Texas Wesleyan
UNIVERSITY

EMPLOYEE
HANDBOOK

2026-2027



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1.0 Introduction

Welcome to Texas Wesleyan University ("University")! The University's employees are a valued asset and fundamental to its success. We depend on each employee to provide the best customer care to our students so that they can be prepared for their future pursuits. We thank each of you for your service and commitment to the University.

We hope that your experience here will be challenging, enjoyable, and rewarding. This handbook is designed to assist employees and volunteers with basic information concerning expectations, policies, procedures, practices, and benefits related to their employment with the university. University employees are expected to be familiar with and abide by the contents of this handbook, as well as other policies that may be applicable to their employment, but that are not contained in this manual.

For employees who work out of state, all applicable policies and procedures may not be contained in this handbook. Employees who reside out of state must contact Human Resources with any questions about specific policies that may apply to them. Employees are responsible for reporting their current or any change in address to Human Resources.

There are also several employment policies related to this Handbook. Below is a non-exhaustive list of policies for reference. Please contact Human Resources if you have any questions.

- Title IX
- Freedom from Harassment and Discrimination: Other Protected Characteristics Policy
- Promotion Policy
- Telecommuting Policy
- Educational Assistance/Tuition Waiver Policy
- Motor Vehicle Safety and Authorized Driver Policy
- Blood Borne Pathogens Exposure Control Plan
- Medical Assistance Policy
- Hazard Communication Plan
- Severe Weather Recommended Safe Areas
- Pet and Stray Animal Policy
- Foreign National Employment Policy
- Social Media Policy
- Service and Emotional Support Animal Policy
- Minors on Campus Policy
- Expense Policy
- Document Retention Policy
- Political Action Policy
- University Policy on the Use of Generative Artificial Intelligence (AI) Tools
- Travel Policy
- Cash Advance Policy
- Employee Expense Reimbursement Policy
- Introductory Period Policy

1.1 Amendments and Administration

The University may unilaterally modify, suspend, or cancel any or all of its policies, procedures, practices, or benefits at any time, with or without notice to its employees. However, the University shall endeavor to effectively inform its employees of any changes through normal communication channels. The University may update or amend this handbook as necessary to address operational, procedural, or routine items, but any substantive changes to this handbook must be approved by the President and Board of Trustees.

Human Resources maintains the employee handbook. Any questions regarding the handbook or interpretation of any policy within the handbook should be referred to Human Resources.

1.2 Notice of Benefit Summaries

To the extent that the handbook contains summaries of employee benefit plans or programs, the provisions or obligations of the actual plan or program document will prevail over summaries.

1.3 Disclaimer

This is not a legally binding document, nor is it to be considered a contractual agreement. It is, however, to serve as a general policy and procedure handbook for all employees and as a source of general information regarding benefits. If any policy, as stated within, is in direct conflict

with state or federal law or a provider's contractual agreement, then the state or federal law or contractual agreement shall prevail.

1.4 Faculty and Student Employees Policies and Procedures

Faculty and student employee policies and procedures that apply only to faculty or student employees are not contained in this handbook. **However, faculty and students are required to follow general policies established by the University regardless of the source, including this handbook.** Employees holding faculty status should refer to the Faculty Handbook, and Faculty Guide, or contact the Office of the Provost. Student employees and their supervisors should refer to the Student Employment Handbook for more specific information about student employment.

2.0 Mission Statement

Texas Wesleyan University, guided by its deep Methodist heritage, provides transformational learning experiences and research opportunities to a diverse group of students to develop their full potential as individuals and as members of the world community.

The university's faculty and staff engage in scholarship and research that inform teaching and advances knowledge and understanding, as well as innovative teaching skills and delivery modalities to afford each student with individual attention to develop critical thinking, analytical reasoning, and creative problem-solving skills through a small community approach that allows tailored student experiences in and outside the classroom.

With a belief that a liberal arts and sciences education develops the mental agility and social awareness to elevate socioeconomic mobility, the university's faculty and staff are dedicated to facilitating success among students from all backgrounds in all levels of undergraduate, graduate, and professional programs in persisting to college degrees that enhance their own lives, the lives of their families, and the strength of their communities.

3.0 Accreditation

Texas Wesleyan University is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award associate, baccalaureate, masters, and doctoral degrees. Degree-granting institutions also may offer credentials such as certificates and diplomas at approved degree levels. Questions about the accreditation of Texas Wesleyan University may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website www.sacscoc.org.

4.0 Employment-at-Will

The University is an employment-at-will employer, which means that just as any employee may conclude the employment relationship at any time for any or no reason, the University maintains the same right; **the employment relationship continues at the will of either party.**

Texas Wesleyan University establishes an introductory period for staff employees to support onboarding, clarify role expectations, provide early feedback, and assess performance and role fit. Please refer to the Introductory Period Policy link in this Handbook for more information.

Since employment is not guaranteed for any definite period of time, no provision in the handbook is, or should be, construed as a contract or legal obligation of either the University or the employee. The President has the day-to-day responsibility and authority to hire and discharge employees. The President may delegate certain aspects of the employment responsibility to staff.

5.0 Equal Employment Opportunity

Texas Wesleyan University is an equal-opportunity employer.

The University upholds its commitment to provide equal opportunity to all employees and applicants for employment in all phases of employment, including, but not limited to, recruiting, hiring, placement, compensation, benefits, promotion, demotion, discipline, transfer and termination. The University shall not discriminate in the employment context against any individual because of race, color, religion, creed, national or ethnic origin, gender, age, disability, veteran's status, sexual orientation or any other reason prohibited by applicable federal, state or local laws.

Concerns about discrimination should be reported to the employee's supervisor, appropriate divisional Vice President, Director of Human Resources or the Human Resources Manager immediately. If the employee's complaint of discrimination is not adequately addressed, the employee should follow the Freedom from Harassment and Discrimination policy.

5.1 Retaliation Policy

Texas Wesleyan University prohibits all unlawful retaliation against any individual, including, but not limited to, those who in good faith report harassment or discrimination. Retaliation is an adverse action taken against an employee or student because the individual was engaged in protected activity.

This section is not intended to prohibit employees from discussing terms and conditions of employment with others, reporting to the government possible violations of applicable federal or state laws or regulations, or making other disclosures to the government protected under the whistleblower provisions of applicable federal or state laws or regulations.

An employee who believes that they or any other individual have been subjected to retaliation in violation of this policy or any employee who learns of, observes, or has a reason to be concerned about retaliatory conduct is encouraged to promptly report the facts and names of the individuals involved to the Office of Human Resources, or anonymously through the campus hotline.

Anyone who engages in retaliation will be subject to disciplinary action, up to and including termination of employment. This policy prohibits and does not protect employees who knowingly and intentionally report false claims. Employees with questions about the scope and application of this section are encouraged to contact the Office of Human Resources.

6.0 Organization of the University

The governance of the University is vested in a Board of Trustees, as provided in its 1890 charter. The full Board of Trustees meets in regular session (usually three times per year) and at such other times as may be needed. The Board elects the President of the University, manages the property of the University, and determines general university policy.

6.1.0 Administrative Organization

The University has a line-and-staff organization. See the Human Resources webpage for the Organizational Chart and listing of administrative positions. The President has the authority to develop the organization necessary to carry out the activities of the University.

6.1.1 President and Executive and Senior Staff

The President is the chief executive officer of the University and is directly responsible to the Board. The President is responsible for overseeing all programs and operations of the University within the guidelines and the policies established by the Board. The Provost, Vice Presidents, Athletic Director, and General Counsel report directly to the President and make up the President's Cabinet. The Provost/ Senior Vice President, the Vice Presidents, the Academic Deans, the Associate Provosts, Associate Vice Presidents, the Controller, the Registrar, the Faculty Chair, the Athletic Director, the Director of Campus Safety and Security, Director of Human Resources, the Executive Director of Facilities and the President comprise the membership of the Senior Staff, which meets regularly to consider the policies and administration of the University. In the absence of the President, the Provost/Senior Vice President presides at University meetings and functions. The composition of Senior Staff may be changed at the discretion of the President.

6.1.2 Provost/Senior Vice President

The Provost/Senior Vice President directs the overall academic program of the University. Responsibilities of the position include overseeing university academic planning, curriculum, faculty, library, and academic life of the University and directing the academic programs and support services of the four schools, Arts and Sciences, Business Administration, Education, and Health Professions through the academic deans. The Associate Provosts, Deans of the schools, and the Director of Institutional Research, Center for Excellence in Teaching and Learning (CETL) and the West Library report to the Provost/Senior Vice President.

6.1.3 Vice President of Administration and Finance

The Vice President for Finance and Administration is responsible for university-wide budgeting, accounting, auditing, purchasing, plant and facilities operation, risk management, information technology, student financial services, and human resources. Reporting to the Vice President for Finance and Administration are the Controller, Executive Director of Facilities Development Operations, and the Director of Human Resources.

6.1.4 Vice President of Student Affairs (VPSA)/Dean of Students

The Vice President for Student Affairs (VPSA)/Dean of Students is the chief student affairs officer, reporting directly to the President and serving as a member of the President's Cabinet. The VPSA is responsible for providing executive level leadership and vision for the Division of Student Affairs. The

VPSA works collaboratively with other members of the senior leadership team to foster a climate focused on student success, service excellence, and data- informed decisions in alignment with the mission, vision, and goals of Texas Wesleyan University. The Division of Student Affairs includes the functional areas of campus security, career services, the fitness center, student organizations, spiritual life, retention, housing and residence life, student leadership and volunteerism, orientation and new student experiences, student conduct and civility, student engagement, Title IX oversight, and transition programming.

6.1.5 Vice President of University Advancement

The Vice President for University Advancement is responsible for university development, institutional advancement, and alumni activities. The Vice President coordinates the accrual of financial and other resources supporting the various programs of the University and directs the Annual Fund Drive, which raises funds for the general operating budget, scholarship, and endowment programs of the University. This office maintains relationships with community organizations and businesses.

6.1.6 Vice President of Enrollment Management

Serving as the University's chief enrollment, marketing and communications officer, the Vice President acts as a strategic and practical advisor to the President, executive staff and the Board of Trustees in the development and execution of the University's overall leadership, vision and management of the school's enrollment, marketing and communication plans. The Vice President provides leadership for all aspects of the University's efforts to engage the public through admissions, recruitment, marketing, digital communications, media relations, social media, publications, and editorial strategies.

6.1.7 Academic Deans

Each school—Arts and Sciences, Business Administration, Education, and Health Professions—has an academic dean who oversees and administers its academic programs. The dean's responsibilities include teaching; overseeing classroom instruction; managing school planning and assessment process; administering the school's budget; supervising the selection of new faculty and staff; evaluating faculty performance; formulating recommendations regarding tenure, promotion, and salary increases for faculty and those staff assigned to the school; encouraging innovative course offerings; and representing the University in a public relations role in the community. Each dean serves on the Committee on Academic Affairs, advises students, oversees degree plans, and evaluates proposed curriculum changes within the school. The deans also serve on the Provost Council with the chairperson of the Faculty Council/Assembly in an advisory capacity to the Provost/Senior Vice President.

6.1.8 Library Director: The Eunice and James L. West Library

The Director of the Eunice and James L. West Library supervises the overall operation of the West Library. These responsibilities include preparing and overseeing the library budget; coordinating the acquisition, cataloging, and filing of library material; developing library policies; planning and assessment of library services; managing the security of library materials; supervising the selection of new library faculty and staff; and conducting evaluations of library faculty and staff. The Director of the West Library holds faculty status as a University Librarian.

For matters involving library faculty and staff of the West Library, the Director serves as a dean and makes recommendations regarding tenure, promotion, and salary increases to the Provost/Senior Vice President.

6.1.9 General Counsel to The University

The General Counsel provides legal advice regarding work-related legal matters and inquiries, legal matters involving outside agencies or individuals and serves as the University's primary liaison with retained outside legal counsel.

6.1.10 Other Directors

Other director positions may, from time to time, be created to assist the Vice Presidents. These appointments are staff appointments and do not carry faculty status or rank. Directors are appointed in keeping with university personnel guidelines. The directors serve on advisory councils as appropriate to Senior Staff.

6.1.11 Administrative Searches

The President may fill staff positions at his or her discretion and may use a search committee. The process for Cabinet members is outlined in the faculty handbook. The senior officer to whom the individual reports will fill open administrative positions at their discretion as well and may use a search committee. These positions include but are not limited to, Associate or Assistant Vice President or director positions.

7.0 Administrative Policies and Procedures

7.1 Employment Eligibility

Under the Immigration Reform and Control Act of 1986 (IRCA), the University may hire only persons who may legally work in the United States (U.S.): citizens and nationals of the U.S. and aliens authorized to work in the U.S. The University must verify the identity and employment eligibility of anyone to be hired, which includes completing and retaining the Employment Eligibility Verification Form (I-9). **New employees must provide the information necessary to complete the I-9 on their first day, but no later than their third day of employment.** Failure to provide the required information by the third day shall result in the employee's inability to work and may result in the withdrawal of the offer of employment.

