one position to another at the same or lower level. A decrease in salary may be appropriate when employees accept transfers to lower level positions. Decreases in salary should be discussed with the Director of Human Resources before action is taken.

**3.3.4 TESTING** - Federal regulations require that employee testing be validated to show a direct relationship between test results and job performance. Employment tests are not to be used until they have been approved by Human Resources.

**3.4 BENEFITS ELIGIBILITY** - Only those employees holding a continuous appointment and working 50 percent time or more are eligible for university benefits. Employees working 50 percent (20 hours per week) but less than full-time are eligible for benefits in proportion to their percent of appointment. Persons working less than 50 percent time are not eligible for benefits. Student employment is considered temporary; therefore, student employees are not eligible for employment benefits other than Workers' Compensation.

**3.5 PROBATIONARY PERIOD** - Hourly employees serve a probationary period of six months, and monthly employees serve a probationary period of one year except where certification or licensure stipulates a different period of time. A probationary period is also served each time an employee receives a promotion or transfers to another department; however, such probationary periods do not affect an employee's eligibility for accruing or using university benefits. The probationary period is a time for learning the job requirements and demonstrating the skills and abilities to perform the duties assigned. When the probationary period is completed, employees are assumed to have demonstrated satisfactory performance in the position. Written, oral, skill, physical or other appropriate examinations may be required during the probationary period to help establish the employee's qualifications for continued employment.

**3.6 REEMPLOYMENT** - Employees who have two or more years of continuous service in a benefits-eligible appointment and who return to the university within 90 calendar days following termination under satisfactory conditions may have their previously accrued service time and remaining accrued benefits restored to their employment record. This action requires a recommendation from the department head and approval by the Director of Human Resources. Employees who are terminated under unsatisfactory conditions may be denied referrals for employment.

**3.7 TERMINATION OF EMPLOYMENT** - Employees may be terminated in the following manner:

**Satisfactory Conditions.** Employees terminated under satisfactory conditions can expect to receive written notice in advance of their termination (i.e., a two-week written notice to persons on an hourly rate of pay and a one-month written notice to those on a monthly rate of pay). The period of notice is to be given in addition to any terminal paid leave to which employees may be entitled. In turn, the university expects an equal period of notice in writing from employees resigning from university employment.

**Reduction in Force.** Personnel affected by layoff shall receive notice plus paid leave time accrued as set forth in Section 3.8.

**Immediate Discharge.** Employees may be discharged immediately as set forth in Section 3.22 when deemed to be in the best interest of the university. Terminations of employees with five or more years of university service will be reviewed by the appropriate executive officer or his or her designate before becoming final. A copy of each written notice of termination, layoff or resignation is to be sent to Human Resources.

**3.8 REDUCTION IN WORK FORCE - Purpose.** To provide policy and procedures to be followed when staff employees of the University of Oklahoma are to be laid off for reasons of reorganization or termination of part or all of an activity.

**Applicability.** This policy applies to all executive officers; administrative officers; and administrative, professional, managerial, supervisory, and service and operations staff employees either full-time or part-time (50 percent FTE or more). Student employees, temporary employees, employees on irregular appointments, employees in their initial probationary period, and staff whose total university appointment is less than 50 percent FTE are not eligible for layoff benefits. Faculty members are covered by separate policies. Staff employees paid from grant and contract funds are normally provided a notice of their appointment, including a termination date, at the beginning of their employment period. In such instances, those portions of this policy and procedure referring to a 30-calendar-day notice prior to layoff and to a written notification of layoff are not applicable.

**Policy.** It is the policy of the university to provide stable employment to its employees. However, conditions that necessitate a reduction in the university's work force may arise. The need for personnel reduction due to reorganization, lack of work, lack of funds, or the abolishment or reduction of an activity as implemented by the budget unit head or dean shall be reviewed and approved by the appropriate provost or vice president. The Financial Emergency Policy shall be followed in those instances where staff reductions follow and are related to the president's declaration that an agency of the university is in a state of financial emergency.

Staff layoffs and recalls resulting from the application of the Financial Emergency Policy shall be conducted in accordance with the policy and procedures outlined herein. It will be the responsibility of the budget unit head or dean to work with Human Resources and the Affirmative Action Office to expedite the procedures as defined. The purpose of this coordination is to assist in determining alternative actions, to assure equity in layoff decisions, to review equal employment opportunity considerations, and to place those employees designated for layoff in other positions within the university for which they qualify or assure their continued consideration for other positions as they become available.

Employee retention will be based on both performance and seniority. Seniority will be considered as total seniority with the university. In the event performance is determined to be equal among employees, seniority will be given weighted consideration. Length of service is defined as benefits eligible service. Military leave and the first year of other approved leaves are considered continued service. Otherwise, leave without pay must be deducted from the establishment of years of service. Where options are available in choosing classifications subject to layoffs, departments will select those classifications where layoffs will have the least negative impact on the equal employment opportunity gains of the university. Equal employment opportunity impact is measured by whether a classification has current underutilization of one or more of the affected classes or whether the reduction has an adverse effect on protected classes. Documentation of the decision to retain will be required in writing and communicated to all employees affected.

Employees affected by layoff action transferring to another position within the department or to any other department within the university will be subject to normal probationary periods.

Personnel affected by layoff shall receive a 30-calendar-day notice (see procedure) plus all paid leave time accrued up to the maximum allowed at termination as defined in the Paid Leave Policy, Section 3.11.1. Reasonable time off without charge to accrued leave will be given within the 30-day layoff notice period to attend job interviews.

Grievance procedures may be followed as defined in the Staff Handbook. Grievance procedures must begin within 10 working days following receipt of notice of layoff.

Recalled employees will be reinstated with accrued benefits and seniority held before layoff. The right to recall is to the budget unit from which the layoff occurred and is for a period of 12 months from the date of layoff. Steps for recall and reinstatement are explained in the procedures that follow. If an employee is not recalled prior to the expiration date of the stated time limits or does not respond to a recall within the specified time limits, the University of Oklahoma is no longer obligated to reemploy that person under this policy.

**Procedure.** Actions should be taken prior to implementation of a reduction in work force to consider alternative solutions to minimize a layoff impact. These alternatives may include but are not limited to:

1. Reductions of operating expenses other than payroll.
2. Moratorium on further hiring within the university in the affected job class(es).
3. Separation of employees appointed for less than 50 percent time and employees on initial probation.
4. Reassignment of employees to comparable or other positions in an unaffected area.
5. Retraining of all qualified employees .
6. Encouragement of early or phased retirement
7. Encouragement of leaves without pay or FTE reduction
8. Demotions with save-pay feature if financially feasible

If a layoff is necessary, the budget unit head should take the following action:

1. Develop a Reduction in Work Force Plan. A written plan is necessary when decisions must be made concerning which employees within the budget unit to retain. The plan will need to address at least the following concerns:
  - (a) Why is a reduction in work force necessary?
  - (b) What alternatives were considered prior to layoff?
  - (c) What was the rationale for deciding which function(s) in the overall operation must be preserved, altered or eliminated as a result of this reduction in work force?
  - (d) What classifications will be affected by the above decision and what will be the result on personnel?
  - (e) An analysis of the department's total work force needs to be provided as follows:
    - (1) Total Work Force: Name of employees; Classification.
    - (2) Affected Classification(s): Name of employee; Social Security number; Probation (yes/no); Date of last performance evaluation; Last performance evaluation rating; Adjusted status date; Race; Sex; Age; Veteran's status; Disability; Retain (yes/no); Specific reason for layoff (if applicable).
2. Forward the plan to the dean/administrator for approval of the layoff action, if appropriate.
3. Upon the dean's/administrator's approval, send the proposed plan to Human Resources and the Equal Opportunity and Affirmative Action Office for review and process approval.
4. Forward the plan along with Human Resources and the Equal Opportunity Affirmative Action Office's recommendation to the appropriate provost or vice president for approval.
5. Upon the appropriate provost or vice president's approval, communicate the layoff plan as developed and approved to all affected persons verbally followed by written notice (either hand delivered or certified mail with return receipt) as far in advance as possible but with a minimum of 30 calendar days between the date of receipt and the beginning of the layoff.

Written notification of a layoff must contain the following information:

1. The reason for the layoff or displacement including the reason for not retaining the particular employee.
2. The effective date of the layoff.
3. The right to appeal the layoff within 10 working days of the receipt of notification through the university's grievance procedure.
4. A statement regarding the terms of reemployment or reinstatement.
5. A statement regarding the responsibility of the department and Human Resources to assist in securing other employment, without guarantee.

A copy of the layoff notice will be sent to Human Resources and the Affirmative Action Office. Human Resources will be responsible for counseling the individuals as to opportunities to relocate in a comparable vacant position. Employees who wish to relocate are responsible for keeping their file current in Human Resources. Likewise, employees who are laid off in accordance with this policy must keep Human Resources informed of their current mailing address.

Recall and reinstatement procedures will be as follows:

1. The pool of employees qualified for recall must be screened prior to advertising a vacancy in a budget unit affected by the Reduction in Work Force Policy.
2. Employees will be recalled in inverse order of layoff for any position in the affected budget unit for which they meet the minimum qualifications.
3. Written recall notice from the department head to the employee will be sent by certified letter with return receipt with a copy to Human Resources.
4. Recalled employees shall have 10 calendar days from the date of the return receipt of the letter to notify the university of their intent to return to work, and such limitation shall be stated in the letter of recall to the employee.
5. An employee who does not state his/her intention to accept reemployment within 10 calendar days shall be removed from eligibility for recall.

6. An employee who is not available to report for reemployment within 30 calendar days of the recall notice shall be removed from eligibility for recall.

Assistance in developing or implementing a Reduction in Force Plan is available from the Human Resources or Affirmative Action Offices.

**3.9 COMPENSATION** - The university attempts to pay employees wages and salaries competitive with those paid for similar work in the areas from which we recruit. Positions requiring similar knowledge, skills and abilities are given the same classification. A pay range is assigned in the current "Staff Pay Plan". The mid-point of the range is the competitive rate of pay.

Human Resources is responsible for classification of each staff job (other than executive officer and administrative officer). Before a new position is filled, a classification should be approved by Human Resources. If a position has been previously classified but duties and responsibilities have significantly changed, a reclassification review should be requested. Requests to reclassify positions may be initiated by individual employees, department heads, other appropriate administrative officials or Human Resources. After a review is completed, the department head and other appropriate administrative officials will be advised of the action taken. Salaries and wages are reviewed periodically (generally once each year), and increases are given on the basis of merit. On occasion, pay rate adjustments in the Staff Pay Plan and other requirements result in across-the-board raises. The across-the-board adjustments are minimized, however, in order to reward individuals in terms of work performance.

**3.10 WORK SCHEDULES** - The university reserves the right to establish and change work schedules as may be necessary for the orderly and efficient operation of the university.

**3.10.1 FLEXIBLE SCHEDULING (approved 3-20-1998)** - The University of Oklahoma encourages department heads to utilize flexible scheduling for employees in departments where it can be implemented efficiently. A family-friendly workplace is encouraged and supported by the University.

**3.11 LEAVES OF ABSENCE WITH PAY**

**3.11.1 PAID LEAVE AND EXTENDED SICK LEAVE POLICY (Revised August 29, 2002)** - Paid leave benefits are available to staff and 12-month faculty who hold benefits eligible appointments. Employees on limited appointments and student employees are not eligible for paid leave time. Paid leave time may be used for vacation, personal illness, funeral attendance, illness of a family member or other personal business. Monthly employees working at least half-time but less than full-time will receive paid leave accrual in proportion to their FTE appointment. Employees on the hourly payroll (Norman campus only) receive leave accrual on the basis of the number of hours paid. Accrual will be given for weeks during which at least 20 hours up to 40 hours are paid. Employees working at least half-time but less than full-time will accrue paid leave benefits on a pro-rata basis. The 40-hour work week will be the basis for the pro-rata computations. Earned paid leave time is accrued on a monthly basis according to the schedule below:

Employment Category	Years of Service	Monthly Hours	Annual Accrual	Maximum Accrual Allowance
Executive Officers, Administrative Officers, 12-month faculty	Each year	22	33 days (264 hours)	42 days (336 hours)
9-month staff and faculty*	Each year	10.67	12 days (96 hours)	42 days (336 hours)
All other staff	1 <sup>st</sup> -5 <sup>th</sup> year	18	27 days (216 hours)	42 days (336 hours)
	6 <sup>th</sup> -10 <sup>th</sup> year	20	30 days (240)	42 days (336 hours)
	11 <sup>th</sup> year & thereafter	22	33 days (264 hours)	42 days (336 hours)

\*Full-time nine and ten month faculty, with the rank of instructor or above, will accrue 12 days of extended sick leave per year. Extended sick leave for 9-month and 10-month faculty can be accessed directly. There is no maximum on the accrual of extended sick leave.

Paid leave time can be accrued up to the maximum allowance listed above. Time accrued beyond the maximum allowance will be deposited in an extended sick leave account. There is no maximum on the accrual of extended sick leave. Extended sick leave can be used for extended personal illness requiring more than seven days. An employee may transfer accrued paid leave time to the extended sick leave account. Time deposited in the extended sick leave account may not be transferred back to the paid leave time accrual. Time

away from work because of vacation, illness of a family member, funeral attendance or other personal business is to be reported as paid leave time taken. Absence due to personal illness is to be reported as paid leave time taken for the first seven consecutive working days per incident.

When there is no accrued time in the paid leave account, the first seven days per incident of illness must be leave without pay. Absence due to personal illness beyond seven consecutive working days will be deducted from the extended sick leave account as long as accrued time is available. When there is no accrued time in the extended sick leave account, absence due to personal illness will be deducted from paid leave time. Scheduled paid leave time taken will be considered as time worked for the purpose of compliance with the university overtime policy. Unscheduled paid leave time taken and extended sick leave time taken will not be considered as time worked for overtime purposes. An employee returning to work part-time following a extended sick leave may continue to draw from the extended sick leave account for the time not worked until a full release is given by the physician. Recurrence of the same illness within 30 calendar days of returning to work from a extended sick leave may be considered a continuation of the incident and charged to extended sick leave.

Absences due to personal illness should be reported on the monthly payroll certification or hourly time records. A Personnel Action Form changing the employee's status to extended sick leave must be processed before any absence may be deducted from the extended sick leave account. The university will require acceptable medical documentation of illness or disability before allowing any charges to extended sick leave benefits whatsoever. Leave for personal illness should be taken in the following order: seven days of paid leave time, extended sick leave leave, compensatory leave, remaining paid leave time, leave without pay. Duration of the disability is to be medically determined. No supervisor should compel an employee to return to work without a medical release. Pregnancy is to be treated as any other extended sick leave. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation or other discrimination.

Vacation time is to be taken from paid leave time. Authorized holidays falling within an employee's vacation period will not be counted as vacation time. New employees may use their accrued paid leave for personal illness, funeral attendance, illness of a family member or other personal business, but may not use paid leave for vacation until they have been employed at the university for six months. Use of paid leave time for other than personal illness or emergency must be scheduled in advance with supervisory approval. Employees must comply with departmental policies for reporting absences and approving time off work. Whenever possible, the university will grant earned paid time off at the convenience of the employee. However, departmental needs must be met. Cash payment to an employee in lieu of paid leave time will not be permitted except upon termination. No cash payment will be made for time accrued in the extended sick leave account. Nine-month and ten-month employees will not receive cash payment for accrued paid leave time.

Twelve-month employees who terminate their employment under satisfactory conditions and who have been employed by the university more than six months in a benefits-eligible position will be paid for paid leave time that they have accrued not to exceed the amount of their annual accrual. Terminal pay will not include credit for university-recognized holidays falling within the terminal pay period. The budget head may recommend that terminal pay be denied to an employee discharged for serious cause. Retiring employees (who for purposes of this policy, must meet one of the following conditions: (1) receiving TRS retirement, (2) receiving OU retirement, (3) receiving Social Security retirement), or the beneficiaries of deceased employees will be paid for accrued paid leave time up to the maximum accrual allowance and will receive pay for holidays falling within the terminal pay period.

Employees appointed to grants and contracts accounts are expected to use all earned paid leave time during the specified period of their appointment unless the grant or contract contains a separate account with sufficient funds to pay for accumulated leave time upon termination of the employee or unless the department to which the employee is transferring is willing to accept it. If such funds are not available, paid leave time must be transferred into the extended sick leave account at the time the employee terminates or the grant or contract is discontinued. Twelve-month employees changing to a nine- or ten-month appointment must transfer all accrued paid leave time in excess of 12 days into the extended sick leave account.

**3.11.2 HOLIDAYS** - Each academic year, the university recognizes 11 holidays including New Year's Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, plus four other holidays as listed in the annual holiday schedule. Employees eligible for benefits will be excused from work with pay on those days recognized by the university as holidays. A holiday falling on a Saturday will be recognized by the university on the preceding Friday. A holiday falling on a Sunday will be recognized by the university on the following Monday. When continuous operations of the university require that employees be regularly scheduled to work on days otherwise recognized as holidays, such employees will be granted an equal amount of time off with pay on a date mutually agreed to by the employee and the budget unit head.