7.1.1 Confidential Benefit Enrollment Information

Following an offer of employment, employees may be required to furnish protected information for purposes of enrollment in benefit plans. Information of this type shall be kept strictly confidential and will not be used in employment-related decisions.

7.1.2 Driver's License

If an essential function of a position requires the employee to operate University vehicles, it is required that the employee provides verification of a current Texas driver's license and the University acquires a copy of their current driving record (MVR). A good driving record as established by the

University's Motor Vehicle and Authorized Driver Policy also may be considered an essential function of the position.

7.1.3 Suitability Examinations and Drug Screening

After issuing a job offer, the University may require, as a condition of employment, potential employees to submit to an examination by a physician selected by the University if the essential functions of the job warrant such an examination or drug screening. Examinations and screening procedures of this type will be nondiscriminatory and either all applicants or none of the applicants for a specific job or job category, as established by the University, will be screened in this manner. Examinations and drug screening will be at University's expense. Results are confidential.

7.1.4 Background Investigations

The University conducts background investigations, including credit, job references or criminal conviction history for all job categories of any potential employee for the purpose of determining the suitability of the potential employee to satisfactorily perform the essential functions of the position. If conducted by a third party, background, criminal history or credit checks shall be in full compliance with any applicable regulations contained in the Fair Credit Reporting Act (FCRA).

The University may also conduct background checks in connection with an on-going investigation of potential employee misconduct. Specifically, if required under FCRA, the University shall provide disclosure that the investigation will be made and receive authorization from the applicant.

7.2 Policy on Personal Relationships

Texas Wesleyan University is committed to providing a safe and equitable working and education environment for all members of its community. Certain personal or romantic relationship between employees or between employees and students undermines this commitment.

This policy speaks primarily to relationships between employees, or between employees and students. To promote fairness, integrity, and avoid conflicts of interest, the same requirements and restrictions apply to volunteers, interns, or other individuals providing services to the institution, whether paid or unpaid, as set out below.

For purposes of this policy, an intimate personal relationship involves more than a platonic friendship, and could include a family relationship, cohabitation, dating or romantic relationship, or a sexual relationship. An intimate personal relationship within the scope of this policy is not intended to include ordinary professional interactions or relationships, including between mentor-mentee or working relationships in the furtherance of ordinary professional pursuits or collaboration. The University reserves the right to treat other relationships within the scope of this policy if they pose similar issues or risks identified in this policy. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Any questions about the scope of this policy should be directed to the Office of Human Resources.

Familial or Personal Relationships Between Employees

The employment of relatives or persons with whom an employee has a familial or intimate personal relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality or harassment in treatment at

work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships. **For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage (e.g. significant other or partner).**

All employees must disclose a familial or intimate personal relationship with another employee at Texas Wesleyan University to the Office of Human Resources. This disclosure must occur within 30 days of the relationship's start or change (e.g. marriage), regardless of reporting lines. Failure to disclose the personal relationship may result in disciplinary action.

Relatives of current employees or persons with whom a current employee has an intimate personal relationship may not occupy a position that will be working directly for or supervising their relative or intimate personal relation, including student workers. The University also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in an intimate personal relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative or intimate personal relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the employee involved in the relationship to disclose the existence of the relationship to their supervisor or to Human Resources. Failure to disclose the relationship may result in disciplinary action. The individuals concerned will be given the opportunity to decide which one will seek and transfer to another available position. If that decision is not made within 30 calendar days, the department head will decide whether one or both employees will be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship must refrain from public workplace displays of affection or excessive personal conversation.

The University values the time and contributions provided by volunteers and others who support the University's mission. In order to promote fairness and avoid conflicts of interest, an employee may not recruit, supervise, or influence the selection of a volunteer, intern, or other individual providing services to the institution if that individual is a relative or has an intimate personal relationship with the employee. To allow the Office of Human Resources to appropriately manage and promote the work of volunteers and others, employees must disclose a familial or intimate personal relationship with a volunteer, intern, or other individual providing services to the institution to the Office of Human Resources. Depending on the situation, the University might reassign duties or supervisory responsibilities to promote the involvement of volunteers, decline the offered services, or terminate the services provided to the University.

Familial or Personal Relationships Between Employees and Students

With respect to students, there are many ways problems may arise as a result of an intimate personal relationship between a student and employee, even if consensual. In addition, faculty and staff members at the University are expected to maintain appropriate professional boundaries with students in order to ensure a clear focus on a student's learning and development. Faculty and staff must conduct themselves in a way to avoid the appearance or actuality of an abuse of power, bias and favoritism, or conflict of interest in their interactions with students.

As a result, the University prohibits relationships of a personal intimate, dating, or sexual nature between faculty or staff and any student with whom the faculty or staff member has a professional responsibility, even if the relationship is consensual. The definition of professional responsibility for purposes of this policy is broad and may include, but is not limited to, administrative (including business services), supervisory, advising, athletics, university-sponsored activities or events, and any other direct or indirect educational or University employment related control that gives the faculty or staff member authority or power, or the perception of authority or power, over the student that could subsequently affect the student's academic or work environment and/or success. These types of relationships are subject to discipline, even when there is no direct relationship with authority/power that could be exerted over the student.

Any faculty or staff member must report a personal intimate, dating, or sexual relationship with a student to the Office of Human Resources, and should do so prior to initiating or beginning such a relationship. Failure to disclose the relationship may result in disciplinary action.

In addition, faculty members may not teach or take any action that may influence the grade of an immediate family member enrolled at the University. Immediate family members are defined as the spouse, significant other, children (natural, adoptive, or step) or any dependent person residing with the faculty member. In the event that no other classes are available for the immediate family member, the faculty member should report the situation to the Office of Human Resources.

7.3 Hiring Procedures for Budgeted Positions

Hiring managers must create a job posting request in the Texas Wesleyan applicant tracking system site at (txwes.peopleadmin.com/HR) for the appropriate approvals. Human Resources must review and approve all new and revised job descriptions before posting in PeopleAdmin. A job posting may not be required under the University's Promotion Policy. Hiring managers should contact Human Resources for more information.

Hiring managers must complete an applicant tracking system and Interview skills and compliance training before posting a position.

After the reviews and approvals, the position posting is active for candidates to view on the *Texas Wesleyan Employment Opportunities* website. Hiring managers are encouraged to partner with Human Resources on advertising strategies.

After interviews have concluded and the hiring proposal has been approved, Human Resources sends the candidate an offer letter with the proposed hire date and contacts the candidate regarding the pre-employment process.

Upon successful completion of the pre-employment process, Human Resources will notify the Hiring Manager and candidate that the candidate is cleared to work for the University.

Candidates may not work for the University until the hiring supervisor is notified by Human Resources that they are cleared to work.

7.4 Job Descriptions

Job descriptions are developed by hiring supervisors or department heads for all positions and are on file in the Human Resources office. Such descriptions should outline general duties, responsibilities, essential functions and qualifications for each position. Job descriptions may not be all-inclusive. Supervisors may also assign additional responsibilities essential to conducting the business of the University. The Human Resources office must review and approve all new and revised job description. Employees must receive, read and sign a copy of their job description when they are hired and when significant changes in responsibility occur. Job descriptions must be reviewed by the supervisor and employee annually.

7.5 Performance Reviews

Supervisors are required to perform annual performance evaluations and submit the final executed evaluation to Human Resources. The appropriate supervisor reviews employees for compliance with performance standards and essential functions of their job at least annually. Although the Human Resources office typically coordinates performance reviews on an annual basis, department heads may establish more frequent reviews. Performance evaluations are used to identify employees' job-related strengths and weaknesses and to develop goals or objectives for the improvement of individual performance. They may be used for compensation purposes. Signed copies are maintained in the Human Resources office in the employee's personnel file. An employee's signature acknowledges only that the employee received and understood the evaluation, not that the employee necessarily agrees with the evaluation. Employees with complaints regarding their evaluation are encouraged to discuss their concerns with their supervisor. Employees may document any additional information regarding their performance review for placement in their personnel file. Professional development plans must be attached to and a part of the performance review process.

7.6 Employment Classifications and Categories

Pursuant to the Fair Labor Standards Act (FLSA), all University employees are classified as follows.

Classifications:

7.6.1 Non-exempt Employee

Any salaried or hourly employee who is not exempt from the minimum wage, overtime, and record-keeping provisions of the FLSA. Employees are presumed to be nonexempt unless their job duties exempt them from the FLSA. The University reserves the right to designate any employee as non-exempt.

7.6.2 Exempt Employee

Any salaried employee exempt from the minimum wage, overtime and record-keeping provisions of the FSLA. Exempt employees typically are in an executive, administrative or professional position.

The exempt status of an employee is determined by exemption criteria established by the U.S. Department of Labor, Wage and Hour Division. The Human Resources department has the final responsibility in determining the exempt/non-exempt status of employees under the FLSA.

Categories:

7.6.3 Full-time Regular Staff

Any position in which the employee is regularly scheduled to work at least 30 hours per week. Employees in this category are eligible for full University benefits. Student workers, regardless of hours, are not considered full-time regular employees and are not eligible for benefits.

7.6.4 Part-time Regular Staff

Any position in which the employee is regularly scheduled to work less than 30 hours per week. Part-time employees may not be eligible for certain employee benefits.

7.6.5 Temporary Staff

Any position in which the employee is scheduled to work in a job assignment with a beginning and predetermined ending date. Ending dates may be shortened or lengthened at the University's discretion and with notification to an agreement with the employee. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees are not eligible for benefits other than those that may be legally mandated, such as workers' compensation insurance and social security. Individuals in temporary positions who are retrained from outside agencies are not considered employees of the University for purposes of benefits.

7.6.6 Nine Month Faculty

Nine-month faculty are exempt employees and are employed during the academic year, typically from August – May. Employees in this category are eligible for full University benefits, as outlined in this handbook. Please see the Faculty Handbook for further guidance.

7.6.7 Twelve Month Faculty

Twelve-month faculty are exempt employees and employed for a full calendar year. These positions may have administrative responsibilities and/or teaching responsibilities in year-round programs, as outlined in this handbook. Employees in this category are eligible for full University benefits, as outlined in this handbook. Please see the Faculty Handbook for further guidance.

7.6.8 Adjunct Faculty

Adjunct faculty are part-time, exempt employees and typically employed to teach a specific course on a semester by semester basis. Adjunct faculty are not eligible for most of the benefits outlined in this handbook, and are not guaranteed continued employment beyond the term of their contract. Please see the Faculty Handbook for further guidance.

7.6.9 Holding Two Positions Simultaneously

To ensure the University's compliance with FLSA standards, no employee may simultaneously hold a non-exempt position with any other position. Part-time employees may not hold any other position with the University that combined would make them full-time employees. Furthermore, a student

worker may not simultaneously hold any other permanent or temporary position within the University. An exempt employee must have supervisory approval to hold a second exempt position.

7.6.10 Volunteers

All Texas Wesleyan volunteers must complete a volunteer application/information sheet, a background check, a residency information form, and waiver of liability form. Background checks must be conducted on all prospective volunteers. Under no circumstances shall someone be allowed to volunteer without a background check.

Upon successful completion of the background check, the Human Resources Department will notify the department that the individual may start volunteering. The Human Resources Department will maintain a database of all active volunteers. It will be up to each department to notify Human Resources when someone is no longer volunteering within their department.

All volunteers will be unpaid and will not be eligible for any University benefits. Volunteering does not guarantee an individual future employment with Texas Wesleyan University. Volunteers wishing to work for Texas Wesleyan University shall follow the same process as all other applicants.

7.6.11 Internships

An internship is a monitored work or service experience that allows students to gain hands on experience in an occupational field. The structure of an internship can vary depending on the department.

All Texas Wesleyan University interns must complete a volunteer application/information sheet, a background check, a residency information form and waiver of liability form. Before engaging an intern, the relevant department must consult with Human Resources to ensure the internship is appropriate under the FLSA.

Per the Internship Programs Under The Fair Labor Standards Act:

The following are common characteristics of an internship:

The intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.

The internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.

The internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit.

The internship accommodates the intern's academic commitments by corresponding to the academic calendar.

The internship's duration is limited to the period in which the internship provides the intern with beneficial learning.

The intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.

The intern and the employer understand that the internship is conducted without entitlement to a paid job after the internship.

7.6.12 Independent Contractors

Before engaging individuals to perform services for the department, employees must check with Purchasing and Human Resources to determine if the services and manner that they are providing best fit a vendor or an employee relationship as determined by federal and state guidelines.

7.6.13 Internal Job Postings/Transfers

The University provides employees an opportunity to indicate their interest in open positions and to advance within the organization according to their skills and experience. Notices of regular, full-time job openings are posted, although the University reserves its discretionary right to not post a particular opening.

Job openings will be posted in Human Resources and on the University's website. Jobs will normally remain open for a minimum of five business days. Notice of openings will include the job title, job description, department, summary, essential duties, and necessary qualifications.