**3.11.3 JURY DUTY** - Pay will be given to employees on a benefits-eligible appointment who are subpoenaed for jury duty or as a witness before a court of law, legislative committee or judicial body.

**3.11.4 VOTING** - A sufficient amount of time off with pay will be given for the purpose of voting in national, state and local elections.

**3.11.5 MILITARY LEAVE** - The university's military leave policy is in conformance with applicable federal and state law. In accordance with an opinion given by the attorney general, all continuous (excludes temporary) university employees working 25 hours per week or more are entitled to a leave of absence with pay for the first 20 calendar working days of military duty during any federal fiscal year (October 1 through September 30) as stipulated in the law when ordered to active or inactive duty. The leave with pay shall not be charged against paid leave or other accrued benefits.

**3.11.6 REEMPLOYMENT RIGHTS** - Reemployment rights and benefits following a military leave of absence are in conformance with applicable federal and state laws. For specific information, contact Human Resources.

**3.11.7 RETURNING FROM LEAVE** - Employees failing to return to work upon expiration of their leave of absence, either with or without pay, shall be considered to have terminated. Eligibility for reemployment shall be in accordance with the reemployment policy. Individuals who enlist for active duty are eligible for reemployment rights as a veteran.

**3.11.8 FUNERAL LEAVE** - Time required that is incident to death of a relative or friend may be charged to available paid leave. See Paid Leave, 3.11.1.

**3.11.9 EMERGENCY LEAVE** - Time required for serious illnesses in the immediate family, emergency personal business that cannot be handled at another time, or similar emergency situations may be charged to paid leave. See Paid Leave, 3.11.1.

**3.11.10 ADMINISTRATIVE LEAVE** - An administrative leave with pay is sometimes given when it is determined to be in the university's best interest that an employee not return to work for a specified period of time or for designated emergency closings of the university. Time approved as administrative leave will not be charged to paid leave.

**3.11.11 DISCIPLINARY LEAVE** - An employee may be placed on a disciplinary leave of absence with or without pay when it is in the best interest of the university to do so. Leave with pay will normally not exceed one working day. Leave without pay may not exceed five working days. This leave is covered in detail as a part of the Positive Discipline Procedure, 3.22.

**3.11.12 SHARED LEAVE POLICY (approved 1-1-2001)** - The Shared Leave Program is a means for a University employee to donate paid leave to a fellow University employee, who is eligible for and requires leave while experiencing a serious health condition as defined, and which has caused, or is likely to cause, the employee to take leave without pay.

**Definitions:**

**Employee Recipient** - Twelve (12) month faculty and staff who hold benefits-eligible appointments that accrue paid leave and who have had continuous employment for at least twelve (12) months preceding the serious health condition. The recipient employee must have used all his/her short-term-disability, paid leave hours, and compensatory time hours (if applicable) prior to being eligible to receive shared leave. Shared Leave is not available for employees in off-work status due to workers compensation.

**Employee Donor** - Twelve (12) month faculty and staff who hold benefits-eligible appointments that accrue paid leave and have a paid leave balance greater than 50% of annual accrual. A donating employee can donate paid leave at any time during the budget year.

**Serious Health Condition**- A serious, extreme, catastrophic, or life-threatening medical condition is a period of incapacity requiring the employee to be medically unable to work for a period of seven (7) days or more. The medical condition includes continuing treatment or supervision by a health care provider; or continuing treatment of a chronic or long-term health condition. The employee must be suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to take leave without pay.

**Shared Leave Committee**- The Shared Leave Committee will monitor the Shared Leave Program, make policy recommendations to administration and employee governance groups, and will approve the distribution of shared leave to the recipient. The Shared Leave Committee will consist of seven (7) University employees, with a term of three (3) years, and shall be recommended by the

Faculty and Staff Senates and appointed by the Vice President, Administrative Affairs. The Shared Leave Committee will report annually to the Faculty and Staff Senates, the President, Provost, and the Vice President for Administrative Affairs, the overall utilization and evaluation of the Shared Leave Program.

**Shared Leave Pool-** The Shared Leave Pool will include both: (1) paid leave hours donated by eligible employees for distribution to a specific employee who has applied for and been approved for receipt of shared leave, and (2) paid leave hours which have previously been donated but not distributed. Hours donated that were not distributed to a specific employee will be maintained in the pool, along with any hours donated for general distribution to eligible employees.

**General Guidelines:**

- 1) Shared leave is meant to cover only the duration of the serious health condition for which it was approved.
- 2) Donated paid leave is transferable between employees, in different University departments, within each campus with the approval of the Shared Leave Committee.
- 3) Any unused shared leave that was donated to a specific employee will be maintained in the Shared Leave Pool to be distributed to other qualified employees.
- 4) All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating paid leave for purposes of the Shared Leave Program.
- 5) Persons involved in the administration of the Shared Leave Program are responsible for guarding the privacy of leave recipients and donors. Communications with either group must be kept confidential.
- 6) Employees who are receiving shared leave will not accrue additional paid leave.

**Eligibility and Participation Requirements for Recipient**

- 1) The employee or his/her personal representative will complete a Shared Leave Request Form and attach documentation from a licensed physician or health care practitioner verifying the need for the leave and expected duration of the condition.
- 2) The employee must have a current satisfactory performance evaluation on file, or have no positive disciplinary actions on file during the previous twelve (12) month period.
- 3) The Budget Head will review the application and forward his/her recommendation to the Shared Leave Committee.
- 4) The Shared Leave Committee will determine eligibility of the employee based on:
  - a) The definitions listed above.
  - b) All paid leave available to the employee has been used or is likely to be used. Absence due to personal illness beyond seven consecutive working days will be deducted from the extended sick leave account if accrued time is available. Once the extended sick leave account is zero, the employee must also use all available paid leave hours before being eligible to participate in the Shared Leave Program.
  - c) The employee has abided by University policies regarding the use of paid leave.
- 5) If the employee meets the above criteria, the Shared Leave Committee will determine the amount of donated leave an employee may receive and may only authorize an employee to use up to a maximum of four hundred and eighty (480) hours in a twelve (12) month period. An employee can not exceed two hundred sixty (260) days or two thousand eighty (2,080) hours of donated leave during total university employment.
- 6) The receiving employee shall be paid his or her regular rate of pay, up to a maximum of two-thousand five hundred (\$2,500) dollars per month of approved shared leave. Each hour of approved shared leave will be provided to the recipient on an hour for hour basis. The leave received will be designated as shared leave and be maintained separately from all other leave balances.

### Eligibility and Participation Requirements for Donor

- 1) The receiving employee must be eligible under the above criteria.
- 2) The donating employee will complete a Shared Leave Donation Form. The Shared Leave Donation Form must be sent to the Shared Leave Committee.
- 3) The donating employee may donate any amount of paid leave provided the donation does not cause the paid leave balance of the employee to fall below 50% of his/her annual accrual.
- 4) Donations must be made in full-hour increments.

**3.12 LEAVES WITHOUT PAY** - Leaves of absence without pay for personal reasons may be recommended by the budget unit head when it appears to be in the best interest of the university and the employee. Such leaves may not exceed one year in length. A period of leave of absence without pay does not count as service time for computation of benefits other than for retirement as specified. Leave without pay for monthly paid employees may not be for absences of less than one day's duration.

**3.12.1 PERSONAL** - When employees are granted leaves without pay for personal reasons, the university is obligated to reemploy the individual in either the same or a similar position within the recommending department. If a position cannot be provided at the conclusion of the leave, the university may be obligated for costly unemployment compensation benefits. Therefore, prior to granting a leave without pay, departments should carefully consider whether they will be in a position to reemploy the individual at the conclusion of the leave. If the position cannot be held open or filled on a temporary basis, the department should make it clear to the employee and state on the Personnel Action Form that the leave is being granted with the understanding that the university is not obligated to reemploy the individual at the conclusion of the leave.

**3.12.2 INTERIM FAMILY AND MEDICAL LEAVE POLICY** - The University of Oklahoma's Interim Family and Medical Leave Policy, which incorporates provisions of existing university policies and the federal Family and Medical Leave Act of 1993, is designed to enable employees to balance their work responsibilities with the demands of caring for family members or in the event of serious personal illness or injury. All regular faculty and staff who hold benefits eligible appointments with an FTE of .50 or greater can access their accrued leave as provided by the university's Paid Leave and Extended Sick Leave Policy (Section 3.11.1, university Staff Handbook). In addition, after one year of employment by the university, they are eligible for up to a total of 12 work weeks of leave (combined paid and unpaid) during a 12-month period in accordance with the following provisions. A complete copy of the federal law, which contains further definitions that may apply to an employee's situation, is available from Human Resources.

**Family leave - Purpose.** Family leaves of absence may be taken for the following reasons: (1) birth of son or daughter of the employee and in order to care for the son or daughter; (2) placement of a son or daughter with the employee for adoption or foster care; (3) care of a spouse, son or daughter, or parent who has a serious health condition. A serious health condition is one that requires in-patient care or continuing treatment by a health-care provider.

**Terms.** (1) Accrued leave, as provided for in the Paid Leave and Extended Sick Leave Policy, shall be used initially by the employee. When leave with pay is no longer available, the leave may be extended to a total of 12 work weeks during a 12-month period by using leave without pay. During this time, university insurance benefits will continue, but additional leave with pay will not accrue. (2) Family leaves for birth, adoption or placement of a foster child must fall within the term of employment and are to be taken consecutively without interruption ending no later than 12 months after the day of birth or placement of child.

Family leaves to care for a seriously ill spouse, son or daughter, or parent may be taken intermittently or on a reduced time basis (i.e., by working fewer days in a week or fewer hours in a day) if such a schedule is needed for medical reasons. When family leave without pay is taken to care for a spouse, son or daughter, or parent, acceptable documentation from the health-care provider will be required by the university.

**Pregnancy Leave** - (1) With pay. Leaves with pay for pregnancy are available to eligible employees through utilization of their accrued extended sick leave as provided in the Paid Leave and Extended Sick Leave Policy. Pregnancy is to be treated as any other extended sick leave, with the duration of the disability to be medically determined. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation or other discrimination. (2) Without pay. Leaves for the birth of a child may be extended beyond that granted for the medical disability to a total of 12 weeks through the utilization of accrued paid leave or leave of absence without pay. (3) Extension of probation for tenure-track faculty. If a tenure-track faculty member takes pregnancy leave, the probationary period prior to a tenure decision may be extended for

one year at the written request of the faculty member and with approval of the academic unit, dean, and senior vice president and provost. (Section 3.7.3 (h), Norman campus, and Section 3.7.3. (i) HSC, Faculty Handbook)

**Medical leave - Purpose.** Medical leaves of absence are available to eligible employees in the event of serious personal illness or injury. **Terms.** (1) Accrued leave, as provided for in the Paid Leave and Extended Sick Leave Policy, shall be used initially by the employee. When leave with pay is no longer available, the leave may be extended to a total of 12 work weeks in a 12-month period by using leave without pay. During this time, university-paid insurance benefits will continue, but additional benefits will not accrue. (2) Medical leave may be taken intermittently or on a reduced-time basis (e.g., by working fewer days in a week or by fewer hours in a day) if such a schedule is needed for medical reasons. The university will require acceptable medical documentation of illness or disability.

**Procedure** - Requests for family or medical leaves of absence must be in writing and must include the reason for the request and the anticipated time period for the leave. All requests for family and medical leaves of absence shall be made at least 30 days in advance to the extent practicable. If the leave is for planned medical treatment, the employee is expected to schedule the treatment so as to create minimum disruption for the employer. When leave is used for the employee's own serious health condition or to care for a spouse, son or daughter, or parent with a serious health condition, acceptable medical documentation from the health-care provider will be required.

**Return to work-** Eligible employees who take a family or medical leave of absence from a position within the university will be able to return to the same or equivalent position and employment benefits. In the event of budgetary or organizational changes during the period of absence, the employee shall be treated as if he or she were occupying the same position at the time of the change. If an employee does not return to work as agreed upon, unless other arrangements are made, he/she shall be considered to have resigned from the university effective the last day worked.

**Extended leaves of absence without pay - Purpose.** As provided in Section 3.12 and 3.12.1 of the university Staff Handbook, leaves of absence without pay for personal reasons may be recommended by the budget unit when it appears to be in the best interest of the university and the employee.

**Terms.** (1) Leave of absence without pay may not exceed one year in length. (2) A personal leave of absence without pay does not count as service time for computation of benefits, other than for retirement as specified, and insurance benefits will be paid by the employee. Leave without pay for monthly employees may not be for absences of less than one day's duration. (3) When employees are granted leaves without pay for personal reasons, the university is obligated to reemploy the individual in either the same or similar position with the recommending department. Therefore, prior to granting a leave without pay, departments should carefully consider whether they will be in the position to reemploy the individual at the conclusion of the leave. If the position cannot be held open or filled on a temporary basis, the department should make it clear to the employee and state on the Personnel Action Form that the leave is being granted with the understanding that the university is not obligated to reemploy the individual at the conclusion of the leave.

**3.13 STAFF POLICIES: AUTHORITY AND ADMINISTRATION** - The responsibility for administration of staff employment policies and procedures is delegated to the directors of Human Resources for the respective campuses under the executive authority of the president of the university. The authority for employment policies stems from public laws, the board of regents and the president of the university. It is understood that any provision made herein may be voided by action of a superseding authority. Each staff employee has the right to discuss with the directors of human resources or his/her representative the terms of employment, including matters concerning hours, compensation and working conditions. Supervisors are responsible for communicating policies and procedures within their department. Policies and procedures not found in the Staff Handbook that are critical to departmental operations and/or unique to a department or work area should be communicated in writing and readily available to all affected employees. Care should be taken to avoid disciplining employees for violation of policies or procedures that have not been communicated to them.

**3.14 ACCESS TO PERSONNEL FILE POLICY** - For the purpose of making faculty and staff employment decisions, the university maintains individually identifiable personnel files on persons who have been or who are its employees. This policy is intended to provide guidelines for access to those records in order to promote an informed public while maintaining the security of personnel records necessary to protect the privacy of its employees and the interests of the institution in fulfilling its constitutional functions. Access to appropriate records shall be in accordance with the provisions of this policy and the university's open records policy.

**Contents.** Those responsible for the custody of personnel files shall determine information to be placed in the files. Only such information as is germane to the person's employment with the institution shall be retained in these files. Examples of this type of information are: (1) information pertaining to bona fide occupational qualifications; (2) service on university committees, councils and task forces; (3) summaries of pre-employment recommendations and merit, tenure and promotion recommendations; (4) performance and discipline matters; (5) personnel actions, such as appointment, change of status, tenure and promotion; (6) awards, elected offices, service to outside organizations and professional associations. Individuals may ask that materials relevant to their employment be

included in their personnel file by written request to the directors of Human Resources, to the executive secretary of the board of regents or to the provosts, as appropriate.

**Confidentiality.** The following personnel records shall be deemed confidential and may be withheld from public access:

1. Those that relate to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation.
2. Those where disclosure would constitute a clearly unwarranted invasion of personal privacy such as, but not limited to, employee evaluations, medical documentation, payroll deductions and employment applications submitted by persons not hired by the university.
3. Those that are specifically required by law or university policy to be kept confidential.

**Access.** Personnel files shall be made available to individuals to review in accordance with the following guidelines provided that the files may be inspected by persons so entitled only under the supervision of the custodian or his/her designee in the administrative office where they are maintained.

1. With the exception of information/records excepted or excluded elsewhere in this policy, personnel files shall be made available for public inspection, copying and/or mechanical reproduction in accordance with procedures established under this policy, the university's open records policy, or as otherwise provided by law such as by court order or subpoena. Examples of available information include, without limitation: (a) an employment application of a person who becomes a public official; (b) the gross receipts of public funds; (c) the dates of employment, title or position; (d) any final disciplinary action resulting in loss of pay, suspension, demotion of position or termination.
2. Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in their areas of responsibility on a need-to-know basis and shall have authority to share the information with others responsible for personnel recommendations and/or decisions; further, other institutional officers or employees showing a legitimate need for the information shall be permitted such access.
3. Except as may otherwise be made confidential by statute or university policy, an employee (or his/her designee as authorized in writing and signed by the consenting employee) shall have a right of access to his/her own personnel file, provided:
  - (a) Letters of evaluation and/or recommendation that apply to pre-employment qualifications, tenure and/or promotion that are solicited in confidence or sent with the expectation of confidentiality shall be deemed confidential and unavailable to the employee unless otherwise ordered by a court of law
  - (b) An individual wishing to inspect his/her personnel file should submit a written request for inspection to the custodian of the file
  - (c) If the file contains confidential records as set forth in 3(a) above, they must be removed before the file is opened to the individual. Upon request, employees will be advised of the type and number of documents that were not made available to the employee for his or her review and that will be returned to the file after the review
  - (d) An individual may not remove or add any records to his/her personnel file at the time of inspection

**Correction of records.** An employee may dispute the accuracy of any material included in his/her personnel file. Such questions should be directed to the custodian of the file in writing. If the questions are not resolved by mutual agreement, the employee may initiate a formal challenge through the employment grievance or discrimination complaint procedures as outlined elsewhere in university policy.

**3.15 PATENT POLICY** - All rights to and interest in discoveries or inventions, including patents thereon, that result from research or investigation conducted in a facility of the university or office of research administration or from research of any member of the faculty, staff or student body, either in the course of employment by the university or substantially through the use of facilities or funds provided by or through the university, shall be the property of the university, and all rights shall be assigned as the president directs. The president may seek advice in these matters of the OU Patent Advisory Committee.

**3.16 COPYRIGHT POLICY** - The university recognizes and encourages its faculty, staff and student body to participate in creative and scholarly activities as an inherent part of the educational process. All university personnel, in accordance with the university's policy and basic objectives of promoting creative and scholarly activities, are free to develop, create and publish copyrightable works. Disputes

arising over royalty sharing for university-commissioned works shall be referred to the University Copyright Committee. For more information see the Faculty Handbook (section 3.28). For a complete copy of the policy contact the Office of Technology Development.

**3.17 TRANSFERS BETWEEN CAMPUSES** - Transfers of employees between University of Oklahoma campuses are permitted without loss of employment benefits when the status of the position to which such a transfer is made carries eligibility for employment benefits. If benefits differ between campuses, benefits will be limited to those in effect on the campus to which the transfer is made. To effect this policy, transferring employees must:

1. Request Human Resources to forward information regarding paid leave and extended sick leave balances, Sooner Options insurance information, beginning date of employment and personnel actions affecting benefits eligibility to the Human Resources office of the campus to which they are transferring.
2. Request the payroll section to forward year-to-date figures for Teachers' Retirement and FICA deductions and, if appropriate, the individual's Defined Contribution Plan membership number and amount of contributions made for the current fiscal year to the human resources office of the campus to which transferring.
3. Contact the human resources office of the campus to which transferring to re-establish employment benefits, e.g., insurance, teachers' retirement, the defined contribution plan and similar benefits.

The respective offices of Human Resources will coordinate as needed to assure the orderly transfer of pertinent information and documentation affecting the transferring employee's employment status with the university. Copies of documents will be exchanged and provided as needed.

**3.18 SERVICE CREDIT TRANSFER** - On occasion, persons employed by organizations existing for the benefit of the University of Oklahoma will transfer individually or as a group to university employment. When this occurs, the Director of Human Resources is authorized to approve university service credit for periods of employment with the university-related organization. The service time credited will be subject to the same conditions applied as though the time were worked for the university.

**3.19 GOVERNANCE ACTIVITIES** - Since the university depends upon an effective system of councils and committees in reaching its goals and objectives, it is important that staff members be given encouragement and support to participate in such governance activities. Budget unit heads and supervisors are expected to provide opportunities for their staff members to serve on university councils, committees and task forces when appointed. Time taken during working hours to attend meetings and otherwise participate in the activities of such organizations will be considered work time and need not be made up.

**3.20 TRAINING AND DEVELOPMENT** - Training and development activities are open to all faculty, staff and student employees. Workshops, seminars and other developmental activities designed to improve the administration of university functions are offered through Human Resources. The university is committed to staff development and training for its employees. Departments are encouraged to promote the development and training of their staff. Time off during working hours may be given. Permission to enroll in and attend staff development training opportunities during normal working hours must be obtained through regular supervisory channels. While the university reserves the prerogative of scheduling staff development training time to meet its service requirements, it also expects each budget head and supervisor to make sure that each person under his/her supervision is allowed to participate in university-sponsored staff development opportunities. No employee should have to make up time spent attending these programs.

**3.21 PERFORMANCE EVALUATION** - One of the most important responsibilities of university supervisors is conducting evaluations of staff employees in their work group. Performance evaluations are basic to good personnel management and are considered a fundamental part of each supervisor's job assignment. Evaluations are useful to: (1) achieve desired work performance; (2) receive ideas and input; (3) assist employees in personal development; (4) correct performance problems; (5) assist employees to develop additional knowledge, skills and abilities for job advancement; (6) document shortcomings for positive discipline procedures that may be necessary; and (7) provide compensation that is relative to work performance.

All staff employees (except student and other temporary employees) are to receive a performance evaluation at least once each year. Evaluations may be given on a more frequent schedule when supervisors believe them to be useful. New employees are to receive an evaluation at the completion of their probationary period. Each employee will receive an evaluation from his/her immediate supervisor. Performance evaluations are to be separated sufficiently in time from the university's budgeting schedule so that the focus of performance evaluation is on employee development but timed sufficiently with the budgeting process that performance evaluation results are meaningful in terms of annual merit increase recommendations. For this reason, performance evaluations for staff members

who have completed their probationary period of employment are to be given each year between January 1 and March 31. When justifiable because of the work cycle, exceptions may be made to this time period by the appropriate vice president or provost. Each performance evaluation is to be discussed with the employee receiving it.

Performance evaluations are to be documented and signed by the employee's immediate supervisor, the employee and the budget unit head as appropriate. The employee's signature is not interpreted to mean agreement with the evaluation but rather acknowledgment that the evaluation has been discussed with the employee. A copy of the written evaluation is to be given to the staff member.

Budget units may use whatever form of performance evaluation is considered most appropriate for the kind of work performed in their workplace. Human Resources will assist departments in the development of evaluation instruments upon request. In addition to the budget unit form, the university's Performance Summary Report is to be completed and signed by the employee's immediate supervisor, the employee and the appropriate budget unit head. An employee should have two working days after receiving a copy of this summary before he or she is required to sign it. One copy of the summary is to be given to the staff member evaluated, and the original is to be sent to Human Resources to become part of the employee's official personnel file. On the Norman campus, the summary forms may be purchased through the central storeroom. At the Health Sciences Center, obtain forms through available printing services.

**3.22 POSITIVE DISCIPLINE** - University employment policy is designed to give each employee a full opportunity for work success. This objective is dependent upon good employee selection procedures, meaningful employee orientation, appropriate on-the-job training, periodic performance evaluations and a positive approach toward employee discipline by university supervisors. Disciplinary action is considered a dimension of performance evaluation and employee development. It is a corrective process to help employees overcome work-related shortcomings, strengthen work performance and achieve success. When problems occur, they should be handled in reasonable ways that jointly support the concept of positive discipline and minimize the interruption of university services. Employee discipline may be needed and, as a corrective procedure, is an integral part of university employment policy. Underlying discipline, however, is an expectation that supervisors will direct their efforts toward employee development and success. When discipline is necessary, the positive guidelines below should be used as part of employee development. The guidelines are not expected to be rigidly applied but will be suitable for most university discipline situations. Depending upon the circumstances and the supervisor's judgment in individual cases, repeating a step, jumping a step or moving to immediate discharge may be appropriate. Supervisors are expected to document disciplinary action taken. The documentation should contain a clear description of the behavior that prompted the discipline, the action taken by the supervisor, and how the employee's conduct must change and in what time frame. Even verbal warnings should be documented in the employee's departmental file to record that the warning was in fact given. All documentation must be factual and complete. A form for documenting disciplinary action is available in Human Resources.

**Oral Reminder.** This is the first step in the procedure. It involves a discussion between a supervisor and an employee about a minor work performance problem. The objective is to correct the problem by indicating in a friendly but serious manner how actual performance falls short of desired performance. This step should ensure that no employee is disciplined for violation of a policy or procedure she/he might reasonably not know about.

**Written Reminder.** This is usually the second step in the procedure if an oral reminder has not corrected the problem. If the offense is of a serious nature, a written reminder is an appropriate first step. It formalizes a discussion between a supervisor and an employee about a performance deficiency.

**Disciplinary Leave.** An employee may be placed on a disciplinary leave of absence with or without pay when it is in the best interest of the university to do so. Leave with pay will normally not exceed one day. Leave without pay may not exceed five working days. This step is usually taken after unsatisfactory performance has not been corrected following the application of an oral and written reminder. It may be taken as a first and final step before discharge in the event of a major offense. An employee returning to work following disciplinary leave must agree to work in a manner that includes following rules and regulations and correcting unsatisfactory performance.

**Discharge.** This is not a step in the positive discipline procedure. It is one that may be taken when positive steps have been used but performance has not changed or when an employee has committed a major offense. A major offense is one that involves willful misconduct, dishonesty, seriously threatens university operations or the safety and well-being of the individual or other employees, or behavior that is unacceptable to the institution. Examples would include, but are not limited to, falsification of records, stealing university property, threatening or hitting a supervisor, and violation of the Policy on Prevention of Alcohol Abuse and Drug Use on Campus and in the Workplace (5.18). When circumstances permit, prior to termination an employee should be given an opportunity to explain his or her actions. It is recommended that when possible department representatives contact the Director of Human Resources or a designate before discharging an employee. Documentation should include the employee's name, date of the incident, explanation of the circumstances resulting in the discharge, and reference to all previous disciplinary steps taken.

**3.23 STAFF GRIEVANCE PROCEDURE - Introduction** – The University is committed to providing employees with a way to voice complaints and seek solutions to work-related conflicts arising out of working conditions, employment practices, or policy interpretations. This Staff Grievance Procedure has been developed to address this need.

**What Is Not Covered Under The Staff Grievance Procedure?** - Excluded from the Procedure are complaints concerning: (1) Wages and salaries; (2) Performance-related dismissals during the employee's initial probationary period; (3) University statements concerning policies and rules; (4) Falsification of employment application documents; (5) Alleged discrimination based on race, color, national origin, sex, age, religion, disability or status as a veteran; sexual harassment; or racial/ethnic harassment. Alleged discrimination complaints are covered by a separate procedure administered by the University's Office of Equal Opportunity.

**Who Can File A Grievance?** - The staff grievance procedure is available to full-time, part-time, regular, temporary, or student staff employees of the university. Faculty appointments are covered by a separate policy which can be found in the Faculty Handbook. Also excluded from this grievance procedure are academic appointments, including but not limited to, graduate assistants, teaching assistants, residents, and research fellows.

**Informal Resolution Attempt Required Before Filing A Grievance** - The University encourages communication between supervisors and employees in order to resolve employee disputes promptly. Therefore, an attempt to informally resolve complaints is required before filing a formal grievance complaint.

For consideration under the Informal Resolution process, an employee must present his or her complaint within ten (10) working days from the date the incident giving rise to the complaint occurred. The complaint should be submitted to the immediate or second level supervisor for consideration and discussion. If no resolution is achieved, the employee is also encouraged to review the complaint with the department director, appropriate dean, or vice president. Upon request by either party, Human Resources will attempt to facilitate resolution of the issues in dispute. The Informal Resolution process should be completed within a reasonable period, generally not to exceed thirty (30) calendar days from the date the complaint was initiated. If both parties are satisfied with the results of the Informal Resolution process, the basis for resolution should be documented and the process closed. At any time during the 30-day period, either party may contact Human Resources and request that the process be closed. Once the Informal Resolution process is closed, the employee may pursue the formal grievance procedure.

**Filing A Grievance** - Employees have 10 working days from the end of the informal resolution process to submit a written grievance complaint (*see Timelines and Deadlines*). The staff grievance procedure guarantees a prompt and impartial review of all facts involved without fear of coercion, discrimination, or reprisal. A grievance filed under this policy may not be filed under any other university grievance procedure.

Employees who choose to exercise this option also agree to accept the conditions as outlined in the policy. Forms for use in preparing a staff grievance are available online at [www.ou.edu/ohr](http://www.ou.edu/ohr), can be picked up in the offices of OHR, or obtained through campus mail by calling the Office of Human Resources.

Either party to a grievance may seek technical assistance in the preparation of the grievance from the Office of Human Resources or by a trained non-legal representative whose name is provided by Staff Senate. An employee who chooses to be represented by any legal or non-legal assistance from outside of the university, may do so at his or her own expense.

**Terminated Employees Who File A Grievance** - An employee who is terminated may file a grievance requesting review of the termination decision. Complaints involving a termination should proceed directly to the pre-hearing conference. Filing a grievance does not change the employment status of the grievant.

**Timelines and Deadlines** - The grievance procedure sets forth timelines for initiation of action at each step. If a grievance is not forwarded by the Complainant within the time allowed in any step, the grievance will be considered discontinued and no further review will take place. Any written grievance not answered by the Respondent within the time allowed may be sent on to the next step by the Complainant. The Office of Human Resources may assist the Complainant in clarifying time limits and may extend, in its discretion, any timeline where either party cannot reasonably comply within the limits.

### **Steps to Resolve a Grievance Prior to a Formal Hearing**

1) The employee (Complainant) must complete and return the Formal Notice of Grievance form to the Office of Human Resources. Copies of this notice will be sent to the designated Respondent, Complainant, the Complainant's department head, and the applicable provost or vice president's office.

2) The designated Respondent listed on the Notice of Grievance form shall respond in writing within three (3) business days of receipt of the grievance and may at that time request a Pre-Hearing Conference or reply to the Complainant's written statement. Should the Respondent fail to reply within three (3) business days of receipt of the grievance, or the Complainant believes that the written reply is unsatisfactory, the Complainant can ask the Director of Human Resources (or appointed designee - throughout the process this term is interchangeable) to proceed directly to a Pre-Hearing Conference to resolve the grievance.

3) Human Resources will forward copies of the Notice of Grievance and the Respondent's reply to the Respondent, the Complainant, the Complainant's department head, and to the appropriate provost or vice president's office.

4) Unless the Complainant has requested that the grievance initially proceed directly to a Pre-Hearing Conference, the Director of Human Resources shall bring all parties to the grievance together. The goal of the Pre-Hearing Conference is to seek an agreeable resolution of the grievance prior to holding the formal hearing. The Director will facilitate efforts to reach a mutually agreeable solution to the issues in dispute. The Complainant's attorney or non-legal advisor may not participate in the Pre-Hearing Conference, but may advise the Complainant outside of the Pre-Hearing proceedings.

5) At any time during the grievance process, the Director of Human Resources or a designee may dismiss the grievance upon a finding that no appropriate issue of grievance exists or if the parties reach a resolution. Both parties shall receive written notice of the decision to dismiss or of the resolution agreement and a copy shall be sent to the appropriate Provost or Vice President. The Director's decision to terminate the grievance procedure is final.

6) If a resolution does not result from the Pre-Hearing Conference and the grievance has not been terminated, the Director of Human Resources shall call for a Grievance Committee to be formed and a grievance hearing to be scheduled.

### Forming A Grievance Committee

The Grievance Committee will be selected from a volunteer pool of full-time, non-academic staff that shall be maintained and provided by the Staff Senate from each campus. The Staff Senate for each campus shall be responsible for determining the selection criteria for the volunteers whose names are submitted to Human Resources. The Director of Human Resources shall preside over the drawing of twelve names from the volunteer pool. Persons to be disqualified from the initial selection pool of twelve will be those who: (1) have direct involvement or knowledge of the incident involved; (2) are employed in the same budget unit; (3) are related to either party in the grievance or; (4) have been determined by the Director of Human Resources to have an articulated prejudice in the case.

The names of the volunteer pool shall be placed in a container, and the drawing shall be conducted in the presence of both parties to determine the five members who will be asked to serve on the Grievance Committee. The first five names drawn shall constitute the Committee. Two alternates shall also be selected in the event a Committee member cannot fulfill his/her service on the Committee. Prospective Committee members will be asked to disqualify themselves if they cannot provide an objective, unbiased review of the issues involved in the grievance. For example, a close friend to any party to a grievance should disqualify himself/herself from participating on a grievance panel. When, for any reason, prospective Committee members disqualify themselves, the alternates will be called to serve. Two alternates will be maintained throughout the process.

After serving on the grievance committee, volunteers will be removed from the volunteer pool and will not be eligible to serve again for at least three years.

### The Staff Grievance Hearing Procedure

1) The Committee shall elect a Grievance Committee Chair. Once a Chair has been established, it is the responsibility of Human Resources to provide full training to the Chair to better prepare him/her to handle the committee procedures. The Director of Human Resources shall provide technical and clerical assistance to the Committee but shall not be a member of the Committee. The Chair shall schedule the hearing, call meetings, make arrangements, conduct the hearing, and prepare and deliver the Committee's Report of Findings. The Chair shall have authority to preside at all hearing meetings, keep order during the hearing, and to rule on relevance of evidence introduced during the hearing.

2) During the hearing, the Complainant's attorney or non-legal participant may advise the Complainant but will not be permitted to present evidence or cross-examine witnesses except when termination of employment is the issue of complaint. The University's Legal Counsel may be made available to the employer with the same stipulations as above. If the grievance does not involve termination, or if Legal Counsel is not present, the hearing will be conducted without attorneys being present. Either party may obtain procedural advice from the Grievance Committee Chair. The Chair may consult with the University's Legal Counsel before providing such advice.