To be eligible to apply for a posted job, employees must have performed competently for at least six months in their current position. However, the current supervisor may waive the six months at their discretion. Employees who have received a written warning in the last six months, are on suspension or are on a leave of absence are not eligible to apply for posted jobs. Hiring supervisors should contact Human Resources for this information. Eligible employees only may apply for posted jobs for which they possess the required skills, competencies, and qualifications.

To apply for an open position, employees should submit a Current Employee application form letter of interest and resume to Human Resources listing job-related skills and accomplishments.

The University recognizes the benefit of developmental experiences and encourages employees to talk to their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization.

An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer also may be discussed.

Employees may also be eligible for a promotion, in the absence of a job posting, under the University's Promotion Policy.

7.6.14 Merit Increases

Merit increases are based on the results of performance appraisals. The amount of the merit increase, **if any**, is based principally upon the individual's overall performance, the individual's current salary level and available budgeted funds, as determined by the President and the Board of Trustees.

7.6.15 Promotion or Demotion/Salary Increases or Decreases

Increases or decreases in responsibility and authority may or may not result in a compensation change at the time of transfer, promotion or demotion, and any increase or decrease is subject to the same approval process as any other salary adjustment.

7.6.16 Professional Development

The University encourages employees to enhance their knowledge and skills and to network with other professionals. Employees are encouraged to enhance professional development through complimentary resources. The University recognizes that for development purposes, employees may need to attend training seminars or workshops conducted off-site or join professional associations that will enable them to remain abreast of best practices in their respective fields. Please note that professional development activities are subject to annual department budgets established for external training and memberships.

Training events must have a direct relationship to the job the employee performs. For work scheduling purposes, the employee's request for attendance must be received at least one month in advance of the event, and the employee's department manager must approve the request.

Employees may request payment or reimbursement for membership with a professional association. The association selected must have a direct relationship to the job the employee performs. The employee must provide a membership-request supporting document that outlines the benefits to be gained by the company as a result of such membership, and the association application and supporting documents must be presented to the employee's department manager for approval. The University may pay or reimburse an employee for costs associated with an employee’s professional licensure renewal or dues, provided that the license is required by the employee’s job description and approved by the employee’s supervisor.

Employees may contact Human Resources for additional professional development resources.

The University reserves the right to determine which training courses, certifications and association memberships are appropriate for payment or reimbursement.

Travel expenses may be permitted if the training is not available locally.

7.6.17 Overtime

Exempt employees are not eligible to receive overtime pay. Non-exempt employees shall be paid in compliance with FLSA standards. If non-exempt employees work more than forty (40) hours during a one-week pay period (Sunday at 12:00 a.m. through Saturday at 11:59 p.m.), they will be paid at the rate of "time and one-half" their regular pay rate for the overtime hours worked.

Overtime pay is paid for hours actually worked; a compensated absence, such as a holiday or sick leave, is not considered hours worked for purposes of overtime calculation. Non-exempt employees called into work on a break day or holiday will be compensated a minimum of two hours at overtime rates, double time, if applicable. **Overtime hours must be authorized in advance by the employee's supervisor. Non-exempt employees may not take it upon themselves to work overtime. Employees are not allowed to record time in and out for other employees under any circumstances and may be terminated if they do so.**

7.6.18 Pay Periods

Non-exempt employees are paid biweekly on every other Friday. Each two-week pay period for non-exempt employees begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m.

Exempt employees are paid on the last business day of each month. Pay periods for exempt employees begin on the first day of each month and end on the last day.

7.6.19 Timesheets

Staff employees and twelve-month faculty are required to keep an accurate record of time worked. This record must be completed bi-weekly for non-exempt employees. Exempt staff and twelve-month faculty must complete their time records every month. Time records must be completed by the employee, verified, and approved by the Payroll department's designated deadlines.

Vacation and sick leave must be recorded in at least one-hour increments. All leave requests must be approved by an employee's supervisor. Employees are expected to discuss their planned leave with their supervisor in advance to ensure adequate coverage and minimal disruption to operations. Supervisors may consider whether leave is required under the circumstances (e.g. for a doctor's appointment), or whether an employee's work schedule can be appropriately managed to account for a brief absence from work without using sick or vacation time. In all circumstances, employees are expected to follow all provisions in this handbook, including those relating to their attendance and other leave policies.

7.6.20 Attendance

The efficient operation of the University requires punctuality and regular attendance of all employees. Absence from work includes any time lost from the job, whether excused or unexcused, including failure to report to work, reporting to work late, or not remaining at work as scheduled. Attendance and tardiness are important factors in the evaluation of job performance. Excessive or habitual patterns of absenteeism and/or lateness on the part of employees are not permitted. Absences due to illness or other circumstances beyond the employee's control may still be considered excessive based on departmental needs. Absences that are covered by FMLA are not subject to disciplinary or corrective action.

It is the employee's responsibility to contact his or her supervisor, directly, before the scheduled starting time to inform the supervisor of the reason for the absence. If a supervisor is not available, the employee should contact the next person in authority to report the absence. If the University is closed, the absence must be reported within one hour of its reopening. This shall be done on the first day and consecutive days of an absence from the workplace.

If the foregoing policy is not followed, the supervisor may consider extenuating circumstances preventing prompt notification before taking disciplinary action. An absence of one or more consecutive days, without notifying the appropriate supervisor, may be considered a voluntary termination. Excessive tardiness, absenteeism, or falsification of time records are grounds for termination of employment.

7.6.20.1 Normal Workweek

The normal workweek for University employees is 40 hours per week; however, some positions are designated at fewer than 40 hours per week. The University's general business hours are Monday through Friday from 8:00 a.m. until 5:00 p.m.

Department managers have the authority to structure individual working conditions and hours to fit the demands of the respective areas. Employees' regular workweek may include Saturday and Sunday. The pay period for a non-exempt employee is Sunday through Saturday.

7.6.20.2 Break and Rest Periods

Non-exempt employees are allowed two paid 15-minute rest periods during the day and an unpaid lunch break of at least 30 minutes. The break schedule should be approved in advance by the employee's supervisor, in recognition of the department's needs and schedules. Break periods are not guaranteed. Employees may take their breaks after notifying designated employees in order to cover workstations. Employees should make every effort to take their breaks in a timely manner. If they are unable to accommodate uninterrupted break periods, they must notify their supervisor immediately.

7.6.20.3 Nursing Mothers

The University will provide nursing employees with reasonable break times to express milk. The frequency, duration, and timing of these breaks may vary depending on the employee's particular circumstances. The University will provide nursing employees with a private space for nursing. Employees with any questions or concerns about break times or private spaces for nursing are encouraged to promptly contact Human Resources.

7.6.20.4 Remote Work

Remote work may be available to employees, within their job role, who are able to complete work from an off-site location and who have received approval to work remotely. No employee is entitled to or guaranteed the opportunity to engage in remote work. Even if approved, a remote work arrangement may change based on performance concerns, changing operational needs, or any other non-discriminatory reason. Employees who would like to explore the option of remote work should communicate with their supervisor and Human Resources. More information and requirements about the remote work is outlined in the University's Telecommuting Policy. All employees must have an approved Telecommuting Agreement in order to engage in remote work.

7.6.20.5 Staff Teaching Assignments and Compensation

Staff members can have teaching assignments as part of their regular job description. In these cases, the salary for the job will include consideration of the teaching responsibility, and **there will be no additional compensation** for the teaching assignment.

Exempt staff members may teach, as needed, if the teaching assignment is not part of their regular job description, provided that they obtain prior approval from their supervisor. Staff should not teach more than one class per term or semester, absent extenuating circumstances to be determined by the Provost. The Provost will determine the appropriate compensation for the teaching assignment. The staff member will be expected to complete his/her normal duties in addition to fulfilling the teaching assignment, including devoting a minimum of 40 hours per week to the staff member's full-time position responsibilities while teaching.

7.7 Core Values

The University community is guided by certain core values – Connection, Commitment, Compassion, and Courage. These values are intended to serve as the foundation of each employee's work at the University, as well as guide each employee's interactions with each other and the students at the University. Employees are encouraged to refer to the Core Values as they encounter challenging situations, are asked to solve problems, or to otherwise help navigate demands that arise in their day.

7.8 Professionalism & Work Standards

Professionalism

Professionalism is a set of attributes, including a person's conduct, behavior, and attitude, that characterize the standards of a work environment. Professionalism underlies each of the University's core values and should serve as a guiding principle for each employee's work at the University. At an institution of higher education, each employee should exhibit professionalism in all of their activities in order to model the qualities and skills that will be required by the University's students in their future endeavors.

Regardless of their title, each employee should exhibit the professionalism required by their particular role at the University. The Faculty Handbook, for example, contains several provisions outlining the expectations for faculty members in this regard.

Among other qualities, professionalism necessarily requires a high level of work ethic, integrity, and etiquette. The provisions and requirements in this Employee Handbook are founded on the expectation that employees will demonstrate professionalism in their work on behalf of the University.

Work Standards

Without limiting its rights to terminate employment at any time, with or without cause or advance notice, violation of work standards and/or related misconduct may result in disciplinary action, up to and including immediate termination. University employees are expected to meet general standards of conduct while performing their job responsibilities. Including, but not limited to, employees shall not engage in any of the following conduct:

1. Indecent or discourteous behavior, including but not limited to, use of excessive profanity or inappropriate language in an academic or professional setting that is unrelated or unnecessary to further an academic or professional purpose.
2. Violent acts or threats of violence.
3. Dishonesty or disrespectful behavior toward employees, students, or guests.
4. Failure to observe all safety and other rules necessary for the safe operation

   of the University.
5. Falsification of records, including attendance records.

6. Unauthorized disclosure of confidential information.
7. Excessive tardiness or absence without proper notification of a supervisor or abusing or misusing paid sick leave.
8. Smoking on the Texas Wesleyan University campus; including perimeter areas.
9. Soliciting or circulating information on University property without permission.
10. Reporting for work under the influence of alcohol or drugs, or possessing illegal drugs or alcohol on University property or at University events.
11. Abusing University equipment or materials, or misappropriating University funds or other assets.
12. Using one's position of employment to gain unauthorized access to secure locations;
13. Personal use of University property or assets, or removal of University property or assets from University property without authorization.
14. Conducting business for personal gain on University property or time, or engaging in a conflict of interest activity.
15. Possessing firearms, explosive materials or other lethal or hazardous materials on campus.
16. Conducting oneself in a disorderly, deliberate, or reckless manner that causes either actual or potential loss, damage or physical injury to the University, its employees or students.
17. Fighting or provoking a fight, or attempting to do bodily harm to another individual while on University property or while on University business.
18. Behaving in an insubordinate or disrespectful manner to a supervisor or person in authority.
19. Interfering with the work duties of another employee.
20. Stealing or behaving dishonestly.
21. Conducting oneself in a sexually harassing or other threatening or harassing manner.
22. Failing to cooperate in any authorized University investigation.
23. Inappropriate use of e-mail or the Internet as described by policy.
24. Failure to participate in or complete training required by the University.
25. Any act or conduct that is discriminatory in nature toward another person's race, creed, color, national origin, gender, sexual orientation, age, religion or disability.

26. Sleeping during working hours.

7.8.1 Recording Policy

Purpose

Texas Wesleyan University encourages thoughtful use of meeting-recording technologies to support accessibility, operational efficiency, training, documentation, and collaboration. Recordings may capture confidential and sensitive information subject to privacy considerations, data retention, or other University policies. For this reason, the following requirements apply to all audio or visual recordings by employees at the University in the professional workplace setting. Unless otherwise noted, this policy does not apply to recordings in the academic or classroom setting.

Business Recordings

Meetings should only be recorded when there is a legitimate business, educational, operational, compliance, accessibility, or documentation purpose. Convenience does not necessarily justify creating a recording.

The meeting organizer shall notify participants before a recording begins in a meeting. Notice may be provided through the meeting invitation, agenda, platform notification, or verbal announcement at the beginning of a meeting.

Except as otherwise noted in this policy or required by applicable policy or law, access to recordings should be limited to individuals with a legitimate need to access the recording and should not be broadly shared or stored on public links or unrestricted repositories.

Unless otherwise directed, recordings should be retained pursuant to the University's records retention policy and schedule.

Sensitive or Confidential Information

Certain types of meetings inherently involve sensitive topics and may not be appropriate for recording. These types of meeting include, but are not limited to:

- Personnel matters
- Student discipline matters
- Matters involving FERPA protected information
- Matters involving a student or employee's protected health or financial information
- Matters involving sensitive or confidential processes, including Title IX and the American Disabilities Act
- Matters involving the University's confidential operations information, including financial data or regulatory compliance

Before recording a meeting that involves sensitive topics, employees should consider whether the circumstances warrant recording and discuss as necessary with their supervisor. If the meeting is recorded, the meeting organizer is responsible for ensuring that the recording is maintained in a manner to ensure limited access to only authorized employees or third parties.

AI Generated Recordings

The use of AI-enabled recordings, transcriptions, summarization, note-taking or meeting assistant tools is subject to the same requirements that apply to any recording. Employees may use only AI tools approved by the University for these purposes.

Unauthorized Recordings and Distribution

No employee may record, by any means, a conversation of an employee or student unless all of the following criteria are met:

1. There is a legitimate business purpose for the recording;

2. A recording device is in plain view or notice that the meeting is being recorded is provided to all participants of the conversation.

3. There is written authorization from the supervisor of the employee who wishes to record the conversation.

4. The Office of Human Resources or the University's General Counsel has authorized the recording in writing.

Recordings may not be redistributed, reposted, downloaded, edited, or used for purposes unrelated to the original meeting without appropriate authorization.

7.8.2 Off-Duty Activities

In general, off-duty activities of employees are considered to be their own personal business. However, certain types of off-duty activity by employees represent the potential of a material business concern. Employees who engage in, or are associated with illegal or immoral conduct, which may adversely affect the University or their own ability or credibility to carry out their employment responsibilities, may be subject to disciplinary action, including termination. Any employee who is arrested for a crime of violence, dishonesty, or a drug or alcohol-related offense must report such an arrest immediately to a supervisor.

7.8.3 Protected Activities

When applicable, protected concerted activity covered by the National Labor Relation Act (NLRA) is not prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including but not limited to, any activity that is protected under Section 7 of the NRLA. Such activity includes the right of employees to speak with others about their terms and conditions of employment.

7.9 Dress Policy

The University requires that its employees dress in a professional and safe manner. It is the supervisor's responsibility to make sure his or her employees are dressing in a manner that is

appropriate for the business setting and that presents a professional image, even though the manner of dress may be casual. Business attire is normally required for administrative personnel.

Texas Wesleyan University will not tolerate discrimination based on natural hair, texture, or protective hairstyles, including but not limited to braids, locks, twists, and afros. A supervisor may not require or enforce a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. Employees, students, and stakeholders have the right to express their cultural identity through their natural hair and hairstyles without fear of retribution, prejudice, or adverse actions.

Any individual who believes they have experienced discrimination based on their natural hair, texture, or protective hairstyles should report the incident to Human Resources.

7.9.1 Casual Day

Friday has been approved as a "casual day."

For purposes of this policy, casual attire is defined as casual business attire.

Denim slacks that are neat and tailored are permitted.

However, shorts and warmup suits are not considered appropriate dress for University office work and should not be worn, even on Fridays. When in doubt, ask your supervisor. Casual attire also may be appropriate, as determined by your supervisor, during summer months or break periods.

7.9.2 Wesleyan Wednesdays

Wednesday has been approved as "Wesleyan Wednesday." For the purposes of this policy, on Wednesday's employees may wear a professional Texas Wesleyan shirt with logo and denim slacks. Denim slacks that are neat and tailored are permitted.

7.10 Access to Personnel Records

Employee personnel records are the property of the University and are maintained by Human Resources. Employee medical records and work-eligibility records are maintained in separate confidential files. The payroll department maintains employee records related to payroll administration. Review of personnel files is restricted to the President, the Vice Presidents, Human Resources and supervisors on a need-to-know basis. Employee personnel files may be available to attorney or law enforcement officials pursuant to a lawfully issued subpoena or court order.

Employees may view their own personnel files, except for information by reference sources or other confidential information, annually in the presence of a Human Resources representative. An employee may not copy or remove any information from the file unless approved by the Director of Human Resources. To view a personnel file, the employee should make a written request to the Director of Human Resources or the Human Resources Manager and schedule an appointment.

If the employee wishes to dispute any item in the personnel file, the employee may send a written description of the disputed item to the appropriate Vice President, with a copy to the Director of Human Resources. The Vice President will issue a written response within thirty (30) calendar days to the employee, with a copy to Human Resources. No document shall be removed from the file without a Vice President's approval.

7.11 Conflicts of Interest

In an environment as diverse and complex as the University, conflicts of interest between personal and professional interests are possible. It is the responsibility of each employee to recognize and avoid potential conflicts of interest. Employees are expected to be honest and exercise professional integrity in every aspect of their relationship with the University.

Using official status, family position, political influence or other associations for personal gain or to achieve personal goals for the employee or a family member of the employee is contrary to the institutional policy is unacceptable.

Although employees are free to engage in meaningful activities outside of their jobs, any potential conflict of interest raised by business, charitable, financial, or any other activities must be disclosed to an employee's supervisor immediately upon discovery of the conflict. Employees must notify their supervisor in the event they begin any type of work for another institution of higher education or business engaged by institutions of higher education. Employees are expected to devote their full efforts to the performance of their jobs and are expected to use good judgment, adhere to ethical standards, and avoid actual or potential conflicts between the employee's personal interests and the University's interest.

In monitoring conflicts of interest, the University will not interfere with employees' Section 7 rights to organize or engage in protected concerted activity under the National Labor Relations Act (NLRA). Protected concerted activity covered by the NLRA is not prohibited by this policy.

Employees shall immediately notify their supervisor and the appropriate Vice President of any activity or transaction that may interfere with his or her responsibilities at the University of which even give the appearance of impropriety.

Unacceptable behavior includes, but is not limited to, the following:

A. Situations in which an employee's personal interests could conflict with the interests of the University.

B. Using University assets for unlawful, improper or unauthorized purposes

C. Using University funds for any purpose other than that described in the supporting documents to justify business use of funds.

D. Using inside or confidential information or trade secrets for personal profit or gain.

If the divisional Vice President in consultation with Human Resources determines the employee has failed to disclose an actual or possible conflict of interest, the university shall take appropriate disciplinary and corrective action.

7.12 Campus Conduct Hotline

Texas Wesleyan University promotes a "zero tolerance" position on unethical conduct in the workplace. The Campus Conduct Hotline lets employees and students report concerns about the possible violation of the University's ethics and employment policies. The Hotline is operated by an independent organization and the call is completely confidential.

Employees who call the Campus Conduct Hotline will speak to a friendly, trained specialist who will guide them through the details of your report. An employee will be given a case number for reference, so the call will be completely anonymous. No information will be taken from you, so you will never be identified. Concerns will be submitted to the campus administration for investigation. Using the case number, employees can call the Hotline at any time to check on the status of the investigation.

Call the Campus Conduct Hotline at 833-246-5701 or submit a report at EthicsPoint.com

Report activity or behavior that is harmful or unethical, such as:

1. Fraud or crime
2. Sexual harassment
3. Discrimination
4. Safety issues
5. Security and Internet policy abuse
6. Code of Conduct violations
7. Workplace hostility
8. Unethical grading practices
9. Fraudulent financial or business practices
10. Any other questionable behavior

7.13 Use and Duplication of Computer Software

The University prohibits the unauthorized reproduction of software or use of illegally obtained software. Individuals who violate U.S. copyright law and software licensing agreements may be subject to criminal or civil action by the owner of the copyright as well as to disciplinary action by the University. Employees are required to adhere to conditions or restrictions that are required by licensing agreements that accompany software programs.

For many licensing agreements, it is illegal to copy any software program and install that single program on multiple machines. A lack of copy protection does not constitute permission to copy software. Instruction manuals associated with programs are typically protected by copyright law. For questions or concerns, employees should contact the University's technology department.

7.14 Copyright and Photocopying

Copyright laws frequently prohibit the use of photocopying equipment to duplicate protected materials. All employees should be familiar with and adhere to copyright laws. If documents, books, brochures, photographs or other written or recorded materials display a notice of copyright protection or appear to be subject to copyright protection, those materials shall not be duplicated without authorization from the holder of the copyright.

7.15 Risk Management

University employees should practice fundamental risk management techniques during their employment. Risk management assistance, including various risk management forms such as waivers, is available through Risk Management.

7.16 Acceptable Use of Information Technology Resources

Please be aware that all electronic and telephonic communications and information systems provided by the University are the University's property. As a result, employees have no right to or expectation of privacy with respect to any communications on the University's electronic, telephonic, or information systems. The University reserves the right to monitor employee use of company computers, email, and the internet.

As is the case with all University assets, e-mail sent or received using University resources should be related to the business or activities of the University. E-mail must never be used to send, receive, or solicit any illegal, offensive or potentially offensive materials or visible displays, including but not limited to sexually explicit materials. The use of the Internet shall not expose another person to any offensive or potentially offensive material. Individuals should use caution in sending private or confidential information in electronic format. The University does not guarantee that information sent in electronic format over University resources will be privileged or confidential and expressly reserves the right to review any information transmitted or stored on University equipment to ensure compliance with these policies or for system maintenance.

Employees should not use the University's communication and information systems to disclose the University's confidential and proprietary information and trade secrets without prior approval. In aiming to protect the University's confidential and proprietary information, such prohibitions do not apply to employee information, including employee contact information or information regarding employee terms and conditions of employment (wages, hours, benefits, and working conditions) and other information protected by Section 7 of the NLRA.

Unauthorized access of any other user's messages or files is strictly prohibited. Employees should never let an unauthorized person use their password and should never write it down or otherwise store it where it might be read by others. Employees should not leave their computers unattended for periods while they are logged into any password-protected platforms.

Inappropriate use of the University's electronic, telephonic, or information systems may result in disciplinary action.

7.17 Disciplinary Guidelines

When appropriate, employees may be counseled in an attempt to correct work-related performance or behavioral problems. Generally, progressive disciplinary actions as described below will be followed.

However, in certain circumstances and at the University's sole discretion, it may be necessary to impose an action, up to and including termination of employment, without prior notice or counseling and without progressing through each stage of the disciplinary guidelines.

Determination of appropriate action will be made on a case-by-case nondiscriminatory basis depending upon the nature and severity of the occurrence and in consultation with and the approval of the appropriate Vice President, and the Director of Human Resources.

Verbal Counseling: The supervisor or manager may discuss unacceptable performance or behavior with the employee. The discussion will indicate the nature of the problem and the action necessary to correct it. Verbal counseling should be documented and retained by the supervisor.

Written Warning Level 1: The supervisor may prepare a written warning regarding an employee's unacceptable performance or behavior, which will be discussed with the employee. The written warning shall clearly state the problem, identify date(s) and example(s) of problem behavior, state the required expectations for change, including a deadline (time periods), provide the employee with suggestions for improving his or her performance and state the consequences if conditions are not met. Some infractions may warrant a written warning without prior verbal counseling.

The supervisor and the employee will sign the written warning and the employee will be given a copy. The original shall be sent to Human Resources. An employee's signature merely acknowledges receipt and understanding of the nature of the warning. If the employee refuses to sign the written warning, the supervisor may sign verifying that the employee received the written warning and refused to sign.

Written Warning Level 2: A second written warning repeating the above criteria may be utilized if the offending behavior or job performance does not reflect immediate, significant and sustained improvement. A Level 2 Written Warning indicates a final warning prior to dismissal.

The employee should sign the letter, receive a copy and the original should be sent to Human Resources.

Human Resources maintains written warnings in employee personnel files. Copies of all disciplinary action must be forwarded to Human Resources.

7.18 Terminations

As the University is an employment-at-will employer, a termination may occur without following disciplinary guidelines. Certain infractions also may warrant immediate termination of employment without prior disciplinary action. Continued unacceptable performance or behavior may result in termination of employment.

The appropriate Vice President and the Director of Human Resources must be consulted prior to the termination of an individual's employment. If reasonably possible, employees should be advised in person of their termination and provided reasons for their termination. Employees will receive written notice stating the effective date of the termination, as well as any other relevant information.

Prior to the termination, all documentation must be forwarded to Human Resources. Every effort should be made to recover any University property in the employee's possession at the time of termination.

7.18.1 Administrative Leave with Pay for Investigations

Employees should not be placed on administrative leave with pay without consulting with the Director of Human Resources. In situations where an infraction is serious enough to warrant an investigation and necessary in order to determine appropriate disciplinary action, employees may be placed on administrative leave with pay until the investigation is complete.

7.18.2 Administrative Leave without Pay for Investigations

Employees should not be placed on administrative leave without pay without consulting with the Director of Human Resources. Generally, exempt employees may not be placed on administrative leave without pay, unless the leave corresponds to one or more full work-week(s), measured from Sunday, 12:01 a.m. to Saturday 12:00 midnight.

7.18.3 Investigations

Failure or refusal to cooperate in an investigation or interference with an investigation may be grounds for dismissal, unless a legal exception exists. An employee shall not be subject to retaliation by any other employee for cooperating with an investigation.

7.18.4 Vacation Termination Pay

No employee shall receive pay in lieu of vacation unless his or her employment with the University has been terminated. Employees with less than six months service are not eligible for vacation termination pay.

Furthermore, an employee who does not give proper notice as defined by this policy or who is terminated for misconduct or poor performance shall not be paid for unused vacation time.

The minimum notice an employee must provide to receive pay for unused vacation time is two weeks. Employees providing less than two weeks' notice shall not be paid unless extenuating circumstances (as determined by the employee's supervisor in consultation with Human Resources) are such that an undue burden is placed on the employee or the University. If an employee voluntarily resigns, the University reserves the right to accept an employee's notice immediately or at any time during the notice period.