3) The Committee Chair will notify both parties of allowable documents and witnesses submitted for the hearing. Both parties may call witnesses, but witnesses have the right to refuse to testify, unless the witness has testified, then he/she may not refuse to be cross-examined by the other party. Both parties shall provide the names of all potential witnesses to the Committee in advance of the hearing. These names shall be available to each party upon request. The general content and nature of witness testimony shall also be included so the Committee may determine the relevance of planned testimony. The Chair shall schedule and call witnesses to be heard in such a manner that witnesses' waiting time will be minimized. Witnesses may be recalled for additional questioning after initial witnesses for both parties have been heard. Any documentary or other evidence to be submitted at the hearing must be submitted to the Committee within the timeframe stipulated by the Chair. Failure to timely file names of witnesses, summary of witness testimony, or documentary or other evidence shall result in the exclusion of such testimony or evidence during the hearing.

4) There will be at least three parts to each hearing including: a) The opening comments, b) presentation of evidence, including testimony and c) closing comments. The Complainant shall be heard first followed by the Respondent.

5) Opening comments and closing comments shall each be limited to no more than 30 minutes. No strict time limit shall be placed upon the presentation of evidence. The Chair may limit the introduction of evidence that he or she determines to be redundant.

6) Length of hearing sessions shall be established in advance. Periodic rest periods shall be called throughout the course of the hearing. At no time shall a hearing continue for longer than three hours without a rest period.

- 7) All hearing sessions shall be closed to the public. All testimony pertaining to the grievance hearing shall be held in confidence between the parties participating in the hearing.
- 8) Only evidence relevant to the previously specified issues in the Formal Notice of Grievance Form may be introduced in the hearing. Questions of relevancy shall be directed to the Chair, whose decision shall be final.
- 9) Both parties to the grievance shall be provided copies of whatever materials are introduced as evidence unless the Chair rules the materials to be irrelevant.
- 10) The grievance hearing shall be taped. Participants are to be asked to identify themselves for recording on the tape. At the conclusion of the grievance, the tape will be filed with the Office of Legal Counsel and kept there for a period of at least six months.
- 11) The final content of the Report of Findings and recommendations shall be the responsibility of the Grievance Committee. It shall include: (a) a summary of the key points identified in the hearing that related only to the allegations specified in writing and (b) specific recommendations on the Complainant's requests for relief.
- 12) The Grievance Committee's recommendations shall be submitted to the appropriate Provost or Vice President within five University business days of the close of the hearing. Copies are to be given to the President of the University, both parties to the grievance, dean/director, and to the Office of Human Resources.
- 13) The appropriate Provost, Vice President, or designee shall act on the recommendations of the Grievance Committee within 15 University business days and provide confidential notification of his/her decision to the parties to the grievance, members of the Grievance Committee, the Office of Human Resources, and the President of the University.
- 14) The President may reject the decision of the appropriate Provost, Vice President, or designee within 15 University business days of the receipt of the decision. In the absence of such a change, the decision shall be final under the executive authority of the President.

**3.24 DRIVER'S LICENSE POLICY-** It is a University of Oklahoma policy that employees who are required to operate a university motor vehicle on any public roadway while in the performance of their regular job duties must have a valid driver's license issued by the State of Oklahoma. Below are the procedures to ensure adherence to this policy.

1. The University of Oklahoma will conduct a driver's license verification and status check on new employees selected for positions that involve operation of a university motor vehicle. In addition, the university will conduct periodic driver's license verification and status checks on all employees in positions involving operation of a university motor vehicle.
2. Any new employee who has applied and been accepted for university employment in a position where possession of a valid driver's license is a listed requirement and who is subsequently determined not to have (or have had at time of application) a valid Oklahoma driver's license will be considered to have submitted false information and will therefore be subject to termination.
3. An employee who is hired by the University of Oklahoma and who holds a valid out-of-state driver's license will be considered to be a properly licensed driver for employment purposes. However, any such employee must obtain a valid Oklahoma driver's license within 30 calendar days of the first day of employment. Failure to obtain an Oklahoma driver's license within this period may result in termination. (a) Student employees may operate a university motor vehicle in the course of their employment so long as they hold a valid driver's license issued by their state/country of residence/origin. (b) The only driver's licenses recognized by the State of Oklahoma and Oklahoma law enforcement agencies are those issued by any of the other 49 United States and those issued by the country of origin of international students. The so-called International Driver's License is not recognized and does not constitute a valid driver's license for employment purposes.
4. Current employees who must possess a valid driver's license to perform their job are required as a condition of employment to notify their supervisor immediately upon receipt of any notification from the Oklahoma Department of Public Safety or any court of competent jurisdiction that their driver's license has been suspended or revoked or has in any way been modified or subjected to restrictions not previously known to the supervisor. Failure to make such notification within the specified time period may result in termination.
5. Oklahoma law requires that holders of a driver's license who have taken legal action to change their name (through marriage, divorce or court action) and/or have changed their mailing address must notify the Oklahoma Department of Public Safety of such change(s) within 10 days. University employees will be expected to be in compliance with this provision of the law.

6. If a current employee's license is suspended or revoked, expires or is subject to modification or restriction and such action prevents the employee from performing any part of his/her regularly assigned work duties, that employee will not be permitted to operate a university motor vehicle on any public roadway until the license is fully reinstated, renewed or additionally modified. Until the employee's driving privileges are restored, the employee's department may reassign the employee to a job not requiring the operation of a university motor vehicle or place the employee on appropriate leave status, including but not limited to compensatory time, paid leave or leave without pay. Before the employee may resume operating a university motor vehicle on public roadways, written confirmation from the Oklahoma Department of Public Safety verifying license reinstatement or conferring privileges to drive while at work or a properly issued renewal license must be presented to the supervisor.

## 4.0 PAY AND BENEFITS

**4.1 RETIREMENT** - This section contains a general summary of retirement provisions. Employees who meet the eligibility requirements for university retirement receive a benefits package provided by the university. Those benefits include health and dental insurance, parking permit, discount athletic tickets, free use of university-operated recreational facilities, retiree ID card and other miscellaneous benefits. Lifetime passes for their personal use to the university golf course issued for weekday play to professors emeriti and other faculty and staff retirees who retired prior to January 1, 1994, will be honored. For more complete details, please read the retirement plan. Human Resources for the respective campus will provide complete copies of the retirement plan upon request.

**4.1.1 PROGRAMS AVAILABLE** - The university participates directly or indirectly in several programs that provide retirement benefits to faculty and staff members who are enrolled in them. These include Social Security, Teachers' Retirement System of Oklahoma and the University of Oklahoma's Defined Contribution Plan. Participation in and benefits of each are discussed in the following paragraphs.

**4.1.2 SOCIAL SECURITY (FICA)** - This is a federal program that provides for retirement, disability, survivor and medicare benefits. The university deducts contributions and matches these with the employer's contributions for each faculty and staff member at the time the payrolls are prepared. Student employees enrolled in a full-time course of study and certain non-resident aliens are exempt from paying FICA tax. The contribution rate is a percentage of salary or wages up to a maximum base on a calendar-year basis. Both the percentage and the base are expected to rise in the future. Likewise, benefits are expected to increase with the cost of living. Assistance in estimating the social security benefit can be obtained from Human Resources. However, the final amount must come from Social Security. Detailed assistance on Social Security matters should be sought at a local office.

**4.1.3 TEACHERS' RETIREMENT SYSTEM OF OKLAHOMA** - Membership in the Teachers' Retirement System (TRS) is mandatory for faculty (other than visiting faculty, adjunct faculty and student assistants), executive officers, administrative officers, administrative staff, professional staff and managerial staff who are appointed half-time or more. Other staff, excluding students, who are appointed half-time or more may join on an optional basis. Staff who begin employment at age 55 or older may choose to opt out of TRS. For more information contact the office of Human Resources. Member contributions are made through payroll deduction. These are computed based on a percentage of total compensation up to a fixed base on a fiscal-year basis. Members may elect to tax defer their contributions. See Supplemental Retirement Option 4.4. Benefits upon retirement are computed according to a formula that considers compensation upon which contributions were made and years of creditable service. Options under which a survivor is protected are available. Details concerning membership, contribution, and retirement requirements and benefits are available in Human Resources.

**4.1.4 DEFINED CONTRIBUTION PLAN** - The university contributes a percentage of salary toward the purchase of a retirement annuity from investment options provided through selected retirement investment firms. The employee makes no contribution. At the time of retirement, benefits are based on the amount in the individual's annuity account, the member's age and the option selected. While the retirement benefits can be payable at any time, they will be significantly lower when paid at an early age because of actuarial and accumulation factors.

**4.1.5 PHASED RETIREMENT** - Individuals who are at least 55 years of age and have 10 or more years of service may request to be allowed to reduce their workloads and phase into another career or full retirement. The phased retirement program offers an attractive level of benefits during the phasing. (The University of Oklahoma Retirement Plan of May 18, 1984)

**4.1.6 RETIREES RETURNING TO WORK** - State law prohibits rehire of retirees as consultants for two years following retirement. Teachers' Retirement System regulations require a minimum of 60 calendar days between a retiree's last day of pre-retirement public

education employment and any such post-retirement employment. Retirees may return to work as temporary employees in accordance with Teachers' Retirement rules. Copies of the regulations and further information are available in Human Resources.

**4.2 INSURANCE BENEFITS** - The university makes insurance available for employees under a flexible benefits plan, Sooner Options. Health, dental, term life, accidental death and dismemberment, long-term disability, and long-term care insurance are offered under Sooner Options. Dependent life, dependent accidental death and dismemberment, and spouse long-term care insurance are also available. To be eligible to participate in Sooner Options, an employee must have at least a 50 percent FTE benefits-eligible appointment lasting a semester or more. These individuals are eligible for coverage on the first day of the month following the first day of employment (**example: An individual hired on August 15th will be covered on September 1st.**). Eligible employees are provided Sooner Credits in proportion to their FTE. Sooner Credits represent the money the university pays for each employee's health, dental, term life, and accidental death and dismemberment insurance. Under Sooner Options, employees use Sooner Credits to purchase coverage fitting their needs.

Premiums for dependent health, dental, life, accidental death and dismemberment and long-term care insurance must be paid by the employee. Also available for employees on an optional basis, with the employee paying the premium, are additional life, additional accidental death and dismemberment, long-term disability and long-term care insurance. Workers' compensation insurance is provided for all employees irrespective of employment status. Unemployment compensation is provided for all employees except students. Additional information concerning Sooner Options benefits can be found in the Sooner Options Enrollment Guide. Copies are available in Human Resources.

**4.2.1 LIABILITY INSURANCE**- The State of Oklahoma provides professional and automobile liability insurance under the State Tort Claims Act for all employees who are acting within the scope of their duties. The liability coverage also extends to authorized volunteers for their operation of university-owned vehicles while acting within the scope of their authority, only after the authorized volunteer has completed and filed the Volunteer Acknowledgment and Release Form with the authorizing department. Copies of the State of Oklahoma Certificate of Self-Insurance are located in the glove compartment of all university vehicles. Further information is available from the Office of Risk Management.

**4.2.2 PERSONAL VEHICLE USE** - If university employees or authorized volunteers are authorized to use their personal vehicles for university business, the liability coverage outlined above extends to their personal vehicle (just as if it were a university-owned vehicle). However, the State of Oklahoma also requires such persons to have personal automobile liability insurance in force at the time of use. No physical damage insurance is provided by the university or state for an employee's/volunteer's personal vehicle while that vehicle is being used on university business. Further information is available from the Office of Risk Management.

**4.2.3 LEASED/RENTED VEHICLES** - The university's liability coverage extends to vehicles leased or rented by individuals or departments of the university while the vehicles are being used on university business. No physical damage insurance is provided by the university or state; physical damage coverage for the leased/rental vehicle must be purchased by the individual or department. Example: If using a rented vehicle while traveling on university business, employees/departments must purchase the Collision Damage Waiver unless a personal automobile insurance policy will extend physical damage insurance to the rented vehicle or the university contract with the auto rental company exempts liability for collision damage. Further information is available from the Office of Risk Management.

**4.3 PAY** - Personnel employed on an hourly basis are paid biweekly on the Norman campus. Hourly employees at the HSC are normally paid on the last working day of each month. Payroll warrants for Norman campus hourly employees are issued every other Friday. Payroll warrants for other personnel are issued monthly and are normally ready for distribution on the last workday of the month. Warrants in payment for special services (special payments) are paid biweekly on the Norman campus and are distributed in the same manner as regular payroll warrants. At the HSC, special payment requests are handled on the supplemental payroll, which is paid on the 15th of each month. On the Norman campus, a faculty or staff member may receive a payroll warrant in one of the following ways:

1. Have the check deposited to an account at a bank of personal choice. The bursar's office direct-deposits payroll warrants to the banks in time for deposit on the regular payday. A form, available in the bursar's office, should be used to indicate the bank and account number to which a payroll warrant should be deposited.
2. Pick up the check at the bursar's office. Personnel are required to show proper identification when picking up payroll warrants.

3. Receive pay through departmental pick-up. Arrangements can be made in the bursar's office to have the representative for the department pick up the warrant and deliver it to the employee.

An earnings summary, providing a permanent record of pay on both a current and year-to-date basis, is forwarded to all employees a few days before payday.

At the Health Sciences Center and Tulsa campus, checks are picked up at the payroll office by a departmental representative and delivered to the individual, or employees may have the check deposited to an account at a bank of personal choice. The payroll office direct-deposits payroll warrants to the banks in time for deposit on the regular payday. A form to indicate the bank and account number to which the payroll warrant is to be deposited is available in the payroll office.

**4.3.1 OVERTIME** - Overtime payments are made in accordance with the federal Fair Labor Standards Act (FLSA). Persons covered by the FLSA are not to work overtime and are not to be paid for overtime unless the overtime work is approved in advance by their supervisor.

1. Monthly salaried employees are not normally eligible for overtime pay. Monthly salaried employees who accept work in a secondary department may receive compensation provided the work is not incident to their regularly assigned duties and responsibilities. Approval by the department head and the appropriate provost/vice president is required prior to any commitments to provide any compensation.

2. Hourly employees are eligible for overtime pay at the rate of time-and-one-half for the time worked in excess of 40 hours per work week. For the purpose of computing overtime pay, scheduled paid leave and holidays will be treated as hours worked.

3. Hourly employees accepting work in a budget unit other than their primary one are responsible for notifying the secondary budget unit of their employment status with the university. Whenever the combined hours of work of hourly employees exceed 40 hours in a work week, time-and-one-half overtime pay must be paid for the excess hours. In each such instance, the budget unit exceeding the appointed FTE will have the responsibility for paying the time-and-one-half rate.

4. The normal work week shall begin at 12:01 a.m., Saturday, and terminate the following Friday at midnight. A full-time employee is expected to work 40 hours during the work week. An hourly rate of pay is the basis of earnings computation for persons paid on the hourly payroll.

5. A monthly salary is the basis of earnings computation for persons paid on the monthly payroll.

Excluded from overtime compensation are unscheduled paid leave, extended sick leave leave, and services that are occasional and sporadic in nature performed solely at the employee's option and that are unrelated to the type of work normally performed by the employee (e.g., taking tickets, ushering, parking cars, keeping athletic scores).

**4.3.2 COMPENSATORY TIME** - Compensatory time is an alternative method for compensating employees who work overtime. No overtime is to be worked, however, unless it is approved in advance by the employee's supervisor. Monthly salaried employees are not normally eligible for compensatory time. Exceptions to this policy must be approved in advance by the appropriate provost/vice president. No employee shall be required to receive compensatory time off in lieu of overtime pay unless an agreement or understanding was arrived at between the employer and employee before the performance of the work. Should a regular hourly employee be required by a supervisor to work overtime, the employee may be given the choice of receiving monetary compensation or of taking compensatory time-and-one-half off at a mutually agreeable time. Compensatory time off is to be taken within one year of the date of accumulation or be compensated monetarily. No more than 90 hours of compensatory time (60 hours of overtime worked) can be accumulated. Terminating employees are to use or be paid for compensatory time hours prior to the effective date of their termination. Transferring employees will be required to use compensatory hours prior to transfer or be paid by the department in which compensatory time accrued.

For employees appointed to work at an FTE less than 1.00, the policy will not be applicable unless hours worked in a work week exceed 40 hours. Such an individual may accumulate those hours worked over 40 hours in a work week as compensatory time subject to the provisions of the compensatory time policy. Questions regarding the compensatory time policy should be directed to Human Resources.

**4.4 SUPPLEMENTAL RETIREMENT OPTION** - Upon request, the university will arrange to purchase an annuity for an employee and to exclude the cost from gross income. Employees interested in this means of tax deferral can make the necessary arrangements with Human Resources. There are legal limitations governing amounts. The employee should contact his/her financial consultant to obtain comparative costs, break-even points, withdrawal penalties and other pertinent information in order to have the data upon which to make the individual decision about which insurer best satisfies the individual's personal objectives.