If applicable, vacation termination pay shall be paid only for vacation days available for use but not taken at the time of termination and shall be paid at the employee's regular hourly rate.

Terminated employee paychecks shall be forwarded to the employee as soon as possible. **Employees terminated involuntarily must receive their final paycheck within six calendar days.**

Any monies owed to the University, or reimbursement for equipment or material owned by the University that has not been returned by a departing employee will be deducted from his or her final paycheck in accordance with written authorization obtained from the employee.

7.18.5 Resignations

Supervisors or managers should seek to obtain a written letter of resignation from employees who voluntarily resign. The original must be sent to Human Resources immediately upon receipt. The University typically expects two weeks' notice from employees who are voluntarily resigning.

7.18.6 Exit Interviews

Human Resources shall schedule exit interviews for all terminating employees. Interviews are intended to provide employees the opportunity to comment on University matters, their working environment and conditions, and to receive an explanation of benefits. Attendance by the employee is optional.

7.19 Grievance Policy

The University has established a grievance process in order to encourage an open, honest atmosphere in which work-related problems, complaints, suggestions, or questions may be handled promptly. The University intends for the grievance process to provide an option for internal resolution of a dispute. An employee is not permitted to have an advisor or legal counsel present in the grievance process.

The grievance process applies to staff, student employees, and faculty. All employees who have completed their introductory period are covered by this process. Any perceived grievance before that timeframe should be addressed by the Office of Human Resources.

An employee's claim of unfair or inequitable treatment with respect to the implementation of work-related policies, procedures or practices may be considered a grievance.

As an employment-at-will employer, termination of employment, for any reason, may not be addressed by this policy.

The grievance process excludes complaints governed by existing University policies (e.g. Title IX or discrimination). Human Resources may refer the grievance to the appropriate University related policy.

Grievances will be processed in the following manner:

The University encourages employees to discuss their concerns with their supervisor or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

If an employee has engaged in the informal process in an attempt to resolve the complaint and has not reached a resolution during the process, the employee must file a grievance within 15 business days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.

1.The University will endeavor to process the grievance with reasonable promptness. An individual asserting a grievance must present their concern in writing and include all pertinent information. The grievance should identify the issue, supporting facts, any policy involved, and a requested remedy.

2.The presentation of the grievance should first be made to the immediate supervisor, unless the grievance pertains to the supervisor in which case the grievance should be presented to the next level of supervision or directly to Human Resources. The supervisor must schedule a conference within 10 days of receipt of the complaint. If the supervisor does not resolve the grievance, the

aggrieved employee has seven (7) working days in which to present his or her grievance in writing to the next level of supervision. That level of supervision will schedule a conference and respond to the employees' concern in writing within 14 working days of receipt of the grievance, unless good cause requires additional time for a response.

3. If the matter is still not resolved to the satisfaction of the employee, the employee may make an appeal up the supervisory chain of command to the appropriate Vice President or Human Resources. The Vice President or Human Resources will schedule a conference and respond to the employee's concern in writing within 14 working days of receipt of the grievance, unless good cause requires additional time for a response. The Vice President or Human Resources' decision is final.

4. A grievance must proceed through each level described above before being escalated to the next level of supervision. Individuals who are involved in the grievance may request that the Office of Human Resources attempt to resolve the matter. If a resolution cannot be achieved, the grievance must be submitted to the next supervisory level within seven (7) working days.

5. Failure to submit a grievance in accordance with the specified times in this section shall be deemed an acceptance of the decision. Failure to abide by the grievance process set out in this section will result in a dismissal of the complaint.

Employees who wish to initiate a grievance should complete the University's Grievance Form and submit it to Human Resources in accordance with the procedures outlined in this policy. See HR website for Grievance Form.

7.20 Drug and Smoke Free Environment

The University maintains a drug free workplace. Employees should recognize the hazards to themselves, to other employees and to students while working under the influence of drugs, inhalants or other intoxicants. In order to maintain a drug free workplace, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by an employee is prohibited within the bounds of the University campus or while conducting University activities.

All employees, as a condition of their employment, must at all times abide by the terms of this policy. All employees must notify the University of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction. In this context a "controlled substance" means any substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 USCS Section 812). "Convictions" include nolo contendere, and "criminal statutes" include state and federal prohibitions against the manufacture, distribution, dispensation, possession or use of any controlled substance.

Any employee convicted of a violation of the drug free workplace policy will be subject to disciplinary action, which may include termination of employment or required participation in a drug free assistance or rehabilitation program approved by the federal, state or local health, law enforcement or other appropriate agency.

Employees who smoke are expected to restrict their smoking as follows: Smoking, including all smokeless tobacco products and electronic cigarettes, are not permitted in any University building or any owned or leased University vehicle. This includes academic, administrative, residential, or any other University facility.

Employees may be asked to take a test to determine the presence of drugs or alcohol, except where such tests are prohibited by law. A drug test may be a condition of continued employment. The University reserves the right to test employees for the presence of unauthorized drugs and in some cases alcohol in the following circumstances, except where such tests are prohibited by law:

- Upon reasonable suspicion by the University;
- Following an accident at the University or involving the University's equipment; and
- As a follow-up test after drug and alcohol rehabilitation to determine whether the employee is fit for duty.

It is a violation of this policy to refuse to give consent for drug testing, to attempt to alter or tamper with a sample or any other part of the testing process, or to test positive for alcohol or illegal drugs. A refusal to take a drug test will be considered a positive test. In agreeing to such a test, employees will be required to sign a consent form authorizing the test as well as the University's use of the test results for purposes of administering its discipline policy.

7.21 Safety and Health Policies

Upon hiring, employees shall be trained by their immediate supervisor or a qualified designee regarding any safety precautions relating to the use of any equipment or chemicals that they may be required to use or any other safety requirement specific to the functions of their job, before their use of such equipment or chemicals. Employees must take responsibility for their own safety and the safety of their property. **The University is not responsible for loss or theft of personal property.**

7.21.1 Workplace Violence

Workplace violence is a recognized danger to employees' mental and physical health, which compromises the ability to work in a safe and healthful environment. Other individuals, such as students, visitors, and vendors, may also be adversely impacted by workplace violence. As a result, the University will maintain and strictly enforce zero tolerance for all acts of violence.

All employees are responsible for maintaining a safe and healthy workplace. Employee responsibilities include:

- Understanding and adhering to all safety and health policies and procedures;
- Recognizing risk factors in the workplace;
- Attending and actively participating in workplace violence preventing training;
- Calling 911 if they are a victim of or witness to workplace violence that involves weapons, personal injury, or harm;
- Reporting any act of violence, criminal behavior, or suspicious activity to supervisors or campus security. Employees may make good faith reports anonymously through the campus hotline. Employees can also report instances of workplace violence or suspicious activity by contacting the Department of Public Safety (DPS) through the iWatchTexas Community Reporting System at www.iwatchtx.org or by calling 844-643-2251. Employees have the right to make a report to DPS anonymously.

An act of violence that creates a hostile working environment or impairs the physical or psychological health and wellbeing of others is expressly forbidden by the University. Any employee who exhibits violent behavior will be held accountable by the University's policies, including any pertinent local, state, and federal laws. For some types of violence, offenders may be subject to criminal charges.

All threats, acts of aggression, or violent behavior toward any employee, contractor, or visitor will be taken seriously and addressed immediately. Such threats or acts include, but are not limited to:

- Bullying, harassing, verbally assaulting, stalking, hazing, harming, or threatening to harm;
- Physically striking, grabbing, or pushing;
- Throwing objects or operating equipment with the intent to harm;
- Symbols or gestures that communicate a stated or implied threat of physical or mental harm;
- Threatening to damage or damaging University or personal property.

7.21.2 Workplace Safety

Texas Wesleyan University is committed to providing a safe and healthful environment for students, faculty and staff. It is the University's policy that all employees work in a safe manner. Any unsafe work, practice or condition on any University property shall be reported promptly to the employee's immediate supervisor, Campus Security, Vice President of Administration and Finance's Office or Human Resources.

7.21.3 General Safety Rules

The following are general safety rules. The list is not intended to be all-inclusive. Additional safety precautions may be warranted in your specific work area. Please ask your supervisor.

1. Report all injuries to your supervisor and to Risk Management immediately.
2. Report all unsafe conditions or work practices to your supervisor and Risk Management in the Vice President of Finance and Administration's office immediately.
3. The use of illegal drugs or the consumption of alcoholic beverages on campus or while performing work for the University is absolutely prohibited under all circumstances. Employees must not work if under the influence of any drug, inhalant or alcohol.
4. Appropriate clothing, footwear or personal protective equipment (including eye protection) necessary to perform work safely must be worn or used at all times to minimize the possibility of injury in the workplace.
5. No employee should attempt to perform work that is likely to aggravate a prior injury or medical condition that could pose a health risk or for which the employee is untrained or not qualified.
6. Safety devices, guards or signs must never be removed, modified, disregarded or circumvented.

7. All work areas should be kept clean and free from rubbish, debris, hazards and unsanitary conditions.
8. First aid is rendered on a Good Samaritan basis only.
9. Additional safety policies and programs, as contained in the University's safety manual or as prescribed by your supervisor, shall be followed.
10. Employees shall comply with all applicable state and federal safety and health regulations.

7.22 Americans with Disabilities Act (ADA)

The University is fully committed to complying with the Americans with Disabilities Act (ADA) and to ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. The University will reasonably accommodate an otherwise qualified applicant or employee with a disability who needs an accommodation to perform the essential functions of their job, enjoy an equal employment opportunity, or obtain equal job benefits, unless doing so would impose an undue hardship on the operation of the business.

Pre-employment inquiries may be required only regarding an applicant's ability to perform the duties of the position. Post-offer medical examinations may be required for those positions in which there is a job-related physical requirement. If required, medical examinations are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

An employee who needs an accommodation should contact Human Resources. The employee must specify the accommodation they are requesting and the barrier or limitations that prompts the request. The University will evaluate the information provided and engage with the employee to confirm a reasonable and effective accommodation. The University may request information from an employee's health care provider concerning the employee's condition, limitations, and the extent to which the employee can perform essential job functions.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation). Individuals with disabilities also are entitled to receive non-discriminating treatment with regard to job assignments, classifications, organizational structures, position descriptions and lines of progression. Leave policies will be available to all employees on an equal basis.

The University will not discriminate against any qualified employees or applicants because they are related to or associated with a person with a disability. The University will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The University is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

7.23 Religious Accommodation Policy

The University will not discriminate against a qualified employee or applicant with regard to any terms or conditions of employment because of their religion. The University will provide reasonable accommodations to employees whose sincerely held religious beliefs or practices conflict with one or more aspects of their employment and to applicants who have a conflict with the hiring process.

A "reasonable accommodation" means an adjustment to alleviate the conflict between the job (or applying for the job) and the individual's religious belief or practice that does not impose an undue hardship on operations.

An employee seeking a religious accommodation may submit a request to Human Resources. The request should include a brief description of how the employee's religious belief or practice conflicts with their job (or the application process) and what would be needed to alleviate the conflict. If the employee has a proposed accommodation in mind, that information may be included, although an employee is not necessarily entitled to the specific accommodation of their choice.

7.24 Pregnancy Related Accommodations

As required by the federal Pregnant Workers Fairness Act (PWFA), the University will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to the University's operations. The University will also provide reasonable break time and a private space to pump milk for nursing employees.

An employee or applicant may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request to Human Resources. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the Human Resources will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working;
- Drink water during the workday;
- Receive closer-in parking;
- Have flexible hours for doctor's appointments or related needs;
- Receive appropriately sized uniforms and safety apparel;
- Receive additional break time to use the bathroom, eat and rest;
- Take time off to recover from childbirth;

- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

Texas Wesleyan University prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this section or for reporting or participating in an investigation of unlawful discrimination under this section.

7.25 Public Relations and Reference Policy

All media releases and requests must be coordinated through the Office of Communications. The only individuals authorized to speak to the media on behalf of the University are the Chair of the Board, the President, or the President's designees. All other employees must receive authorization from the President or the Office of Communications in order to speak to the media on behalf of the University. The University respects the rights of its employees to express personal beliefs and opinions in the media. Employees who choose to exercise this right, however, must make it explicitly clear that their opinion is personal and in no way affiliated with the University. If an employee identifies themselves as an employee of the University to the media, they must clearly state that they are not speaking or writing on behalf of the University and that their opinions do not reflect the views or opinions of the University.

All reference checks or requests shall be referred to Human Resources.

To ensure that individuals who join the University are well qualified and have a strong potential to be productive and successful, it is the policy of the University to check the employment references of certain applicants at various stages of the search process.

Human Resources will respond to reference-check inquiries from other employers, if reasonably possible. Responses to such inquiries will typically only confirm dates of employment, wage rates and position(s) held. Additional information will be disclosed only at the University's discretion and with written authorization and a release signed by the individual who is the subject of the inquiry.