**4.5 INCOME TAX WITHHOLDING** - Each employee, upon being hired, must complete an Employee's Withholding Certificate, Form W-4, in the payroll office. The form, which the employee uses to identify for tax purposes the number of eligible exemptions, is also the means by which eligible employees can claim tax exemption or withhold specified amounts.

**4.6 ENROLLMENT OF FACULTY AND STAFF IN UNIVERSITY OF OKLAHOMA COURSES** -The university places no limitations on the number of hours of course work in which faculty and staff may enroll outside of the individual's normal working hours. However, such course work cannot interfere with the individual's duties as determined by the individual's supervisor and budget unit head. Full-time, regular faculty and staff may enroll in a maximum course load not to exceed five contact hours per week each semester and summer session during their regular working hours. Permission to enroll in a course during the employee's normal working hours must be obtained from the chair of the faculty member's department or the staff member's supervisor and the budget unit head. Under very rare circumstances, exceptions to the one-course limitation may be made by the appropriate provost/vice president through proper administrative channels.

Staff personnel will be required to make up time spent in class through arrangements approved by their supervisor unless course enrollment does not increase staff requirements or does not place extra demands on other employees. A decision should be reached by the budget unit head, the supervisor and the employee at the time of enrollment as to whether the time spent in class must be made up. Any time spent in class, even though occurring during the employee's regular schedule of working hours, shall not be considered as time worked for the purpose of calculating overtime pay unless attendance was required by the supervisor. Time spent in class during working hours must be indicated as such on an hourly employee's time record and noted on a monthly employee's payroll certification.

As authorized by the Oklahoma State Regents for Higher Education, a full-time and permanent faculty or staff member enrolling in regular course work will be charged one-half the general fee for such work up to six hours per semester or three hours per summer session except as noted below. Faculty or staff enrolling under the reduced fee will not be required to pay the student facilities fee and the student health fee, nor will they be eligible for the services covered by those fees. Student ID cards of persons not paying fees will be coded to show they are not entitled to the services for which the fees are charged.

The reduced fee does not apply to special fees or to special academic programs, such as those in Continuing Education and Public Service or Liberal Studies, which have special regulations regarding fee waivers. Persons who are employed less than full-time are not eligible for the fee reductions; all fees will be charged for their enrollment. A faculty or staff member who is on a full-time, nine-month appointment is considered to be full-time for purposes of any enrollment made during a following summer session. In such cases those not on summer appointment may receive a one-half fee waiver on six semester hours of work. Those on a full-time summer appointment may receive the fee waiver only on three credit hours as stated above. For those on a part-time appointment during the summer, a three-hour limitation will apply on the fee waiver. Under no circumstances will the reduced enrollment fee apply to more than six semester hours of course work in a single semester or summer session. Enrollment fees for hours taken over this maximum will be charged at the full rate. At the time of fee payment, the employee must present a Faculty/Staff Fee Waiver Application signed by the head of the budget unit. This form may be secured from the office of the budget unit head.

**4.7 IDENTIFICATION CARD** - The university provides an identification card to each employee appointed on a continuous basis at 50 percent FTE or greater and to each retiree. It is to be presented for securing the privileges of using various facilities and activities available to university employees. The card is good only during the period of employment or retirement and does not authorize the holder to obligate the university in any manner. Department heads are responsible for the return of an employee's staff identification card upon termination from university employment. At the Health Sciences Center and Tulsa campus, all cards are issued through Human Resources. On the Norman campus, cards are issued through the bursar's office.

**4.8 BREAKS** - Employees may be granted a 20-minute break during each four-hour work period. The break will be scheduled by supervisors within the four-hour period.

## 5.0 GENERAL POLICIES

**5.1 LOYALTY OATH (updated 12/13/2004)** - Oklahoma State Statute 51 O.S. Section 36.1, 36.4 requires that each new employee must have a signed and notarized Loyalty Oath as part of their personnel file. The requirement extends to all employees and officials of the State of Oklahoma and must be satisfied before an individual can be paid on the state payroll. Temporary employees hired for 90 days

or less need not sign a Loyalty Oath. The Loyalty Oath remains valid as long as the employee is working for the state agency and if terminated, does not have more than a 30 day break in service.

**5.2 NEPOTISM** - Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity or by affinity shall not in itself be a bar to appointment, employment or advancement by the University of Oklahoma nor (in the case of faculty members) to eligibility for tenure of persons so related. But no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding promotion, salary or tenure for the other, nor shall either of two persons so related who hold positions in the same budgetary unit be appointed (or, as in the case of members of committee A of an academic unit, elected) to an executive or administrative position in that unit or to a position involving administrative responsibility over it as long as the other person remains in the unit without first receiving the written approval of the provost or the appropriate vice president and the president. In the event a waiver is granted, performance evaluations and recommendations for compensation and promotion will be made by one not related to the individual being evaluated. The board of regents will be notified at the next meeting of any waivers. Relatives that are within the third degree of relationship to an employee by blood or marriage are as follows: spouse; parent; grandparent; great-grandparent; parent, grandparent or great-grandparent of spouse; uncle or aunt; uncle or aunt of spouse; other or sister; brother-in-law or sister-in-law; niece or nephew; spouse of niece or nephew; son or daughter; son-in-law or daughter-in-law; grandson or granddaughter or their spouse; and great-grandson or great-granddaughter or their spouse.

**5.3 OUTSIDE EMPLOYMENT AND EXTRA COMPENSATION WITHIN THE UNIVERSITY, NORMAN CAMPUS** - A person who accepts full-time employment at the University of Oklahoma assumes a primary professional obligation to the university. Any other employment or enterprise in which an employee engages for income must be understood to be definitely secondary to his/her university work. After consultation with those reviewing requests for outside employment and extra compensation, the employee must be willing to accept the judgment of the president and regents as to whether he/she may engage in such employment and retain full-time employment with the university. After prior arrangements, full-time staff members who are on the monthly payroll and hold 12-month appointments may engage in additional employment (from within the university or from outside sources or in any combination of the two) to the maximum of 25 percent of their 12-month full-time effort, but they may not receive extra compensation for teaching in summer session or for performing sponsored research.

University staff who are on the fixed (monthly) payroll shall request approval of outside employment on a form, Report and Approval of Proposed External Employment and Extra Compensation Assignments Within the University, available from Human Resources. All activities performed inside the university for extra compensation must be arranged, as regular assignments are, with the agreement of the appropriate department head, dean where applicable and vice president/provost.

Such applications and arrangements must be resubmitted at the beginning of each fiscal year. Resubmission is the responsibility of the staff member. Staff members should also be concerned to avoid possible conflict of interest with the university in all outside employment. Questions regarding potential conflict of interest should be addressed to the department head, who may wish to consult the university's legal counsel. No staff member may hold a split (joint) appointment that reflects more than a total of 1.00 full-time equivalent.

**General provisions:** (1) if this policy creates a demonstrable hardship for a university program or a person, exceptions can be granted by the president in response to a written request; (2) the base period for the policy is August 16 through August 15 for nine-month appointments and July 1 through June 30 for 12-month appointments; (3) these regulations for both faculty and staff supersede the regulations on outside employment adopted by the Board of Regents in 1931, 1948, 1958 and 1971 and the Task Force Report of 1973, which supplemented regents' policy.

**5.4 EXTRA COMPENSATION AS ADJUNCT OR OTHER SPECIAL FACULTY-** OU administrators and staff members are encouraged to become involved in the instructional mission of the university by teaching courses. The expertise of OU staff can be of great benefit, and regular contact with students and ideas can help each of us to do our jobs better. Staff members and administrators should seek adjunct or other special faculty appointments when their qualifications and availability serve to meet the instructional needs of the university. Teaching should complement and not interfere with or substitute for the primary duties of staff. Normally, teaching should be done on an in-load (normal assigned duties/responsibilities) basis. Extra compensation from the university clearly is inappropriate for staff members with full-time appointments. An adjustment in FTE appointment may be made to account for time spent in teaching. On a case-by-case basis, exceptions may be approved if the course is taught in the evenings or weekends. Requests for exceptions should be forwarded to the Office of the Senior Vice President and Provost.

**5.5 CONTACTS WITH REPORTERS** - On occasion, reporters for newspapers, radio stations or television stations will contact university staff members directly instead of working through the university's Communication Services Office. There is no objection to this

procedure. However, any staff member who is contacted and either gives a statement to the press or arranges for a subsequent interview is requested to inform the coordinator for communication services on either the Norman or Health Sciences Center campuses. This is an informational procedure only, and the cooperation of the staff is requested.

**5.6 ADVERTISING AND EDUCATIONAL INFORMATION** - The university does not endorse any commercial product, program, enterprise or idea. Under certain circumstances the university's name or symbols may be used in connection with advertising or promotional material. Permission and approval of copy must be obtained in writing prior to publication or broadcast. Requests for approval should be submitted to the Associate Vice President for Public Affairs. The university from time to time may wish to reach a certain public by purchasing advertising in the media. The material contained in this advertising may include matters related to increasing enrollments in regular or extension courses, promotional advertising, or informational material related to specific policies, projects, institutes, departments and curricula. With the exception of staff employment advertising, which is handled through Human Resources, no contracts for advertising should be entered into and no oral or written commitments should be made by any university employee without the approval of the appropriate official. Advance approval of all layouts or copy must be obtained as previously indicated.

**5.7 UNIVERSITY SEAL AND COAT OF ARMS** - The coat of arms was adopted by the president and the board of regents in 1952. It was adapted from the university seal, which is reserved for official uses, as in publications of the institution, its certificates, diplomas and legal documents and printed materials used in conjunction with official functions of the university. The coat of arms may be used for all other purposes, whether institutional or individual. The colors of the university are crimson and cream.

**5.8 PARKING REGULATIONS - Norman Campus.** Faculty/staff members who wish to park a motor vehicle on campus must purchase a parking permit through the parking office located in Robertson Hall, Room 311. Parking is allocated for permit holders. The permit is license to park if space is available. Bus service to campus is provided by MetroTransit at a reduced rate upon presentation of a current faculty/staff identification card. Schedule and route information is available from the MetroTransit office in Robertson Hall, Room 304. A parking permit is not required for parking at the Lloyd Noble Center and riding MetroTransit. Faculty/staff may obtain parking permits by completing an application for parking permit and forwarding it to the parking office with a check for the amount of the permit. The following special permits are also available: (1) for person who must use a wheel chair and; (2) for physically disabled persons. Additional information may be found in the parking regulations available at the parking office.

**Health Sciences Center.** Any faculty, staff or student who expects to park a motor vehicle in any of the parking lots operated by the Health Sciences Center must have a parking permit and gate card, which may be obtained by making application at the Health Sciences Center parking office located in the Service Center Building, Room 112A.

**College of Medicine-Tulsa.** Any faculty, staff or student who parks a personal motor vehicle in any of the lots on the Health Sciences Center, Tulsa campus, must complete a short form of vehicle identification and attach a small identification sticker to the vehicle(s). Parking is unrestricted and free of cost. Additional information may be found in Parking: Policies and Procedures, which is available at the parking office.

**5.9 USE OF STATE VEHICLES FOR PRIVATE PURPOSES** - Oklahoma statutes prohibit the use of state-owned vehicles for private purposes. It is the policy of the university that passengers shall not be transported in state vehicles unless they are on state business. When private vehicles are used for state business purposes and one expects to be reimbursed pursuant to 74 O.S.Supp.1987, 500.4(B), the transporting of private passengers not on state business is not prohibited; however, it is suggested and requested that the practice be held to a minimum. According to Oklahoma statute, the use of state-owned vehicles to ride to and from an employee's place of residence, except in the performance of official duty, is expressly prohibited. Employees of the university cannot be assigned a university-owned vehicle for use on a permanent 24-hour basis unless an exception under the statute has been granted. Requests for an exception must be submitted in writing to the president of the university.

If employees using rental vehicles plan to depart at an earlier hour than the motor pool opens or return at a later hour than the motor pool closes, they may be authorized by the motor pool to retain the vehicle at their residence until their departure or until the vehicle may be returned to the motor pool.

**5.10 TRAVEL REIMBURSEMENT** - All commercial air travel must be purchased from the travel agencies designated by the state's central purchasing division or by a University of Oklahoma contract. This can be done by using the university purchasing system or by purchasing directly and requesting reimbursement along with other travel expenses on the State of Oklahoma Travel Voucher after completion of the trip. Advance payments for other travel expenses are prohibited by state law. Upon completion of a trip, the State of Oklahoma Travel Voucher (form OU220-1-E) should be completed and submitted to the Office of Financial Support Services (Norman) or

Travel Services (HSC and Tulsa). All receipts for lodging, registration and public transportation must be attached. The travel voucher forms can be obtained from the University Storeroom (Norman) or available printing services (HSC and Tulsa). Regulations concerning travel reimbursement are published for the Norman campus in the University Guide to Services and in the Procedures manual for the Health Sciences Center campuses.

**5.11 CANDIDACY FOR POLITICAL OFFICE** - Believing it to be for the best interest of the university, the board of regents requires that any member of the faculty or staff of the university who becomes a candidate in any primary or general election for any county, state or federal office or announces his/her candidacy for any of said offices shall first offer his/her resignation to the board of regents, without reservation.

**5.12 KEYS** - Keys for buildings, offices, classrooms, storerooms and laboratories are issued by the Physical Plant at the Norman campus, by Site Support at the Health Sciences Center, and by Operations at the Tulsa campus. Employees entrusted with keys are responsible for reporting any loss of keys immediately and for turning in all keys issued to them upon termination of employment.

**5.13 FUND RAISING** - The employees of the University of Oklahoma Norman campus have historically contributed generously to community and national charitable agencies. In order to minimize personal inconvenience to the employees and disruption of job functions the following policy has been developed. The term "fund raising" shall refer to solicitation of funds by an agency, organization or individual irrespective of the employee receiving a token or symbol in exchange for this contribution. This policy does not pertain to the solicitation or fund-raising activities of students, which is addressed in Title 8 of the University of Oklahoma Student Code- Distribution of Information, Solicitation, Proselytism. Nor does it conflict with the board of regents' policy that no solicitations be conducted in the stadium on football game days.

**Responsible Office.** All agencies, organizations and/or individuals wishing to initiate a fund-raising campaign on the Norman campus shall contact and receive approval from the Office of the Vice President for Development. The Office of the Vice President for Development shall approve, coordinate and monitor external agency fund-raising activities.

**Eligibility Criteria.** The follow criteria are considered in determining agency eligibility: (1) agencies requesting approval for a Norman campus fund-raising campaign shall meet the Internal Revenue tax-exempt status (Sections 501-504); (2) the approved agencies shall have the primary purpose of providing human health, social and recreational services; (3) agencies approved for a fund-raising campaign shall normally devote at least 80 percent of all donated funds to providing services; (4) no more than 20 percent of all collected funds shall normally be used for fund raising, lobbying, legislative analysis and other overhead expenses by approved agencies.

**Policy On Voluntary Giving.** There shall be no pressure or coercion applied to any Norman campus employee to contribute to or to participate in any fund-raising activities. Comments pertaining to non-participation shall not be a part of any employee's performance evaluation. Normal career progression and promotion are not contingent upon an individual's participation. If an employee has a complaint or concern relative to fund raising, he/she should contact the Office of the Vice President for Development.

**5.14 EMPLOYEE ASSISTANCE PROGRAM (updated February 4, 1997)**- The University of Oklahoma recognizes that it is in the best interests of both the university and its employees to provide assistance for employees in dealing with personal problems including alcohol and drug abuse or dependency, mental or emotional disturbance, or other conditions that may adversely affect their job performance. For this reason, the university has established an Employee Assistance Program, which is designed to assist in: (1) identifying the problem at the earliest possible stage; (2) motivating employees and their family members to seek help; and (3) directing them toward appropriate resources for assistance. Guidelines The purpose of the Employee Assistance Program is to provide:

1. Immediate assistance to faculty and staff with personal problems, including alcohol and drug abuse, which affect their work or job performance.
2. Job security and advancement opportunities for those who take advantage of this program will in no way be jeopardized.
3. Complete confidentiality. All records involving services provided by the Employee Assistance Program shall be treated as confidential medical records and shall be maintained separately from personnel records.
4. Faculty and staff who exhibit job performance problems the opportunity to seek assistance voluntarily through the Employee Assistance Program.
5. The supervisor the discretion to refer an employee when there is evidence of work deterioration, which has been documented by the supervisor, or if there are notable signs of alcohol or drug abuse.

**In addition:**

1. While the faculty or staff member has the right to decide whether or not to use the Employee Assistance Program or to follow any of its recommendations, if personal problems continue to adversely affect work performance, established university employment policies will be followed in handling the situation.
2. The university will endeavor to arrange paid leave or other appropriate leaves of absence for treatment or rehabilitation.
3. There will be no cost to the faculty or staff member for the evaluation and assessment services of the Employee Assistance Program, up to two sessions. Faculty and staff members will be responsible for cost incurred in undertaking recommended treatment.
4. Information about the Employee Assistance Program will be disseminated at regular intervals to faculty and staff.