7.26 Searches and Inspections

The University will attempt to refrain from conducting searches of employees or their personal belongings. Under certain circumstances, however, there may be a need for the University to search an employee and employee's personal property on the University's premises. The University reserves the right to conduct such searches when necessary and to confirm that employees are in compliance with the University's policies and procedures. The University will not compel an employee to submit to a search. An employee's refusal to consent to a search may result in appropriate disciplinary measures.

The University reserves the right to search all company premises and property to assure compliance with its policies.

Searches of company offices and company property, may be conducted on a random basis for compliance purposes, or if the University has a reasonable suspicion that an employee is in possession of an unlawful item, poses a safety risk, or there is an unauthorized use of University property.

If a search is conducted, the search should be conducted (if feasible) in the presence of the employee's immediate supervisor or department head, and at least one additional witness.

An employee may deny the University the consent to search; however, refusal shall be considered a failure to cooperate with an investigation and may result in disciplinary action, including termination of employment.

Lockers: If lockers are provided, the University reserves the right to inspect or search such lockers. Upon the employee's request, a lock shall be provided to the employee. If the employee uses his or her own lock, the employee shall provide a key or combination to his or her supervisor.

7.27 Weapons Policy

Whether on duty or off duty, employees shall not carry a weapon on University property.

This prohibition includes all weapons without limitation (knives (with blades longer than three inches), toxic or flammable chemicals, ammunition, any device from which a projectile may be fired by an explosive, clubs, hunting gear and guns, or any other device intended to cause serious bodily harm) and includes those weapons for which the employee may possess a license (e.g. a concealed handgun). No weapon may be concealed in an employee's vehicle parked on University property with the exception of a firearm of an individual authorized to possess such weapon under state or federal law. The weapon must remain in a locked, privately owned vehicle.

Items that **may** be provided to security personnel by the University are exempt from this policy. Security officers, who also possess current police certification or status, may carry authorized weapons as allowed through state law and their commission while they are not on duty. However, they may **not** carry any weapon while on-duty in a University capacity unless authorized by the security manager.

If an employee believes, in good faith, that an employee, student, or other member of the public is in violation of this policy, the employee must promptly report this information to University Security. An employee who wishes to remain anonymous may report their belief through the campus hotline.

An employee who violates this policy will be subject to discipline, up to and including termination.

7.28 Employee Information

It is each employee's responsibility to advise Human Resources and their current supervisor of all emergency information, such as address, telephone number and emergency contact person.

7.29 Use of University Communication Platforms

Employees must obtain approval from their supervisor before posting on a University bulletin board or other University platform, including the use of company-wide email, for personal matters. The Vice President of student affairs or his or her designate approves posting on student bulletin boards.

7.30 Use of University Telephones and Mail

Employees shall limit personal use of University phones.

The use of University-paid postage for personal correspondence is not permitted.

7.31 Business Travel

The University will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location, provided that employees adhere to all relevant University policies. All business travel must be approved in advance by the department head.

When approved, the actual costs of travel, meals (excluding alcohol), lodging and other reasonable and minor expenses directly related to business travel will be reimbursed. More information is located in the University's Expense and Travel Policy. Please consult with the Business Office for appropriate business expense reimbursements and procedures.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased or rented by the University may not be used for personal use without prior approval by the Vice President of Administration and Finance's Office. Accidents involving University vehicles must be reported to the Vice President of Administration and Finance's Office.

Abuse of the business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, including termination of employment.

7.32 Customer Service

The University provides transformational learning experiences and research opportunities to a diverse group of students to develop their full potential as individuals and as members of the world community.

Every employee represents the University to our students. The way you do your job presents an image of the entire University. Students judge all of us by how they are treated with each employee contact. Therefore, one of the first priorities is to assist any student or potential student. Nothing is more important than being courteous, friendly, helpful and prompt in the attention you give to our students.

Personal contact with the public, manners on the telephone, and the communications sent to students and to other employees are reflections not only of ourselves, but also of the professionalism of the University. Positive relations will not only enhance the perception or image of the University, but also will pay off in greater loyalty and financial well-being.

8.0 Benefits and Privileges

Full-time, regular staff employees are eligible for benefits as described herein; however, in certain cases the employee may be required to apply for such benefits to effect coverage. **Human Resources will advise employees of benefits for which they must apply.**

The University reserves the right to amend or cancel benefits, with or without notice to affected employees, at any time. In the event of any conflict between this handbook and an underlying benefit plan document, the latter will control.

8.1 Vacation Policy

The University will provide full-time, regular staff and twelve-month faculty with paid vacation time based upon their years of service to the University.

8.1.1 Accrual

Staff vacation time shall begin accruing upon the conclusion of the first full month of employment and shall become available for use when the employee has completed six full months of employment. Vacation is accrued on a calendar month basis at the applicable rate listed below. When six months of employment is completed, vacation accrued one month may be used the next month. Eligible employees terminating before the end of a month shall be credited with a pro-rata share of the monthly accrual. The maximum accrual for vacation is one-and-a-half times the annual vacation allowance.

8.1.2 Calculation Method

The amount of vacation the employee accrues is determined by the length of employment as follows:

Vacation Leave Accrual for Exempt and Non-Exempt Staff

	Annual		Monthly Accrual		Maximum Accrual	
Service Completed	**Hours**	**Days**	**Hours**	**Days**	**Hours**	**Days**
Less than 1 year	NA	NA	8	1	NA	NA
1 - 3 years	96	12	8	1	144.00	18.00
4 - 10 years	120	15	10	1.25	180.00	22.50
11 plus years	168	21	14	1.75	252.00	31.50

Twelve-month faculty also accrue twenty (20) days of vacation leave on June 1 of each year as long as they are on a twelve-month appointment contract and work full time. The maximum accrual for vacation leave is one-and-a-half times the annual vacation allowance.

8.1.3 Other Provisions

Staff should submit a request for vacation time as soon as possible and, in any event, 14 days in advance to his or her supervisor. Final approval of the vacation request rests with the supervisor based on workplace requirements.

Staff using vacation time must report the leave to payroll by timecard. Less than twelve-month, full-time, regular staff accrue vacation only for months worked.

No employee will receive pay in lieu of vacation unless his/her employment with the University is terminated.

Employees who are rehired within twelve months of their termination will be eligible immediately for vacation/sick leave accrual at their previous rate. Re-hired employees may use the accrued leave effective immediately with supervisory approval.

8.1.4 President's Staff (President's Cabinet and Senior Staff) Vacation/Sick Policy

Administrators determined by the President (and including the President) to have status as the President's staff shall have leave as follows:

Vacation Leave: (1) 22 days beginning with the first full month of employment to be available for immediate use and to be taken with the approval of the President; (2) An additional 22 days June 1 of each year; (3) Unused vacation time during the fiscal year may be accrued, but shall not exceed 33 days; (4) The President may authorize additional vacation leave based on unusual or exceptional circumstances for the President's staff.

Vacation Leave Accrual for President's Staff

	Annual		Maximum Accrual	
Service Completed	**Hours**	**Days**	**Hours**	**Days**
Less than 1 year	176	22	NA	NA
1 plus years	176	22	264	33

Sick Leave: (1) six days beginning with the first full month of employment to be available for illness and medical appointments of the employee or the employee's immediate family members. Immediate family members include spouse, dependent children, parent or any other legal dependent. (2) An additional six days June 1 of each year; (3) Sick leave accrual may not exceed 480 hours.

Sick Leave Accrual for President's Staff

	Annual		Maximum Accrual	
Service Completed	**Hours**	**Days**	**Hours**	**Days**
Less than 1 year	48	6	NA	NA
1 plus years	48	6	480	60

8.1.5 Rehire Seniority Policy

The date of hire or seniority date of the previous employees, who are rehired by the University shall be the first day on the job in their new or most current position, except that a employee's seniority date will be bridged by determining the employee's previous length of service and moving the new date of hire by a corresponding period of time, if the following conditions are met.

(1) the employee must have worked for the University within the twelve calendar months immediately preceding rehire (2) the employee's termination must have been due to resignation, layoff or other reason other than poor performance or misconduct and (3) at the time of the termination, adequate notice must have been given to the University.

Employees who are rehired within twelve months of their termination will be eligible immediately for vacation/sick leave accrual at their previous rate and will be eligible for immediate reinstatement into the 403(b)-retirement plan at their previous vesting status.

8.2 Holidays, Break Days and Closings

8.2.1 Holidays

The University observes and is typically closed on the days listed below. For those days, full-time, regular employees do not work, but are compensated at their regular hourly rate and based on their regularly scheduled number of hours for the day.

Full-time employees who work less than 40 hours on a regularly scheduled basis may not exceed their normal number of hours for the week without supervisory approval, and then may exceed the normal workweek only for hours actually worked. An employee on an unpaid leave of absence or on non-FMLA disability leave is not eligible for holidays or break days. An employee on a paid leave is not eligible for any additional pay or time- off.

Note: If an employee's regularly-scheduled day off falls on a holiday or break day, the employee's next regularly scheduled workday becomes the holiday. The employee would then be eligible for holiday pay or an additional day off within the guidelines listed.

The University's holidays are as follows:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

The University may at its discretion designate any or all holidays, break days or closings as paid or unpaid, or as normal business days.

8.2.2 Break Days

The University also observes break days. Full-time, regular employees do not work, but are compensated at their regular hourly rate for break days. The President may designate other break days. The President also may extend selected break days to all regular part-time staff solely at his or her discretion. Student workers and temporary employees are not eligible for pay on holidays or break days.

8.2.3 Eligibility

All full-time, regular employees are eligible provided they are on payroll and work their regularly-scheduled hours or have an excused paid absence one day immediately before and one day immediately after the holiday or break day, other than the holidays and breaks specifically described herein.

Spring Break, Thanksgiving Holiday/Break & Christmas Break/Holiday: All full-time, regular employees are eligible for these breaks provided they are on payroll and work their regularly scheduled hours or have an excused **paid** absence at least seven calendar days immediately prior to and immediately after the commencement and conclusion of the break/holiday.

Employees using sick time during these time periods may be required, at the supervisor's discretio n and in consultation with Human Resources to provide a health provider's statement in order to be paid for the holiday.

8.2.4 Employees Required to Work on Holiday or Break Days

Exempt employees who work on holiday or break days may reschedule the holiday or break day to another time during the same fiscal year. Non-exempt employees who work on a holiday or break day will be paid a holiday or break day premium equal to twice their customary hourly rate, double time, or they may reschedule their holiday or break day to another day occurring within 60 days of the actual holiday or break day.

8.2.5 Closings

Decisions regarding closing of the University for inclement weather or for any other unscheduled reason or event are made for the entire University and are not made for or by each unit of the University.

The President or Provost or their designee generally makes the decision. This policy includes late openings and early closings. **Late openings and early closings will not generate premium pay or additional time off for employees who may be required to stay and work.**

Campus closures may be the following:

1. Face to Face Teaching and Operations
2. Virtual Teaching and Operations
3. Closed - No Teaching and No Operations

If the position is one in which work cannot be done virtually, then the employee will be on leave.

If an employee believes they are not capable of coming to work or must leave early, they should inform the appropriate supervisor of their absence. When there is inclement weather, it is important that supervisors are flexible with work schedules in order to promote employee safety.

Employees may take leave if they are unable to be available to work virtually.

Non-exempt employees required to work during all-day closures, such as security or maintenance, will be paid or granted additional time off in the same manner as a holiday or break day. Faculty, staff and students may reference the Texas Wesleyan University website and local news channels to receive University closure information due to inclement weather.

8.3 Sick Leave

The University will provide time off with pay to full-time, regular staff and twelve-month faculty for illness, injury, and medical appointments of the employee or the employee's immediate family members. Immediate family members include spouse, dependent children, parent or any other legal dependent. Staff must make a reasonable effort to schedule leave in a way that does not disrupt the work environment.

Full-time, regular staff accrue sick leave at the rate of four hours for each full month of employment. Less than 12-month staff accrue only for months worked. Sick leave begins accruing after one full month of employment and may be used upon accrual. Sick leave accrual is capped at 480 hours.

Sick Leave Accrual for Exempt and Non-Exempt Staff

	Annual		Monthly Accrual		Maximum Accrual	
Service Completed	**Hours**	**Days**	**Hours**	**Days**	**Hours**	**Days**
Each full month worked	48	6	4	0.5	480	60

Twelve-month faculty also accrue twelve (12) days of vacation leave on June 1 of each year as long as they are on a twelve-month appointment contract and work full time. The maximum accrual for sick leave is thirty (30) days.

Sick Leave Accrual for Twelve Month Faculty

	Annual		Maximum Accrual	
Service Completed	**Hours**	**Days**	**Hours**	**Days**
Less than 1 year	144	12	NA	NA
1 plus years	144	12	240	30

Employees are not paid for unused sick leave upon termination. Sick leave accrual is capped at 480 hours**. It is the employee's responsibility to contact their supervisor directly, before their normal starting time, and inform them of the reason for the absence. If their supervisor is not available, the employee should contact the next person in authority to report the absence. If the University is closed, the absence must be reported within one hour of its re-opening. Supervisors must contact Human Resources in the event an employee uses three consecutive days of sick days.**

Sick leave is reported on the employee's timesheet. A physician's note stating the reason for the absence and certifying the employee's suitability to return to work may be required for an absence of three days or more.

Employees who are rehired within twelve months of their termination will be eligible immediately for vacation/sick leave accrual and usage at their previous rate.

8.4 Bereavement Leave

Full-time, regular employees are eligible for up to three days paid leave in the event of the death of an immediate family member, including the employee's spouse, children, son and/or daughter-in-law, parents, step-parents, grandparents, grandchildren, siblings or the parents and siblings of the employee's spouse. Employees must notify their supervisor in advance of the leave and report the absence on the employee's timesheet.

8.5 Jury Duty

Time off with pay is provided to all employees called for jury duty, provided the time off is during normal work hours. Employees must notify their supervisor in advance and submit a copy of the certificate of service upon their return to work. Pay received from the court belongs to the employee. Employees released early are expected to return to work.

Failure to return to work if released during normal working hours may result in the employee not being compensated for that period of time. Employees shall not be paid for jury duty in excess of 30 workdays in any calendar year. The University shall maintain employee medical benefits. Optional benefits are the responsibility of the employee. Vacation and sick leave shall not accrue if the jury duty exceeds 30 days.

8.6 Family and Medical Leave (FMLA)

The federal Family & Medical Leave Act of 1993 (FMLA) as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

The University will provide up to 12 weeks of job-protected leave during any 12-month period. FMLA shall include accrued paid vacation, sick leave and unpaid leave. Vacation and sick leave accrue if an employee is on paid leave during FMLA. Holidays and break days falling during the leave are counted as part of the leave time and do not constitute additional leave time and will only be paid while an employee is on paid FMLA using vacation and sick leave accruals. If on unpaid FMLA, holidays and break days will be unpaid.

To be eligible, employees must have worked at least 12 months (which do not have to be consecutive) for the University; and the employee must have worked at least 1,250 hours during the 12 months immediately preceding the date of the commencement of FMLA leave.

Employment before a break in service of 7 years or more will not be counted, unless the break in service was caused by the employee's USERRA-covered service obligation, or there was a written agreement that the University intended to rehire the employee after the break in service.

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. To care for a spouse, son, daughter, or parent of the employee with a serious health condition;
4. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Leave to bond with a newborn child or for a newly placed adopted or foster child must be taken as a continuous block of leave and must conclude within 12 months after the birth or placement.

In the event that a married couple is employed by the University, the two spouses together may take a combined total of 12 weeks' leave during any 12-month period for reasons 1 and 2, or to care for the same individual pursuant to reason 3.

Military Family Leave

There are two types of Military Family Leave available.

1. **Qualifying exigency leave**. Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave for a qualifying exigency while the employee's spouse, son, daughter, or parent (the military member or member) is on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty).

   For Regular Armed Forces members, "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country (outside of the United States, the District of Columbia, or any territory or possession of the United States, including international waters).

   For a member of the Reserve components of the Armed Forces (members of the National Guard and Reserves), "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

Qualifying emergencies may include:

- Short-notice deployment (seven or less calendar days)
- Attending certain military events and related activities
- Certain childcare or school activities
- Addressing certain financial and legal arrangement
- Periods of rest and recuperation for the military member (up to 15 calendar days or leave, dependent on orders)
- Attending certain counseling sessions
- Attending post-deployment activities (available for up to 90 days after the termination of the covered military member's covered active duty status, and to address issues arising from the death of military member)
- Attending to parental care needs arising from covered active duty or call to duty (arrange for alternative care for a parent of a military member, provide urgent or immediate care, admit or transfer to a care facility, or attend non-routine caregiver meetings with care facility staff)
- Other activities arising out of the military member's covered active duty or call to active duty and agreed upon by the University and the employee.

- **Leave to care for a covered service member.** There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave during a single 12-month period if the employee is the spouse, son, daughter, parent, or next of kin caring for a covered military service member or veteran recovering from a serious injury or illness, as defined by FMLA's regulations.

For a current member of the Armed Forces, including a member of the National Guard or Reserves, the member must be undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness.

For a covered veteran, he or she must be undergoing medical treatment, recuperation or therapy for a serious injury or illness. Covered veteran means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

An eligible employee must begin leave to care for a covered veteran within five years of the veteran's active duty status, but the single 12-month period may extend beyond the five- year period.

The University uses a rolling 12-month calendar to calculate available FMLA leave. Intermittent or reduced schedule leaves may be allowed under FMLA. The employee is entitled to return to the same or an equivalent position upon expiration of the leave. The employee must use all vacation and sick leave concurrently, if any, with FMLA; that is, vacation and sick leave must be used as part of the 12-week leave period. Unless a qualified disability exists, the remainder of the leave is unpaid.

In general, a serious health condition is defined as an illness, injury, impairment or physical or mental condition that involves inpatient care, continuing treatment by a health care provider involving an absence from work of more than three days, an incapacity due to pregnancy or prenatal care or an incapacity due to a chronic health condition, such as asthma, etc.

Employee Responsibilities When Requesting FMLA Leave

When leave is foreseeable, an employee must notify Human Resources at least 30 days prior to the leave start date. If the leave is not foreseeable, then notice must be given as soon as possible. When submitting a request for leave, the employee must provide sufficient information for the University to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. The request must be forwarded to the Human Resources office for approval. Changes in leave dates should be submitted through the same process.

Medical Certification

The University may request and the employee must provide certification or documentation supporting the employee's request for leave within the time frame established by the University, but

not less than 15 calendar days. Periodic reports also may be required from the employee's health care provider for a serious health condition. Certification must contain the following information:

- The date the serious health condition began;
- The probable duration of the condition;
- Medical facts about the condition;
- A statement that the leave is needed to care for a covered individual and an estimate of how long the need will continue;
- If the requested leave is for the employee's own health condition, a statement that the employee is unable to perform the functions of the job;
- If the certification is for intermittent leave for planned medical care, the dates on which the treatment is expected to be given and the probable duration of the treatment; and
- If the certification is for intermittent leave to care for a covered individual, a statement that the employee's leave is necessary to care for that individual or will assist in their recovery, setting forth the expected duration and schedule of intermittent or reduced schedule leave.

The University shall use the Department of Labor's standard form WH-380 for obtaining medical certification from health care providers. The employee shall not be required to furnish any additional information. The University may request a second opinion at the University's expense. If the second medical opinion conflicts with the first, a third opinion may be obtained from a health care provider jointly approved by the University and the employee, and at the University's expense. When an employee's FMLA leave has been caused by his or her own serious health condition, the University may require that the employee submit a fitness-for-duty report before returning to work. The University must apply this requirement uniformly, it must be limited to the scope of the health condition and the employee must be notified.

Employer Responsibilities

During an FMLA leave, the University shall maintain the employee's group health benefits. However, the employee will be responsible for paying their portion of the benefits that would normally be deducted every pay period.

The employee must also still pay additional premiums for optional benefits or for other eligible members. Premium payments that are late by more than 30 days will result in the termination of any insurance benefit specific to that premium. In that event, insurance benefits shall be restored when the employee returns to work.

If the employee does not return to work following the 12 weeks of leave, the employee may be terminated. The University may recover any premiums it paid during the employee's leave, unless the reason for not returning is the continuation, recurrence or onset of a serious health condition. The University is not required to maintain additional benefits.

If an employee is unable to return to work following the 12 weeks of leave and requests and is approved for an extended leave of absence as outlined in policy 8.7 Other Extended Leaves of Absence, the employee will be offered COBRA the first of the month following the start of the extended leave period.

The University, at its sole discretion and based on information provided by the employee and within the requirements of the law, may designate FMLA leave. The employee shall be notified using federal form WH-381 and WH-382 within 5 business days of the request.

Reporting While on Leave

If an employee takes leave because of the employee's own serious health condition or to care for a covered relative, the employee may be required to periodically contact the Human Resources Department regarding the status of the condition and his or her intention to return to work. In addition, the employee must give notice as soon as practicable (within 2 business days, if feasible) if the dates of the leave change, are extended, or were unknown initially.

Intermittent and Reduced-Schedule Leave

Leave because of a serious health condition, or either type of family military leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced-schedule leave (reducing the usual number of hours worked per workweek or workday) if medically necessary.

Exempt Employees - If leave is unpaid, the University will reduce the exempt employee's salary based on the amount of time actually worked. In addition, while an employee is on an intermittent or reduced-schedule leave, the University may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave and that has equivalent pay and benefits.

Any substantive questions about this policy are controlled by the Family and Medical Leave Act.

8.7 Other Extended Leaves of Absence

Upon the employee's written request, the University may provide an extended leave of absence without pay or other benefits, to full-time, regular employees for personal reasons not covered by FMLA for a maximum of three months. Subsequent three-month leaves may be granted under extenuating circumstances and with the Vice President's approval. A Vice President may grant leave at the recommendation of a supervisor who has considered, among other things, the employee's work record, length of service, previous leaves and reasons for the requested leave. If the leave of absence is granted, the employee may return to the same or similar position, if available, upon the expiration of the leave without loss of original hiring date.

Neither the pay rate, nor the position is guaranteed. Leaves are calculated from the last day of actual work or from the date FMLA leave is exhausted.

To apply for a leave of absence, the employee shall submit a memorandum to his or her supervisor. The memorandum should be approved and signed by the supervisor, the appropriate Vice President and forwarded to the Human Resources office.

An employee may be paid earned vacation beginning the first day of leave; however, vacation and sick leave do not accrue during a leave. Holiday and break days falling during the leave are counted as part of the leave time and do not constitute additional leave time and are not paid. Insurance benefits continue during a leave; however, the employee will be required to pay all health insurance premiums, including premiums normally paid by the University during the leave of absence.

Insurance benefits normally paid by the employee also must be paid by the employee during the leave to maintain coverage. Late payments will result in cancellation. When the circumstances under which a leave of absence is granted are changed, the leave is immediately cancelled and the employee must return to work. Employees failing to return to work by the designated date shall be terminated.

The University maintains sole discretion for granting or not granting a leave of absence under this policy.

Employees may also be eligible for a reasonable extended leave of absence under ADA with proper documentation.

8.8 Military Leave

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) establishes the rights and obligations of employees returning from uniformed service. Those rights and obligations are summarized as follows.

The employee or an appropriate military officer must give the University advanced written or verbal notice of the leave. Upon completion of military service, the employee must report to the University for reemployment not later than the beginning of the first regularly scheduled work period that starts at least eight hours following the employee's return, if the leave is less than 31 days. If the leave is more than 30 days, but less than 181 days, the employee must report for reemployment within 14 days. If the service is for more than 180 days, the employee has 90 days to report.

The University may request documentation from employees on military leave for more than 30 days to establish that the request for reemployment is timely, did not exceed five years and that the service ended under honorable circumstances. The documentation must be provided as soon as it is available.

If the service was for less than 91 days, the employee must be reinstated in his or her original position. If the leave is for more than 90 days, the University has the additional option of reemploying the person in a similar or equivalent position.

If the service was for more than 30 days, the employee has job retention rights for six months, exce pt for cause. If the service was for more than 180 days, retention rights are for one year.

Military leave is unpaid.

The university does not supplement military pay. However, employees may, at their discretion, use accrued vacation time. Employee benefits that are a function of seniority shall continue to accrue during the leave, but are not credited until the employee returns. If the leave is for less than 31 days, the University shall continue to pay the employee's health benefit premium. However, the employee is still responsible for any dependent or optional coverage premiums. If the leave exceeds 30 days, the employee and qualifying dependents are eligible for continuation of coverage as provided for by COBRA. Dependents of University employees on military leave will continue to be eligible for the tuition waiver benefit as if the employee remained in full service.

To be eligible for reemployment, the employee must be discharged or terminate his/her uniformed service under honorable conditions. Military leave may not exceed five years.

8.9 Employee Injury Policy

In compliance with the Texas Workers' Compensation Statute, any university employee who sustains a bonafide on the job injury or contracts an occupational illness is eligible for medical care to treat their injury. They may also be eligible to receive indemnity or lost wage benefits if they are off work for a prolonged period due to an on-the-job injury.

All job-related injuries, accidents and illnesses must be reported immediately to the Security department and the employee's immediate supervisor, who will report it to Risk Management. If an employee requires medical attention, due to an on-the-job injury, he or she has the right to choose their treating doctor, as long as the doctor accepts workers' compensation. The University may recommend a health care provider or hospital for appropriate medical treatment. If necessary, the employee's designated emergency contact will be notified of the illness or injury.

Following a work-related injury or illness, the employee will receive only the benefits available through workers' compensation insurance. The only exception is that, an employee's available vacation or sick leave may be used to supplement workers' compensation payments while on a workers' compensation leave of absence for the first seven calendar days of lost time.

Workers' compensation indemnity benefits do not apply until the employee is unable to work for seven calendar days, during this time-period, employees who have accrued vacation and sick leave may use the available balances. If the injured worker is out for 28 calendar days, the insurance policy will then retroactively pay the first seven calendar days. If an employee must leave work to attend a doctor's appointment for workers' compensation-related injuries, but otherwise is not losing time, the employee's sick time will not be charged and the employee will be compensated. The time should be noted on the time reporting card as "W/C."