**5.15 SMOKING IN PUBLIC PLACES (updated 2005)** - In accordance with the state Smoking in Public Places Act, the university has established a Smoking in Public Places Policy. All facilities of the Health Sciences Center in Oklahoma City and Tulsa are smoke-free and on the Norman campus as indicated through the provisions of this policy. All buildings owned or operated by the University of Oklahoma will be free from smoking as noted.

**Definitions.** "**Building**" is defined for the purpose of this policy as an enclosed, indoor area owned or operated by the University of Oklahoma and used by the general public, serving as a place of work for university employees or a meeting place for a public body (as defined in the Open Meeting Act OS 25, Section 304), including but not limited to offices, classrooms, laboratories, libraries, auditoriums, arenas, theaters, performance/exhibit halls, museums, meeting rooms, cafeterias and restaurants or public conveyances (including elevators, trolleys and buses). "**Smoking**" means the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device. Signs will be posted at all entrances to university buildings stating that the buildings are smoke-free. Faculty, staff or students within the building may ask any person smoking in the building to refrain. The above does not apply to: (1) any housing or residence facility owned or operated by the university, (2) space leased to others, or (3) outdoor areas unless specifically designated as non-smoking areas. Tobacco products will not be sold on university property. Budget unit heads or their designees will disseminate this policy to all employees within their area of responsibility. Please direct concerns regarding this policy or its implementation through normal supervisory channels for resolution. Breaks taken by employees for the purpose of smoking are subject to the same limitations as all other breaks, as outlined in Section 4.8 of the *Staff Handbook*. Smoking is prohibited within 25 feet of any building's entrance.

**5.16 COMMUNICATION WITH STATE OFFICIALS** - The proper channel through which recommendations concerning the policies and/or administration of the university, its governed entities as a whole or in any of its parts, should be communicated to the legislature or other state officials is the president and the board of regents. Further, any official statement made on behalf of the board to the public through the press or otherwise shall be made only by the chair of the board, provided the president of the university may publicly explain prior board action as deemed necessary and proper. Nothing in the preceding subsection is intended to or should be construed to abridge the rights and privileges of regents to publicly express their personal opinions on any matter or to abridge constitutional rights of employees to comment on matters of public concern or to prohibit any other rights of communication established by law.

**5.17 POLICY REGARDING CONFLICTS OF INTEREST - Purpose of policy-** This policy addresses situations where there might be a potential financial conflict between a particular outside interest of a faculty or staff employee and the obligation that the employee owes to the University such that an employee's profit or advantage may come, or reasonably appear to come, at the expense of the well-being of the University. The purpose of this policy is to aid in identifying apparent, actual and potential conflicts of interest and assuring that such conflicts do not improperly affect the activities or professional conduct of the universities or their employees. For the purposes of this policy, the term University shall refer to the Norman Campus of the University of Oklahoma only. It is not the intent of this policy to restrict legitimate work appropriate to the employee's profession or discipline, but only to provide the University with authority to take action that is appropriate, proportionate and focused on substantial conflicts of interest that compromise an employee's professional judgment.

**Statement of general policy** - The University of Oklahoma is a public institution committed to the mission of teaching, research and community service. To these ends, the institution-balances an assortment of principles: maintaining an atmosphere that promotes free and open scholarly inquiry; facilitating the transfer of information and technology for the benefit of the public; and serving as a prudent steward of public and private resources entrusted to it. Faculty and staff have a primary commitment to their basic university duties of teaching, research and creative activity, and public service. These basic duties often limit outside activities. As a result, professional and

personal activities may present conflict of interest situations which should be evaluated under the auspices of this and other applicable policies.

Faculty and staff participation in outside professional, commercial and pro bono public activities can make important direct and indirect contributions to the strength and vitality of the University. Through participation in such activities, faculty or staff employees may add knowledge and understanding that is relevant and useful to teaching and research within the University, develop sources of funding and support for activities carried out in the University, and establish relationships valuable to the University. Because of its value to the University, its rewards for individual faculty and staff, and its contributions to the larger society of which the University is a part, the University recognizes that employee participation in outside professional, commercial or pro bono public activities is often appropriate.

Sound professional discretion is an integral part of the University's conflict of interest system. Any review of a potential conflict of interest will be undertaken in light of four general propositions. First, conflicts of interest per se are inevitable, and do not necessarily represent any impropriety by faculty or staff employees if disclosed in advance. Second, the failure to disclose a conflict of interest for administrative review and response would be a serious mistake for any faculty or staff employee, and may be a breach of this policy. Third, there is a presumption in favor of allowing faculty or staff employees to act in dual roles once the conflict of interest has been disclosed. Fourth, conflicts of interest may be so profound or substantial under some circumstances that it would be best for all concerned if the faculty or staff employee did not participate in a particular transaction.

It is not possible to completely eliminate the potential for conflict of interest because there are certain rewards and incentives that are inherent or appropriate in the structure of a university enterprise. Such conflicts become detrimental when the potential temptations, financial or otherwise, undermine reasonable objectivity in the design, interpretation, and publication of research; setting University policies; managing contracts; selecting equipment and supplies; involving students in sponsored projects; or performing other roles in university governance in which objectivity and integrity are paramount. Furthermore, such allegations of conflicts of interest based on appearances can undermine public trusts in ways which may not be adequately restored even when mitigating facts are brought to light, apparent conflicts should be avoided, when feasible and appropriate.

Other sections of this Policy notwithstanding, it is the ongoing responsibility of the employee to abide by the provisions of all other applicable federal, state and University's laws and policies relating to conflicts of interest; to identify potential conflicts of interest; and to disclose and seek guidance on such matters from the appropriate vice president.

### General Policies

**When is there a conflict of financial interest?** -A conflict of financial interest exists when a Significant Financial Interest could substantially compromise an employee's judgement in the performance of University duties. Faculty and staff are responsible for disclosing those Significant Financial Interests that would reasonably appear to be affected by or to affect their university duties. However, it is the responsibility of the University, not the discloser, to determine if the disclosed interest could significantly affect the performance of University responsibilities and to require the management, reduction or elimination of the conflict.

**Definitions – Appropriate Vice President:** The appropriate vice president giving oversight of the management protocols depends on the activity generating the potential conflict of interest. If the employee activity is a research activity, the vice president for research will provide oversight, regardless of where the individual is employed within the university. If the activity is not research-related, the vice president in whom authority resides over the particular unit in which the individual is employed will provide oversight. **Employee:** Any person possessing either a full-time or part-time faculty or staff appointment at the university who is eligible to receive benefits and receives a salary or wage for his/her defined responsibilities. This definition does not include temporary employees appointed (30) days or less or a member of the Board of Regents of the University of Oklahoma and Cameron University. For application of this policy, this definition may include students, both graduate and undergraduate, who work on a grant or contract and have responsibility, in whole or in part, for the reporting of research. **Family:** An employee's spouse and dependent children. **Serious Breach:** A serious breach of this policy is a failure to disclose or prohibited action in conscious disregard of this policy. Conscious disregard is a mental state embracing either (i) intent to deceive, manipulate or defraud; (ii) guilty knowledge; or (iii) moral awareness that the alleged conduct violated the policy.

**Significant Financial Interest:** Anything of monetary value, including, but not limited to, salary or other payment for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term does not include:

- (1) salary, royalties, or other remuneration from the University of Oklahoma;
- (2) income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- (3) income from service on advisory committees or review panels for public or nonprofit entities;
- (4) an equity interest that, when aggregated for the employee and the employee's spouse and

dependent children, meets all of the following tests: Does not exceed ten thousand dollars (\$10,000.00) in value as determined through reference to public prices or other reasonable measures of fair market value, does not represent a five percent (5%) or more ownership interest in any single entity, and did not yield dividends of one thousand dollars (\$1,000.00) or more during the preceding calendar year; or (5) salary, royalties or other payments that, when aggregated for the employee and the employee's spouse and dependent children over the next twelve months, are not reasonably expected to exceed ten thousand dollars (\$10,000.00).

Potential equity value should be considered in those instances where the employee has an equity interest in a privately-held company and the potential exists for bias in design, conduct or reporting of research based on future financial benefit; the true value of that interest may not be known until the firm goes public, but the faculty or staff employee should make a reasonable assessment of the future market value of the equity.

Regardless of the above minimum requirements, a faculty or staff member, in his or her own best interest, is encouraged to disclose any other financial or related interest that could present an actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key factor in protecting one's reputation and career from potentially embarrassing or harmful allegations of inappropriate behavior. (Faculty or staff employees are encouraged to ask for guidance from their department chair or dean or the Provost's Office even in situations that are not covered by the disclosure procedures in this policy.)

**University Resources:** All university facilities, personnel, equipment, materials or proprietary information constitute university resources.

**Policies & procedures for disclosure, review and management of potential conflicts in interest- (A) Disclosure-** Every employee of the University shall make annual disclosure of any significant financial interest(s) as defined in this policy, that would reasonably appear to be a conflict of interest. This disclosure shall be made in writing to the appropriate vice president. The vice president may consult with advisory personnel, group or committee appointed for that purpose pursuant to policies and procedures established by the University or with others in connection with the review, and upon completion, shall advise the employee in writing of his or her decision, and the reasons for the decisions, to accept (with or without modifications), return for more information or reject the recommendations. If accepted, the notification shall include, among other things, requirements for immediate action and plans for continued monitoring of the potential or actual conflict.

Employees shall provide at last ten (10) working days for review of their disclosure prior to making any commitments that could reasonably lead to a conflict. However, in the event the ten (10) working day time period is not feasible, the employee should identify the need for expedited review and submit the request to the appropriate vice president. Any changes that occur in an employee's significant financial interests during the year shall be disclosed promptly and reviewed in the manner described above.

**(B) Prior approval -** (1) As required by federal law and regulations, all financial disclosures must be made, and all identified conflicts of interest must be satisfactorily managed, reduced, or eliminated prior to the University's expenditure of funds under the award, in accordance with the institution's conflict of interest policy. (2) Although there is a presumption in favor of allowing faculty or staff employees to act in dual roles once a conflict of interest has been disclosed, an employee shall not proceed with proposed activity prior to university evaluation.

**(C) Examples of Management of Conflicts of Interest-** Conditions or restrictions that might be imposed by the University to manage, reduce or eliminate actual or potential conflicts of interest include but are not limited to:

- (1) public disclosure of relevant information regarding the conflict of interest, such as all relevant significant financial interests;
- (2) monitoring of research by independent reviewers;
- (3) modification of the research plan, activity, or agreement to eliminate or minimize the conflict of interest;
- (4) designation of an appropriate university representative to have immediate oversight responsibility over the management plan;
- (5) divestiture of significant financial interests;
- (6) disqualification from participation in the portion of the activity that would be affected by the significant financial interest;
- (7) severance of the relationships that create actual or potential conflicts;
- (8) termination of student involvement in the project.

Some federal funding agencies permit research to proceed, in spite of disclosed conflicts, if the review determines that imposing restrictions or conditions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare. However, the University is ultimately responsible for the determination of whether a research or educational project which involves a conflict should proceed. All management plans must be focused and narrowly tailored to minimize or eliminate improper conflicts of interest.

**(D) Reports-** After development of an acceptable management plan and commencement of the work, the appropriate individuals with oversight responsibility will regularly report, in writing, to the appropriate vice president on the effectiveness of the plan. The frequency of such reports shall be determined by the vice president but shall in all events be at least annually.

**(E) Modification of Management Plans** - If, after sufficient experience to assess the effectiveness of the management plan and after notice to and full consultation with all appropriate parties, the appropriate vice president determines that the conflict has not been properly managed or has become unmanageable, he/she may modify the plan. If outside agencies require notification of conflict resolution and management, they will be notified in accordance with their requirement.

**(F) Forms-** The forms suggested for this disclosure and management process are at the end of this policy. The Provost shall provide annual notice and explanation of the forms to be used in the disclosure process for the coming year.

**(G) Retrospective Sanctions-** It is understood that faculty and staff employees shall clearly, fully, and truthfully disclose, in writing, all activities, relationships, or interests that might present conflicts of interest. Nevertheless, there shall be no retrospective sanctions under this policy for the period of time after the ten day review period, when the appropriate vice president knew of such activities, relationships, or interest and, acting in good faith, took no action to manage, minimize or eliminate them.

**5.18 POLICY ON PREVENTION OF ALCOHOL ABUSE AND DRUG USE ON CAMPUS AND IN THE WORKPLACE** - The University of Oklahoma recognizes its responsibility as an educational and public service institution to promote a healthy and productive environment. This responsibility demands implementation of programs and services facilitating that effort. The university is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees. The university program includes this policy, which prohibits illegal use of drugs and alcohol in the workplace, on university property or as part of any university-sponsored activities. In order to meet these responsibilities, university policy:

1. Requires all students and employees to abide by the terms of this policy as a condition of initial and continued enrollment/employment.
2. Recognizes that the illegal use of drugs and alcohol is in direct violation of local, state and federal laws as well as university policies included in this policy, the Staff and Faculty Handbooks, and the Student Code of Responsibility and Conduct. University policy strictly prohibits the illegal use, possession, manufacture, dispensing or distribution of alcohol, drugs or controlled substances in the workplace; on its premises; or as a part of any university-sponsored activities.
3. Considers a violation of this policy to be a major offense, which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the university. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.
4. Recognizes that violations of applicable local, state and federal laws may subject a student or employee to a variety of legal sanctions including but not limited to fines, incarceration, imprisonment and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. A current listing of applicable local, state and federal sanctions can be obtained through the Office of Student Affairs and Human Resources.
5. Requires an employee to notify his/her supervisor in writing of a criminal conviction for drug or alcohol-related offenses occurring in the workplace no later than five calendar days following the conviction.
6. Provides access to the university's Employee Assistance Programs and Student Counseling Services for counseling and training programs that inform students and employees about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential.
7. Forbids an employee from performing sensitive safety functions while a prohibited drug is in his/her system.
8. Mandates drug testing of sensitive safety employees prior to employment, when there is reasonable cause, after an accident, on a random basis, and before returning to duty after refusing to take a drug test or after not passing a drug test. (Sensitive safety employees are defined in CFR Volume 32, Part 280 and CFR Volume 49, Part 653. This legislation is available for review in Human Resources.)
9. Provides for annual distribution of this policy to all staff, faculty and students.

Health risks generally associated with alcohol and drug abuse can result in but are not limited to a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes and thought disorders.

The university's Employee Assistance Programs and Student Counseling Services staff are responsible for informing students and employees about the dangers of drug and alcohol abuse and the availability of counseling and rehabilitation programs. The appropriate provost or executive officer is responsible for notifying federal funding agencies within 10 calendar days whenever an employee is convicted of a drug-related crime that occurred in the workplace. This policy is based on the Drug Free Workplace Act of 1988 (P.L.100-690, Title V, Subtitle D) and the Drug Free Schools and Communities Act Amendments of 1989 (P.L.101-226) and is subject to the grievance procedure as stated in the Staff and Faculty Handbooks and the university discipline system as outlined in the Student Code of Responsibility and Conduct.

**5.19 RACIAL AND ETHNIC HARASSMENT POLICY (revised 9-27-95) - Introduction** - Diversity is one of the strengths of our society as well as one of the hallmarks of a great university. The University of Oklahoma supports diversity and therefore is committed to maintaining employment and educational settings which are multicultural, multiethnic and multiracial. Respecting cultural differences and promoting dignity among all members of the University community are responsibilities each of us must share.

Racial and ethnic harassment is a growing concern across American college campuses. It has taken various forms, from criminal acts (assault and battery, vandalism, destruction of property) to anonymous, malicious intimidation, most often directed toward persons whose race or ethnicity is readily identifiable. In employment, racial/ethnic harassment is race discrimination which interferes with an employee's ability to perform his or her duties or creates a hostile or intimidating work environment, prohibited by law under Title VII of the Civil Rights Act of 1964. In the educational context, racial/ethnic harassment is race discrimination which interferes with students' opportunities to enjoy the educational program offered by the University, prohibited by law under Title VI of the Civil Rights Act of 1964.

**Policy Statement**- principles of academic freedom and freedom of expression require tolerance of the expression of ideas and opinions which may be offensive to some, and the University respects and upholds these principles. The University also adheres to the laws prohibiting discrimination in employment and education. The University recognizes that conduct which constitutes racial/ethnic harassment in employment or educational programs and activities shall be prohibited and is subject to remedial or corrective action as set forth in this policy. This policy is premised on the University's obligation to provide a nondiscriminatory environment which is conducive to employment and learning. The University will vigorously exercise its authority to protect employees and students from harassment by agents or employees of the University, students, and visitors or guests. Specifically,

1. Agents or employees of the University, acting within the scope of their official duties, shall not treat an individual differently on the basis of race, color, or national origin in the context of an employment or educational program or activity without a legitimate nondiscriminatory reason, so as to interfere with or limit the ability of the individual to participate in or benefit from the services, activities or privileges provided by the University; and,
2. The University shall not subject an individual to different treatment on the basis of race by effectively causing, encouraging, accepting, tolerating or failing to correct a racially hostile environment of which it has notice.

**Remedies or Corrective Actions** - Violation of this policy shall result in corrective action(s) or remedy(ies) designed to reestablish an employment or educational environment which is conducive to work or learning. Corrective actions or remedies will include disciplinary action directed by the executive officer having responsibility for the offender, where appropriate. Remedies or corrective actions will be tailored to redress the specific problem and may range from apologies, mandatory attendance at specific training programs, reprimands, suspension, demotion, to expulsion or termination. Remedies or corrective actions shall be based upon the facts and circumstances of each case and shall be in accordance with the terms and guidelines of the applicable campus grievance procedures.

Violations of this policy by students will be considered as violations of the Student Code and subject student offenders to the remedy(ies) and corrective action(s) provided by the Code.

**Administrative Action** - The University recognizes its obligation to address incidents of racial/ethnic harassment on campus when it becomes aware of their existence even if no complaints are filed, therefore, the University reserves the right to take appropriate action unilaterally under this policy.

**With respect to students**, the Vice President for Student Affairs/Vice Provost for Educational Services or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University Community. Any student so affected must be granted due process including a proper hearing. Any hearing involving disciplinary suspension or expulsion shall be conducted by a campus disciplinary council in accordance with Title 13, Section 1.2. of the Student

Code. Lesser administrative or disciplinary action may be appealed to the Vice President for Student Affairs/Vice Provost for Educational Services. Such requests must be in writing and filed within seven calendar days following the summary action. The Vice President for Student Affairs/Vice Provost for Educational Services will issue a written determination to the student within three working days following the date the request is received.

**With respect to employees**, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

**Retaliation** - Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy which may be subject to direct administrative action.

**Complaint Process** - The complaint procedures delineated herein applies to all students, faculty, staff, guests or visitors. Complaints alleging violation of the racial and ethnic harassment policy will be reviewed and investigated by the appropriate University office. Complaints may be resolved informally or may proceed through the applicable formal complaint proceedings. Complaints may be filed in the following manner:

1. Complaints against students or student organizations shall be filed with the Equal Opportunity and Affirmative Action Office (EO/AAO) for review and investigation. The EO/AAO, or its designee, may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures.
2. Complaints against faculty or staff shall be filed with the Equal Opportunity and Affirmative Action Office. The EO/AAO or its designee may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures for faculty and staff.
3. Complaints against contractors working on university premises shall be filed with the Equal Opportunity and Affirmative Action Office. The EO/AAO or its designee may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures for faculty, staff and students.
4. Complaints against visitors or guests should be directed to the University police office on the campus where the incident occurred. The campus police will forward informational copies of all reports and inquiries dealing with discrimination, harassment or hate crimes to the EO/AAO.

**Responsible Official**- The Equal Opportunity and Affirmative Action Officer is charged with the responsibility for administering this policy. The Equal Opportunity and Affirmative Action Office will serve as a repository for all records of complaints, investigative reports, and remedies/corrective actions in connection with this policy. The Equal Opportunity and Affirmative Action Officer is the overall coordinator of all university activities dealing with discrimination in employment or education. To contact the University Equal Opportunity and Affirmative Action Office: Norman Campus, Room 102, Evans Hall, Ph: 325 - 3541, Health Sciences Center Campus, Room 113 Service Center, Ph: 271-2110.

**5.20 SEXUAL HARASSMENT/SEXUAL ASSAULT POLICY (revised 1-14-97) - Statement**- The University of Oklahoma explicitly condemns sexual harassment of students, staff, and faculty. Sexual harassment is unlawful and may subject those who engage in it to University sanctions as well as civil and criminal penalties.

When criminal action is pursued in addition to an administrative grievance under this policy, the EO/AA Office will coordinate its investigative actions with the University or local law enforcement authorities to ensure that criminal prosecution is not jeopardized. The EO/AA Officer may defer administrative action at the request of University or local law enforcement, authorities pending completion of the criminal investigation. Where review by the EO/AA Officer or other university executive officer determines that immediate administrative action is necessary for the safety, health and well-being of the campus community, such action may be taken in advance of resolution of criminal charges.

Since some members of the University community hold positions of authority that may involve the legitimate exercise of power over others, it is their responsibility to be sensitive to that power. Faculty and supervisors in particular, in their relationships with students and subordinates, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person to perceive a coercive element in suggestions regarding activities outside those appropriate to the professional relationship. It is the responsibility of faculty and staff to behave in such a manner that their words or actions cannot reasonably be perceived as sexually coercive, abusive, or exploitive. Sexual

harassment also can involve relationships among equals as when repeated advances, demeaning verbal behavior, or offensive physical contact interfere with an individual's ability to work and study productively.

The University is committed to providing an environment of study and work free from sexual harassment and to insuring the accessibility of appropriate grievance procedures for addressing all complaints regarding sexual harassment. The University reserves the right, however, to deal administratively with sexual harassment issues whenever becoming aware of their existence. Records of all complaints, except for hearings before the Faculty Appeals Board, shall be transmitted to and maintained by the University Equal Opportunity and Affirmative Action Officer as confidential records.

The University encourages victims to report instances of sexual assault or other sex offenses, either forcible or nonforcible. In addition to internal grievance procedures, victims are encouraged to file complaints or reports with campus police or local law enforcement agencies by telephoning 911, as soon as possible after the offense occurs in order to preserve evidence necessary to the proof of criminal offenses. The campus police department is available to assist victims in filing reports with other area law enforcement agencies.

**Definition of Sexual Harassment** - Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context: 1) when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing, or 2) when submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or 3) when 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 academic environment.

**Examples of Prohibited Conduct**- Conduct prohibited by this policy may include, but is not limited to:

- 1) Unwelcome sexual flirtation; advances or propositions for sexual activity.
- 2) Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes.
- 3) Sexually degrading language to describe an individual.
- 4) Remarks of a sexual nature to describe a person's body or clothing.
- 5) Display of sexually demeaning objects and pictures.
- 6) Offensive physical contact, such as unwelcome touching, pinching, brushing the body.
- 7) Coerced sexual intercourse.
- 8) Sexual assault.
- 9) Rape, date or acquaintance rape, or other sex offenses, forcible or nonforcible.
- 10) Actions indicating that benefits will be gained or lost based on response to sexual advances.

**Retaliation**- Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of sexual harassment will be treated as a separate and distinct violation of University policy.

**Sanctions**- Appropriate disciplinary action may include a range of actions up to and including dismissal and/or expulsion.

**Complaint Procedure** - Complaints alleging a violation of the Sexual Harassment/Sexual Assault Policy shall be handled in accordance with the Grievance Procedure For Complaints Based Upon Discrimination, Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation Or Racial and Ethnic Harassment. To contact the University Equal Opportunity and Affirmative Action Office: Norman Campus, Room 102, Evans Hall, Ph: 325 - 3541, Health Sciences Center Campus, Room 113 Service Center, Ph: 271-2110.

**5.21 CONSENSUAL SEXUAL RELATIONSHIPS POLICY- Rationale**- The University's educational mission is promoted by professionalism in faculty-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power. Those who abuse, or appear to abuse, their power in such a context violate their duty to the University community.

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. Amorous relationships between faculty members and students are wrong when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one

student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unethical if faculty members engage in amorous relations with students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship.

As with faculty, staff may also be in a position to exert authority and control over students. Staff, too, must be conscious of the potential for abuse of power inherent in their relationships with students. Students rely on staff for assistance and guidance in dealing with issues such as scheduling of classes, financial aid, tutoring, housing, meals, employment, educational programs, social activities, and many other aspects of University life. Those who deal with students are expected to provide them with support and positive reinforcement. Staff who would deal with students in a sexual manner abuse, or appear to abuse, their power and violate their duty to the University community.

**Definitions-** As used in this policy, the terms "faculty" or "faculty member" mean all those who teach at the University, and include graduate students with teaching responsibilities and other instructional personnel. The terms "staff" or "staff members" mean all employees who are not faculty, and include academic and non-academic administrators as well as supervisory personnel. The term "consensual sexual relationship" may include amorous or romantic relationships, and is intended to indicate conduct which goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

### Policy

**Faculty/Student Relationship Within the Instructional Context-** It is considered a serious breach of professional ethics for a member of the faculty to initiate or acquiesce in a sexual relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work (including work as a teaching assistant) is being supervised by the faculty member.

**Faculty/Student Relationship Outside the Instructional Context-** Sexual relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations the faculty member may face serious conflicts of interest and should be careful to distance himself or herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

**Staff/Student Relationships -** Consensual sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. A staff member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the staff member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

**Complaint Procedure -** Complaints alleging a violation of the Consensual Sexual Relationships Policy shall be handled in accordance with the Grievance Procedure For Complaints Based Upon Discrimination, Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation Or Racial and Ethnic Harassment. To contact the University Equal Opportunity and Affirmative Action Office: Norman Campus, Room 102, Evans Hall, Ph: 325 - 3541, Health Sciences Center Campus, Room 113 Service Center, Ph: 271-2110.

**5.22 DISCRIMINATION POLICY (OTHER THAN SEXUAL OR RACIAL/ETHNIC HARASSMENT) (revised 1-14-97) -** The University has a policy of internal adjudication in matters relating to alleged discrimination. Any faculty member, staff member, or student, including those on temporary or part-time status, who believes that he or she has been discriminated or retaliated against should file a complaint under the Grievance Procedure For Complaints Based Upon Discrimination, Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation or Racial and Ethnic Harassment. Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of discrimination and/or harassment will be treated as a separate and distinct violation of University policy. To contact the University Equal Opportunity and Affirmative Action Office: Norman Campus, Room 102, Evans Hall, Ph: 325 - 3541, Health Sciences Center Campus, Room 113 Service Center, Ph: 271-2110.

**5.23 REASONABLE ACCOMMODATION POLICY -** The University of Oklahoma will reasonably accommodate otherwise qualified individuals with a disability unless such accommodation would pose an undue hardship, would result in a fundamental alteration in the nature of the service, program or activity or in undue financial or administrative burdens. The term "reasonable accommodation" is used in its general sense in this policy to apply to employees, students and visitors.

Reasonable accommodation may include, but is not limited to: (1) making existing facilities readily accessible and usable by individuals with disabilities, (2) job restructuring, (3) part-time or modified work schedules, (4) reassignment to a vacant position if qualified, (5)

acquisition or modification of equipment or devices, (6) adjustment or modification of examinations, training materials or policies, (7) providing qualified readers or interpreters, (8) modifying policies, practices and procedures.

Reasonable accommodation with respect to employment matters should be coordinated with Human Resources and the disabled individual. Reasonable accommodation with respect to academic matters, including but not limited to faculty employment, should be referred to the Office of the Provost while all other issues of reasonable accommodation should be referred to the Office of the Vice President for Administrative Affairs.

Individuals who have complaints alleging discrimination based upon a disability may file them with the university's affirmative action officer in accordance with prevailing university discrimination grievance procedures.

#### **5.24 GRIEVANCE PROCEDURE FOR COMPLAINTS BASED UPON DISCRIMINATION, SEXUAL HARASSMENT, SEXUAL ASSAULT, CONSENSUAL SEXUAL RELATIONSHIPS, RETALIATION OR RACIAL AND ETHNIC HARASSMENT (revised 1-14-97)**

**Who may use procedure-** the grievance procedure embodied herein shall be available to any person who, at the time of the acts complained of, was employed by, was an applicant for employment, or was enrolled as a student at the University of Oklahoma.

**Filing of Complaint-** Persons who have complaints alleging discrimination based upon race, color, national origin, sex, age 40 or above, religion, disability, status as a veteran or complaints alleging sexual harassment, consensual sexual relationships, retaliation, or racial and ethnic harassment shall file them in writing with the Equal Opportunity and Affirmative Action Officer, hereafter referred to as EO/AA Officer, or with their department head/chair, academic dean, campus judicial coordinator, Vice Provost for Educational Services, or administrative supervisor. These individuals and the EO/AA Officer or the EO/AA Officer's designee are referred to as "Administrator."

Complainants who exercise their right to use this procedure agree to accept its conditions as outlined. Where multiple issues exist, (i.e. sexual harassment and violation of due process or grade appeal), the complainant must specify all of the grounds of the grievance of which the complainant should have reasonably known at the time of filing. A grievance filed under this procedure may normally not be filed under any other University grievance procedure. Depending on the nature of the issues involved, the complainant will be advised by the EO/AA Officer or his/her designee about the appropriate procedure(s) to utilize.

**Timing of Complaint-** Any complaint must be filed with the EO/AA Officer or other appropriate administrator within 180 calendar days of the act of alleged discrimination or harassment. All other time periods may be reasonably extended by the administrator.

**Administrative Action-** The University recognizes its obligation to address incidents of discrimination and harassment on campus when it becomes aware of their existence even if no complaints are filed, therefore, the University reserves the right to take appropriate action unilaterally under this procedure.

**With respect to students,** the Vice President for Student Affairs/Vice Provost for Educational Services or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University Community. Any student so affected must be granted due process including a proper hearing. Any hearing involving disciplinary suspension or expulsion shall be conducted by a campus disciplinary council in accordance with Title 13, Section 1.2. of the Student Code. Lesser administrative or disciplinary action may be appealed to the Vice President for Student Affairs/Vice Provost for Educational Services. Such requests must be in writing and filed within seven calendar days following the summary action. The Vice President for Student Affairs/Vice Provost for Educational Services will issue a written determination to the student within three working days following the date the request is received.

**With respect to employees,** upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

**Withdrawal of Complaint-** The complainant may withdraw the complaint at any point during the investigation or prior to the adjournment of a formal hearing.

**Confidentiality of Proceedings and Records-** Investigators and members of the Hearing Panel are individually charged to preserve confidentiality with respect to any matter investigated or heard. A breach of the duty to preserve confidentiality is considered a serious offense and will subject the offender to appropriate disciplinary action. Parties and witnesses are admonished to maintain confidentiality with regard to these proceedings.

All records, involving discrimination or harassment, upon disposition of a complaint, shall be transmitted to and maintained by the EO/AA Officer as confidential records except to the extent disclosure is required by law. This includes records of complaints handled by administrators.

### Proceedings

**1. Investigation-** Upon receipt of a complaint, the EO/AA Officer or other appropriate administrator is empowered to investigate the charge, to interview the parties and others, and to gather any pertinent evidence. The investigation should be completed within 60 calendar days of receipt of the complaint, or as soon as practical. The investigator shall prepare a written record of the investigation.

In arriving at a determination of a policy violation, at any stage of the proceedings, the evidence as a whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The determination will be made from the facts on a case by case basis. Upon completion of the investigation, the EO/AA Officer or other administrator is authorized to take the following actions:

- a) Satisfactory Resolution- Resolve the matter to the satisfaction of the University and both the complainant and the respondent. If a resolution satisfactory to the University and both parties is reached through the efforts of the EO/AA Officer or other administrator, the administrator shall prepare a written statement indicating the resolution. At that time the investigation and the record thereof shall be closed.
- b) Dismissal- Find that no policy violation occurred and dismiss the complaint, giving written notice of said dismissal to each party involved. Within 15 calendar days of the date of the notice of dismissal, the complainant may appeal said dismissal in writing to the EO/AA Officer by requesting a hearing according to the provisions of the section entitled "Hearing.". If no appeal is filed within the 15 calendar day period, the case is considered closed.
- c) Determination of Impropriety- Make a finding of impropriety and notify the parties of the action to be taken. Either party has the right to appeal said determination in writing within 15 calendar days of the date of notice of determination to the EO/AA Officer by requesting a hearing according to the provisions of. the section entitled "Hearing.". If no appeal is filed within the 15 calendar day period, the case is considered closed.

In the case of a complaint against a faculty member, the administrative investigator may determine that the evidence is sufficiently clear and serious so as to warrant the immediate commencement of formal proceedings as provided in the Abrogation of Tenure, Dismissal Before Expiration of a Term Appointment, and Severe Sanctions section of the Faculty Handbook. If the President concurs with the administrator's finding, the case may be removed at the option of the accused from the grievance proceedings contained herein and further action in the case shall be governed by the Abrogation of Tenure, Dismissal Before Expiration of a Term Appointment, and Severe Sanctions section in the Faculty Handbook. Otherwise, this policy and procedure shall apply.

### 2. Hearing

**a) Request for a Hearing -** Appeals and complaints unresolved following an investigation may result in a hearing before a Hearing Panel selected from the membership of the Committee on Discrimination and Harassment as described below. For the Norman campus, faculty versus faculty grievances heard by the Faculty Appeals Board. The request for a hearing is to be addressed to the EO/AA Officer. The request for a hearing must contain the particular facts upon which the policy violation allegation is based as well as the identity of the appropriate respondent(s). A copy of the request shall be given to the proper respondent(s) by the EO/AA Officer. Written response to the request for a hearing must be sent to the EO/AA Officer within 10 calendar days of receiving notice that a hearing has been requested. A copy of the response shall be given to the party requesting the hearing.