An employee who is off work due to a work-related injury or illness is expected to return to work immediately following release by his or her health care provider. Employees may be offered modified duty if restrictions can be met. Risk Management will work with the injured employee's immediate supervisor and Human Resources to address any physical limitations prescribed by the doctor. The primary goal is to allow the injured employee the ability to return to work as soon as possible with the prescribed limitations and limit lost time from work.

Employees who also are eligible for FMLA will be notified. FMLA shall run concurrently with any lost time due to a workers' compensation injury or illness.

Employees who do not return to work within two years of the injury may be terminated. If, as a result of the injury, the employee suffers a disability under ADA regulations, the University will make reasonable accommodation as required that will allow the employee to perform the essential functions of the job. Requests for an accommodation are governed by section the Americans with Disabilities Act.

Neither the University nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-

duty recreational, social or athletic activity sponsored by the University or any injury or illness due to activities outside of the scope of employment.

Notice to Employees Concerning Workers' Compensation in Texas

1. **Coverage**

Texas Wesleyan University has workers' compensation insurance to cover its employees in the event of a work-related injury or illness. If an employee should sustain a life-threatening on-the-job injury, it is an emergency and 9-1-1 should be called immediately. The injury should also be reported the employee's immediate supervisor and to Risk Management within 24-hours. If an employee suffers a non-life-threatening work-related injury, the injury must be reported to his/her supervisor and to Risk Management within 24 hours. As your employer, the University is required to provide you with coverage information when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

2. **Employee Assistance**

The Commission provides free information about how to file a workers' compensation claim. Commission staff will explain your rights and responsibilities under the Workers' Compensation Act and assist in resolving disputes about a claim. You can obtain this assistance by contacting your local Commission field office or by calling 1-800-252-7031.

3. **Safety Hotline**

The Commission has established a 24-hour, toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division of Workers' Health & Safety at 1-800-452-9595.

4. **Right to Elect Non-coverage**

You may elect to retain your common law right of action, if no later than five days after you begin employment or within five days after receiving written notice from the employer that the employer has obtained coverage, you notify your employer in writing that you wish to retain your common law right to recover damages for personal injury. If you elect to retain your common law right of action, you cannot obtain workers' compensation income or medical benefits if you are injured.

8.10 Insurance

8.10.1 Life Insurance

The University provides full-time, regular employees with a group life insurance policy. Full-time, regular employees become eligible for life insurance the first of the month after 90 days of continuous employment. Human Resources will provide online enrollment instructions to new employees on which he or she may designate a beneficiary. In the event of a claim, Human Resources should be contacted to begin the necessary administrative process. Any questions concerning the group life insurance policy should be referred to Human Resources.

8.10.2 Medical Insurance

The University provides health insurance benefits to full-time, regular employees as described in the schedule of benefits for the plan. Full-time, regular employees become eligible for group health insurance on the first day of the month following 30 days of employment. The University may pay a portion or all of the premium for the employee's coverage; however, in the event the University offers more than one health care plan, the University may pay the premium of the lowest cost provider. The employee is responsible for monthly premiums for any eligible dependents enrolled in the program.

Eligible dependents include the lawful spouse of an insured employee; a child under the limiting age; a child of any age who is medically certified as disabled and dependent on the parent; a child of your child who is your Dependent for federal income tax purposes at the time application for coverage of the child is made; any other child included as an eligible Dependent under the health plan contract. Child means a natural child, a stepchild, an eligible foster child, an adopted child, under twenty-six (26) years of age, regardless of presence or absence of a child's financial dependency, residency, student status, employment status, marital status, eligibility for other coverage, or any combinations of those factors.

Human Resources will provide instructions for online enrollment to new employees. Online enrollment must be completed before coverage can begin. Human Resources also will provide information that describes the details of the plan. Employees will receive a group health insurance card from the provider. Employees should contact the health plan representative (member services) or Human Resources with any questions concerning the policy.

Terminating employees are covered under the medical plan until the last day of the month in which they terminate.

8.10.2.1 *COBRA/HIPAA (Consolidated Omnibus Budget Reconciliation Act and Health Insurance Portability and Accountability Act)*

The University complies with all regulations with respect to continued health insurance for eligible employees. Upon being hired by the University, employees shall be advised in writing of their COBRA benefits in the event that their employment is terminated. Terminating employees shall be sent notification of their COBRA rights and HIPAA certification within 14 days. It is the employee's responsibility to keep the University and Human Resources informed of the current addresses for all qualified beneficiaries.

The University may deny COBRA coverage for termination due to gross misconduct. Gross misconduct includes, but is not limited to, any act constituting violence or the threat of violence in the workplace, misappropriation of University funds or assets, the deliberate destruction or abuse of University property, reporting for work under the influence of alcohol or illegal drugs or the possession of illegal drugs in the workplace, and sexual harassment. For additional information, contact Human Resources.

8.10.2.2 *HIPAA Medical Privacy Policy*

Human Resources will maintain employee/dependent medical information that may be used or disclosed in any form including electronic, paper, or oral, and that may contain individually identifiable health information. This Protected Health Information (PHI) is defined as: health

information that can be created or received by the University that identifies or can be used to identify a specific individual, and relates to the past, present, or future physical or mental condition of the individual; health care provided to the individual; or, the past, present, or future payment for the individual's health care. PHI will be retained in separate confidential files. Disclosure of PHI will be limited to the minimum amount necessary for specified purposes, and non-medical disclosures will be permitted only with the written authorization of the individual who is the subject of the information. Disclosures of PHI for law enforcement purposes will be permitted when required or as permitted by law.

To ensure protection of PHI, Human Resources will adhere to the following safeguards:

A. Establishment of written policies and procedures to protect the privacy of PHI;

B. Establishment of sanctions and ability to impose sanctions for violations;

C. Establishment of an internal complaint process;

D. Designation of a privacy officer - concerns regarding HIPAA compliance should be referred to Human Resources; and

E. Provide training to University employees.

Rights of Individuals - Employees and/or their dependents have the following rights:

A. to receive notice of the University's privacy practices;

B. to request that disclosures of PHI be restricted, for example only to certain individuals;

C. to request that alternative methods be used to release an individual's PHI;

D. to inspect and obtain a copy of all PHI relating to the individual; to request amendments to an individual's PHI; and,

E. to receive information about the disclosures of an individual's PHI.

8.10.3 Disability Insurance

Eligibility for coverage for full-time, regular employees commences the first of the month after ninety (90) days of continuous employment. The University will provide 100% compensation to full-time regular employees the first thirty (30) calendar days of continuous disability after notification and documentation by a physician that the employee is disabled. Compensation for the first thirty (30) days of continuous disability includes utilization of all accrued sick days and vacation days, if any.

If an employee has more than 30 days of vacation and sick leave benefits available, he or she may utilize the remainder of those benefits at a rate of 40% per day in addition to receiving 60% disability income benefits through the University's disability insurance policy. The University pays all premiums for employee disability insurance.

Except as stated above or in the summary plan description, disability insurance will provide 60% of the employee's customary salary beginning on the 31st day of continuous disability.

Employees wishing to take advantage of the disability benefit must submit written documentation certifying a disability from their physician to Human Resources. Submission of the documentation should be done within two weeks of the last day worked, if the employee anticipates being unable to return to work full-time before day 30.

While on disability leave that is running concurrently with FMLA, the University shall pay the premiums for the employee's group health benefits. However, the employee still must pay their portion of the premiums for themselves and covered family members.

In the event of a claim, the employee should contact the Office of Human Resources as soon as possible in order to process the claim. Records of disability will be maintained in the employee's confidential file in the Office of Human Resources.

Employees approved for salary continuation of short-term or long-term benefits are required to provide updates (verified by physician) as requested. Failure to do so promptly may result in loss of benefits. Employees with questions regarding claims or benefits should contact Human Resources.

Employees receiving disability benefits are not eligible for break day or holiday pay.

This policy includes only a summary of the disability benefits provided by the plan. If a discrepancy arises, the plan document and summary plan description will take precedence.

Employees on disability and FMLA concurrently should also review the FMLA policy. Employees receiving disability insurance while on FMLA who are in a paid status will be eligible for holiday and break days. Employees receiving disability benefits and in an unpaid status while on FMLA are not eligible for holiday or break days.

8.10.4 Optional Benefits

The University may, at its sole discretion, provide optional benefits that full-time employees may enroll in, at their expense. These may include dental, flex spending, etc., and are subject to the same open enrollment periods as other benefits.

8.10.5 Employee Assistance Program

Texas Wesleyan University has established an Employee Assistance Program (EAP), for all full-time employees enrolled in the long-term disability plan, to provide professional, confidential assistance for personal problems, such as emotional stress, workplace conflict, parenting concerns, marital and family distress, and alcohol- and drug-related problems. The program is designed to encourage early awareness of such problems and to offer assistance at the earliest opportunity.

Texas Wesleyan University believes that employees with a personal problem affecting job performance and/or attendance should receive the same careful consideration and offer of professional and confidential assistance that is presently extended to employees having health problems. Employees are responsible for their performance and for taking constructive action to resolve any personal problem that affects or threatens to affect their on-the-job behavior. The EAP provides a confidential, professional resource for assistance in resolving personal problems. Employees are encouraged to seek assistance through the EAP on their own, before performance is negatively affected.

This confidential program is administered by a third-party independent consulting and service firm.

8.11 Retirement

8.11.1 University Sponsored Retirement Plans

The University's retirement plan has two components, The Texas Wesleyan University

401(a) plan_and the Texas Wesleyan University 403(b)plan. Eligible employees may choose to participate in the 403(b) plan immediately upon employment. In this plan, employees may designate a pre-tax deduction amount from each paycheck and designate their investment choices.

Summary plan documents are available on Human Resources website.

The amount the University contributes each year is set by the Board of Trustees and is subject to change. Eligible employees may participate in the 401(a) plan once they have completed one full year and 1000 hours of service.

The University previously sponsored a defined benefits plan called the Rebecca Estes Gray Retirement Plan. This plan was frozen May 31, 1996. Employees eligible at the time the plan was frozen are entitled to accrued benefits as provided for in the plan.

8.11.2 Social Security

All employees are covered by Social Security with the exception of the Leadership Development Academy employees and student employees.

Under the Social Security program, employee contributions are deducted from paychecks and the University matches the contribution.

8.12 Services

8.12.1 Bookstore

Subject to approval from the bookstore contractor and within the limits of any contractual agreement, a discount is available to all full-time employees.

8.12.2 Check Cashing

The business office (cashier) will cash personal checks of $25 or less per day without authorization; checks written for amounts over $25 must be authorized by the controller or his or her designate. The business office may, at its discretion, refuse to cash third party or out of-area checks. Check cashing privileges may be suspended or terminated, and any losses subject to collection, for any employee cashing a check on a closed account or with insufficient funds.

8.12.3 Credit Union

Employees are eligible to participate in the Educational Employees Credit Union. For further information, please contact the credit union directly.

8.12.4 Direct Deposit

Employees are strongly encouraged to arrange for direct deposit of their payroll check to most financial institutions. Forms are available in Human Resources or the Business Office.

8.12.5 Library Services

All employees are eligible to use the library with their University employee identification card. Hours of operation are posted in the library.

8.12.6 Special Programs and Activities

The University sponsors many programs, such as concerts, theatre productions, art shows and athletic events. All employees are welcome and encouraged to attend programs that are of interest to them. Unless otherwise noted, admission to these events is free to the employee and his or her immediate family members.

8.12.7 Recreation

The University's athletic facilities are available for employee use when not occupied by organized groups or classes. Facilities include the swimming pool, the basketball court (gymnasium), volleyball and badminton facilities, tennis courts and gymnastic equipment. For further information and available times, contact the Department of Athletics. The swimming pool is not to be used unless a certified lifeguard is on duty.

8.12.8 Parking

Parking is available for all employees. Please refer to the University's Parking and Campus Traffic Regulations for more information. Employees with mobility issues, should contact Human Resources to secure a reserved space.

8.12.9 Campus Security

The University provides 24-hour security patrols. All employees share in the responsibility to ensure the safety and protection of everyone on campus and the safekeeping of University and personal property. Campus security may be reached by calling extension 4911. Fire, police or medical emergencies should be reported by calling 911 before notifying security. Any suspicion of violence, theft, breaking and entering, other illegal or suspicious activity or breach of law should be reported immediately to campus security or the police. A University identification card must be carried at all times while on University property and must be presented to cam pus security or the police upon request. Employees are responsible for securing their own work areas and possessions. The University is not responsible for damage, loss or theft of personal property.

The Office of Communications publishes Wesleyan Flame via e-mail and a quarterly magazine. Services and privileges may be cancelled, suspended, modified or revoked by the University at any time.

9.0 Committees

Committees may be established as necessary (e.g. committees on retirement, benefits and safety). The President typically appoints committees.