**b) Selection of a Hearing Panel-** Within 10 calendar days following receipt of the written request for a hearing, the EO/AA Officer shall initiate the process to determine the members of the Hearing Panel who are to conduct a hearing. A five-member Hearing Panel will be selected by drawing from: on the Health Sciences Center, the twenty-four (24) member Committee on Discrimination and Harassment; and on the Norman Campus, from the sixteen (16) member Committee on Discrimination and/or the fifty (50) member Faculty Appeals Board. In the case of faculty versus faculty complaints on the Norman Campus, the party requesting the hearing may request that the panel members be drawn only from the Faculty Appeals Board.

A Committee on Discrimination and Harassment shall be established on each campus and composed of: on the Health Sciences Center, eight (8) staff members, eight (8) students, and eight (8) faculty members; and on the Norman Campus, eight (8) staff members and eight (8) student members, with faculty representation being selected from the Faculty Appeals Board. On the Norman Campus, five (5) staff will be appointed by the Staff Senate and five (5) students will be appointed by UOSA; the President will appoint three (3) staff and three (3) students. At the Health Sciences Center, eight (8) faculty will be appointed by the Faculty Senate,

eight (8) staff members appointed by the Employee Liaison Council, and eight (8) students by the Student Government Association. The terms of appointment shall be for three (3) years with initial terms of 1, 2, and 3 years in each category to provide the staggered membership, except that each student shall be appointed for a one year term.

The EO/AA Officer or his/her designee shall preside at a drawing to determine the members of the Hearing Panel. The drawing shall be from the pool of names as outlined in the above paragraph. Names of persons shall first be removed from the pool who; (1) have direct involvement or knowledge of the incident involved; (2) are employed in the same budget unit; and (3) are related to either party in the grievance. The remaining names shall be placed in a container, and the drawing shall be made to determine the five members who are to serve on the Hearing Panel. Prospective panel members who have been determined by the drawing shall be asked to disqualify themselves should there be any possibility of their having a biased opinion concerning the grievance. For example, a close friend shall disqualify himself/herself. When, for any reasons, prospective panel members disqualify themselves, additional names shall be drawn from the container until a full panel is constituted. Either party to the complaint may ask the EO/AA Officer to disqualify any member of the Hearing Panel upon a showing of cause.

**c.) Conference** - Within 10 calendar days of receiving notification, or as soon as practical, the EO/AA Officer shall convene the Hearing Panel for an orientation conference and an informal discussion of the grievance. The panel will select a Chair of the Hearing Panel (hereafter referred to as the Chair) from the group of five Hearing Panel members. The EO/AA Officer shall be present during the informal discussion. At the beginning of the conference, the EO/AA Officer shall conduct an orientation for the panel members. Each panel member shall be given a copy of the written complaint, the request for a hearing, and the written response. No witnesses will be heard during the orientation conference. After the selection of a Chair and after the orientation is delivered to the panel members, the EO/AA Officer shall be excused. At that time the Hearing Panel will reach a decision as to whether there exist adequate grounds for a hearing. If the Panel decides at its pre-hearing conference that there is no basis for a hearing, it shall report the determination in writing to the proper executive officer with a copy to the President and the EO/AA Officer. The Executive Officer shall render his or her decision on the matter in writing to each of the parties involved in the informal proceedings.

**d) Informal Hearing** - In the event the Hearing Panel determines that there is a basis for a hearing, the Chair shall convene the panel for an informal hearing. Each panel member shall be given a copy of the Hearing Guidelines. The parties involved will be present at the informal hearing. No witnesses will be heard. The Chair of the Hearing Panel shall notify the parties of the date, time and location of the informal hearing. The hearing shall be scheduled to reasonably ensure that the complainant and respondent are able to participate. Upon request of the Chair, Legal Counsel may serve as an adviser to the Hearing Panel.

At all meetings, each party may be accompanied by an adviser. In the event that a party chooses to be advised by an attorney he/she may do so at his/her expense. If an adviser is used, the name of the person so assisting must be furnished to the Panel and the other party 10 calendar days in advance of the hearing conference. Advisers may advise their clients but may not directly address the Hearing Panel.

In the event the matter is resolved to the satisfaction of all parties prior to the formal hearing, a written statement shall indicate the agreement recommended by the parties and shall be signed and dated by each party and by the Chair. The recommendation will be referred to the appropriate Executive Officer for final determination.

In the event the panel by a majority vote decides at the informal hearing that there is no basis for a formal hearing, it may recommend that the grievance be dismissed. The panel shall report the recommendation in writing to the appropriate Executive Officer, with a copy to the President and the EO/AA Officer. The Executive Officer shall render his or her decision on the matter in writing to each of the parties involved in the informal hearing.

**e) Formal Hearing** - In the event that the panel determines the need for a formal hearing, The Chair will convene the panel and the parties for a formal hearing. The Hearing Panel procedures shall be established with reference to the Hearing Guidelines and shall provide that the parties may present all of the evidence that they consider germane to the determination. Further, the parties may call witnesses to testify and may cross-examine witnesses called by the other party. The hearing shall be closed unless all principals in the case agree to an open hearing. Audio tape recordings of the proceedings shall be arranged by the Chair and paid for by the University. Transcripts may be charged to the requesting party. In cases of alleged sexual assault on students, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding and both shall be informed of the outcome of the proceeding.

The Chair shall notify the parties of the date, time and location of the formal hearing. Parties are responsible for giving such notice to their witnesses. The hearing shall be scheduled to reasonably ensure that the complainant, respondent, and essential witnesses are able to participate.

In the event the matter is resolved to the satisfaction of all parties prior to completion of the formal hearing, a written statement shall indicate the agreement recommended by the parties and shall be signed and dated by each party and by the Chair. The recommendation will be referred to the appropriate Executive Officer for final determination.

**f) Panel's Findings and Recommendations** - In the event that no solution satisfactory to the parties is reached prior to the completion of the formal hearing, the Panel shall make its findings and recommendations known to the proper executive officer, with copies to the President and the EO/AA Officer. The Panel's report, with its findings and recommendations, shall be prepared and properly transmitted within seven (7) calendar days after conclusion of the formal hearing.

**g) Executive Officer's Decision**- Within 15 calendar days of receipt of the Hearing Panel's findings and recommendations, the proper executive officer shall inform the complainant and the respondent of the findings of the Hearing Panel and the officer's decision. A copy of the officer's decision shall be transmitted to the Chair of the Hearing Panel, with copies to the President and the EO/AA Officer. In a case investigated initially by an administrator, the administrator also shall be informed of the officer's decision. In the event the allegations are not substantiated, reasonable steps in consultation with the accused may be taken to restore that person's reputation.

**h) Appeal to the President** - The Executive Officer's decision may be appealed to the President within 15 calendar days of being notified of prospective action or of action taken, whichever is earlier. If the President does not act to change the decision of the Executive Officer within 15 calendar days of receiving the appeal, the decision of the Executive Officer shall become final under the executive authority of the President. To contact the Equal Opportunity and Affirmative Action Office: Norman Campus-Evans Hall, Room 102 or telephone (405) 325-3546; Health Sciences Campus- Services Center, Room 113 or telephone (405) 271-2110.

**5.25 UNIVERSITY OMBUDS SERVICE** - The University Ombudsperson serves faculty and staff on the Norman Campus in the areas of dispute resolution and mediation of campus-related issues. The Ombudsperson also provides information about faculty and staff grievance procedures and the administrative appeals process. The office of the Ombudsperson is located in Room 213 of the Bizzell Memorial Library.

**5.26 COMMUNICABLE DISEASE POLICY** - The purpose of this policy is to inform faculty and staff members about how the University of Oklahoma will respond to faculty and staff with a communicable disease.

The university wishes to provide a workplace free of hazards and will take reasonable precaution to protect faculty and staff members from peers and others who are known to have communicable diseases.

Information on the communicable disease policy can be obtained from Human Resources on the Norman campus. Educational Services at the Oklahoma City campus provides the policy for the Health Sciences Center and College of Medicine-Tulsa.

**5.27 BRIGHT IDEA SUGGESTION PROGRAM - Purpose** - The purpose of the Bright Idea Suggestion Program is to give faculty, staff and students of the University of Oklahoma an opportunity to directly improve university operations and to provide recognition and/or monetary awards for adopted ideas.

**Responsibility.** The Vice President for Administrative Affairs on each campus has responsibility for implementation of the Bright Idea Suggestion Program. Coordination and administration are handled by the directors of human resources. Each suggestion is to be submitted in writing on a Bright Idea Suggestion form to Human Resources where it will be date stamped, recorded and reviewed by the Bright Idea Suggestion Committee and the department affected by the suggestion.

**Eligibility.** All active members of the faculty, staff or student body except members of the Bright Idea Suggestion Committee are eligible to submit ideas for consideration. Persons submitting a joint suggestion will share the award equally. When the same suggestion is submitted separately by two or more persons, only the person who first submitted the suggestion is entitled to an award.

**Committee Structure.** The Bright Idea Suggestion Committee will be composed of seven members serving two-year terms as follows: one member appointed by the Staff Senate (Norman campus), one member appointed by the Faculty Senate on each campus, one member appointed by the Employee Liaison Council (Health Sciences Center), one member appointed by the Student Association on each campus, and one member to be appointed by the president to serve as chair. A member of the president's staff will also be appointed by the president to serve as an ex-officio or permanent member. The committee will be responsible for deciding winners of all monetary awards and certificates of appreciation.

**Awards.** A total of five monetary awards and any number of certificates of appreciation will be given each fiscal year. A monetary award may be given when an idea is implemented and its benefits documented. Monetary awards may range from \$50 to \$1,000 per award

based on merit and potential tangible or intangible savings as decided by the Bright Idea Suggestion Committee. All decisions by the committee are final. A person receiving recognition will receive a letter of appreciation. Copies of letters to faculty and staff will be sent to supervisors and to permanent personnel files. Suggestions received too late in the fiscal year to be considered and implemented will be scheduled for consideration for the next fiscal year as decided by the Bright Idea Suggestion Committee. The committee can also recommend to the president that departments implementing the highest percentage of suggestions be recognized. An awards presentation will be held annually.

**5.28 EMPLOYEE FINANCIAL OBLIGATIONS( approved 7-11-1997) - Policy** - Faculty, staff, and student employees of the University of Oklahoma shall be required to pay all outstanding financial obligations due the University of Oklahoma in accordance with the due dates established for such obligations. Faculty, staff, and student employees who do not pay their past due financial obligations as indicated on the billing statement will be subject to the University's collection processes. The administration is directed to establish procedures at the Norman Campus and Health Sciences Center to provide the means for the university to gain access to the funds to which it is entitled.

#### **Procedure (Norman Campus)**

**(1) Communication of Policy** - Faculty, staff, and student employees should be informed of this policy at the time of their appointment and at the time they purchase goods and services on credit from University departments.

**(2) Determination of Creditworthiness**--University departments selling goods or services on credit to university employees have the responsibility to determine the university related creditworthiness of the employee. Prior to the provision of goods or services on credit to an employee, the selling department should access the university's accounts receivable system to determine if the employee is past due on any university charges. Based upon the status of the employee's account, the selling department shall make a managerial decision as to whether or not to sell goods and services on credit to the employee.

#### **(3) Collection Procedures-**

(a) For purposes of implementing this policy, the following account aging guidelines shall apply:

- charges appearing on a Bursar statement for the first time are considered to be CURRENT charges.
- charges are considered to be 30 DAYS PAST DUE if they are outstanding on the second Bursar statement.
- charges are considered to be 60 DAYS PAST DUE if they are outstanding on the third Bursar statement.
- charges are considered to be 90 DAYS PAST DUE if they are outstanding on the fourth Bursar statement.

(b) Monthly, after the mailing of the Bursar statements, the Collections Office will identify university employees with outstanding charges that are 90 OR MORE DAYS PAST DUE. Excluded from this process are student employees (including Graduate Assistants) who are paying their account in accordance with the university's tuition and fee payment plan, or who have made alternative payment arrangements with the Collections Office.

(c) The Collections Office will send a letter to each employee identified above. The letter will: (1) Require payment in full or a response sent to the Collections Office within 10 calendar days, (2) Request written notification to the Collections Office and the charging department if the past due charges are being disputed, and (3) Request the employee to contact the Collections Office to establish a payment agreement, if the employee cannot pay the outstanding debt in full. The Collections Office will attempt to establish a payment agreement that is based upon the amount of the outstanding debt, the employee's income, and the age of the debt.

(d) If the employee does not: (1) Pay the outstanding debt in full, or (2) Contact the Collections Office to establish a payment agreement, or (3) Make payments as agreed to in a previously accepted payment agreement, or (4) Dispute the charges within 10 calendar days, the Collections Office will refer the account to the Office of Legal Counsel.

(e) Garnishment--If the employee with outstanding debt to the university fails to satisfy this debt through the procedures outlined above, the Collections Office will refer the account to the Office of Legal Counsel for collection. The Legal Office will be responsible for monitoring and collecting on (1) payment agreements that the Office of Legal Counsel makes with an employee, (2) judgments, and (3) garnishments. Payments received as a result of a garnishment will be forwarded to the Office of Legal Counsel.

**4. Disputed Charges** - If an employee disputes a charge, he/she must provide written notification to the Office of the Bursar and the department originating the charge. Within 30 calendar days of receipt of the written notification, the originating department must verify the validity of the charge or issue appropriate adjusting transactions. If the department does not respond within 30 calendar days, the Collections Office will process an adjusting transaction to remove the disputed charge from the employee's account and to charge it back

to the selling department. Upon receipt of written notification from the charging department that the disputed charge is valid, the Collections Office will pursue the collection of the debt in accordance with the procedures outlined above.

**5.29 University Of Oklahoma Health and Safety Policy (approved March 19, 1996)-** "The University is committed to providing a safe and healthy environment for the entire University community and to complying with all applicable Federal and State laws and regulations pertaining to occupational and environmental safety. 'Academic and administrative personnel with supervisory and teaching roles must ensure that procedures are developed and followed which are designed to prevent injury, protect the assets of the University, and protect their environment. 'It is the responsibility of all University faculty, staff and students to follow safe working practices, obey health and safety rules and regulations, and work in a way that protects their health and that of others, and does no harm to the environment."

**5.30 Bicycle Policy (January 1, 2005)-** Any bicycle operated on the University campus shall be registered with the University Department of Public Safety ("DPS" or "Campus Police") through the University and City of Norman joint bicycle registration program. This requirement applies regardless of whether the owner is a student, faculty or staff member. Registration is at no cost. Bicycle operators may contact Campus Police or the Safe Walk Office for information about how to register. Bicycles shall be parked only in designated racks placed on campus. Bicycles secured to campus fixtures other than designated racks shall be subject to removal without prior notice. The responsibility for the security of parked bicycles rests with the owner. The University shall not be responsible or liable in any way for lost, stolen, or damaged bicycles. Bicycles shall also be kept in good working order and shall not be allowed to deteriorate or become otherwise derelict. The University may remove any bicycle that appears to be abandoned. A bicycle that is observed to be apparently parked in the same location longer than two weeks or that is apparently broken, inoperable, or derelict, shall be considered abandoned. If a removed bicycle is registered under this policy, the University will try to contact the registered owner to arrange for removal. If an abandoned bicycle is not registered, the University may remove it immediately. The University is not responsible for the cost of locks, chains, other security devices, or any other item that may be damaged or destroyed as a result of removing any bicycle. The University may dispose of any bicycle that has been in storage longer than three months. The University may destroy or otherwise dispose of any removed bicycle. Any owner wishing to reclaim a removed bicycle from the University shall produce evidence of ownership. The University may charge fines for reclaiming removed bicycles. Payment of fines shall be the responsibility of the bicycle's owner, and not be subject to appeal.

### **5.31 Media Sanitization Policy (Summary)**

When declaring electronic media (hard drives, floppy diskettes, CDs, DVDs, flash drives, tapes, cell phones, mobile devices, etc.) as excess, departments must ensure that all Category II and Category III data contained on these items is not vulnerable to theft or electronic compromise. This is called media sanitization. Media sanitization comprises all actions necessary to protect data on surplus or end-of-life University-owned media from unauthorized access. Prior to media sanitization, a department should ensure compliance with any known Legal Hold Notices and records retention requirements for data contained on the media by consulting with designated OU officials, (e.g., Open Records Act Officer, Legal Counsel, records retention officers, or departmental or university privacy officers). Following sanitization, departments must maintain a sanitization record for each item. The record should detail the type of media, date, sanitization method, and the final disposition of the media (sold, recycled, returned, etc.).

Resource Documents:

**Data Classification Policy** - [https://webapps.ou.edu/security/policies/Data\\_Classification\\_Policy.pdf](https://webapps.ou.edu/security/policies/Data_Classification_Policy.pdf)

**Media Sanitization Policy** (full text, methods, and definitions) [https://webapps.ou.edu/security/policies/Media\\_Sanitization\\_Policy.pdf](https://webapps.ou.edu/security/policies/Media_Sanitization_Policy.pdf)

